

# North Dakota Department of Transportation

Thomas K. Sorel  
*Director*

Doug Burgum  
*Governor*

November 15, 2017

## ADDENDUM 3 – JOB 40

TO: All prospective bidders on project AC-NH-SOIB-7-023(041)925, Job No. 40 scheduled for the November 17, 2017 bid opening.

The following plan and request for proposal revisions shall be made:

Plan Revisions:

See attached summary from Jessica Karls, KLJ dated November 15, 2017 for an explanation.

Request for Proposal Revisions:

Remove and replace page 12 of 14 of the Proposal pages located at the beginning of the Request for Proposal, with the enclosed pages revised 11/15/2017.

The following changes were made to the Bid Items:

Spec No.	Code No.	Description	Description of Change
920	1241	BIOLOGIST	Removed Bid Item
920	1242	BIOLOGIST	Added Bid Item at 280 DAY

**Remove and replace Special Provision SP 509(14) MIGRATORY BIRD TREATY ACT AND THREATENED AND ENDANGERED SPECIES ACT COMPLIANCE.**

This addendum is to be incorporated into the bidder's proposal for this project. AASHTOWare Project Bids files should be updated by downloading the addendum file from the Bid Express on-line bidding exchange at <http://www.bidx.com/> and load it into the AASHTOWare Project Bids program.

for PHILLIP MURDOFF – CONSTRUCTION SERVICES ENGINEER

80:jwj  
Enclosure



November 15, 2017

ADDENDUM 3 JOB 40

TO: All prospective bidders and suppliers on Project AC-NH-SOIB-7-023(041)925 scheduled for the November 17, 2017 bid opening.

Revisions for AC-NH-SOIB-7-023(041)925:

**Remove & replace plan sheets:**

- Section 8 Sheet 1 Revised 11/15/2017
- Section 199 Sheet 6 Revised 11/15/2017
- SP 509(14) Revised 11/15/2017

with the enclosed revised sheets.

Electronic files will be made available through the NDDOT's Plans and Proposals Page.

SECTION 8

*SHEET 1:*

- Remove the following bid item:

Spec	Code	Description	Unit	Previous Quantity	Addendum 3 Quantity
920	1241	Biologist	L SUM	1	-

- Add the following bid item:

Spec	Code	Description	Unit	Previous Quantity	Addendum 3 Quantity
920	1242	Biologist	DAY	-	280

SECTION 199

*SHEET 6:*

- Revised evergreens to 6' B&B

SPECIAL PROVISIONS

*SP 509(14):*

- Defined calendar day and revised the units of the bid item "Biologist".



This addendum is to be incorporated into bidder's proposal for this project.

Sincerely,  
KLJ

A handwritten signature in blue ink that reads "Jessica Pfand".

Project Engineer

Enclosure(s): Revised Plan Sheets  
-Project #: AC-NH-SOIB-7-023(041)925  
c: Jen Einrem, NDDOT Design Division



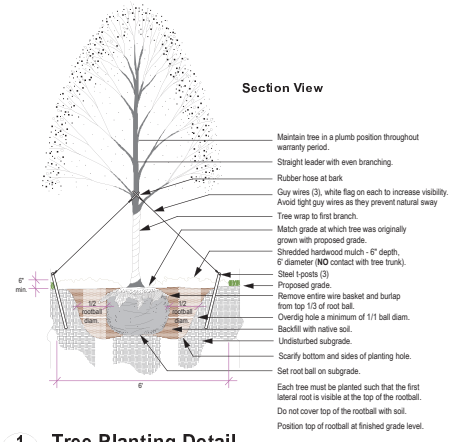
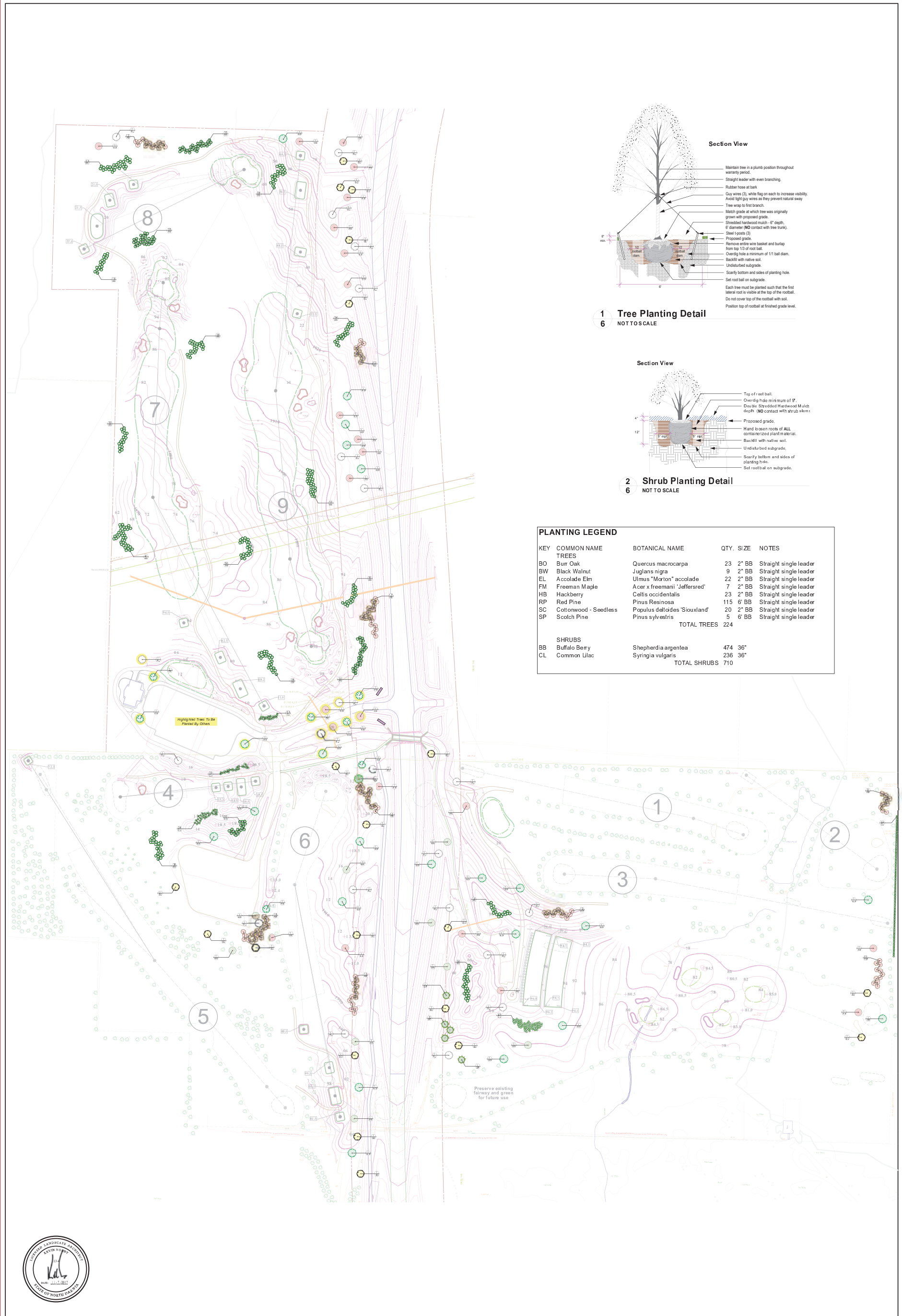


Estimate of Quantities

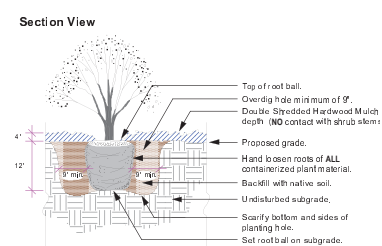
SPEC	CODE	ITEM DESCRIPTION	UNIT	TOTAL
103	0100	CONTRACT BOND	L SUM	1
103	0200	ESCROW OF BID DOCUMENTATION	L SUM	1
201	0330	CLEARING & GRUBBING	L SUM	1
201	0380	REMOVAL OF TREES 18IN	EA	244
201	0390	REMOVAL OF TREES 30IN	EA	22
202	0136	REMOVAL OF PAVEMENT	TON	12,579
202	0174	REMOVAL OF PIPE ALL TYPES AND SIZES	LF	257
202	0279	REMOVAL OF BUILDINGS-SITE 3	L SUM	1
202	0281	REMOVAL OF BUILDINGS-SITE 1	L SUM	1
202	0282	REMOVAL OF BUILDINGS-SITE 2	L SUM	1
202	0312	REMOVE EXISTING FENCE	LF	8,953
203	0101	COMMON EXCAVATION-TYPE A	CY	678,962
203	0109	TOPSOIL	CY	54,915
203	0140	BORROW-EXCAVATION	CY	42,176
210	0050	BOX CULVERT EXCAVATION	EA	1
210	0210	FOUNDATION FILL	CY	2,441
210	0405	FOUNDATION PREPARATION-BOX CULVERT	EA	1
216	0100	WATER	M GAL	8,104
230	0165	SUBGRADE PREPARATION-TYPE A-12IN	STA	70.20
251	0200	SEEDING CLASS II	ACRE	46.05
251	0300	SEEDING CLASS III	ACRE	21.39
251	2000	TEMPORARY COVER CROP	ACRE	66.15
253	0101	STRAW MULCH	ACRE	112.20
253	0201	HYDRAULIC MULCH	ACRE	21.39
253	0301	BONDED FIBER MATRIX	ACRE	66.27
255	0103	ECB TYPE 3	SY	833
256	0300	RIPRAP GRADE III	CY	95
256	0600	RIPRAP-SALVAGED	CY	62
260	0200	SILT FENCE SUPPORTED	LF	5,834
260	0201	REMOVE SILT FENCE SUPPORTED	LF	5,834
261	0112	FIBER ROLLS 12IN	LF	55,669
261	0113	REMOVE FIBER ROLLS 12IN	LF	35,057
261	0120	FIBER ROLLS 20IN	LF	15,392
261	0121	REMOVE FIBER ROLLS 20IN	LF	7,872
302	0120	AGGREGATE BASE COURSE CL 5	TON	50,482
302	0356	AGGREGATE SURFACE COURSE CL 13	TON	11,461
401	0050	TACK COAT	GAL	7,234
401	0060	PRIME COAT	GAL	12,473
401	0160	BLOTTER MATERIAL CL 44	TON	214
411	0105	MILLING PAVEMENT SURFACE	SY	103
430	0045	SUPERPAVE FAA 45	TON	15,719
430	1000	CORED SAMPLE	EA	82
430	5803	PG 58S-28 ASPHALT CEMENT	TON	392
430	5818	PG 58H-34 ASPHALT CEMENT	TON	552
550	0302	8.5IN NON-REINF CONCRETE PVMT CL AE-DOWELED	SY	21,241
602	1131	CLASS AE-3 CONCRETE-BOX CULVERT	CY	296.7
612	0114	REINFORCING STEEL-GRADE 60-BOX CULVERT	LBS	63,116
702	0100	MOBILIZATION	L SUM	1
704	0100	FLAGGING	MHR	3,590
704	1000	TRAFFIC CONTROL SIGNS	UNIT	4,735
704	1052	TYPE III BARRICADE	EA	37
704	1060	DELINEATOR DRUMS	EA	328
704	1067	TUBULAR MARKERS	EA	153
704	1080	STACKABLE VERTICAL PANELS	EA	106
704	1086	SEQUENCING ARROW PANEL-TYPE B	EA	1
704	1185	PILOT CAR	HR	120
704	1500	OBLITERATION OF PAVEMENT MARKING	SF	8,941
706	0400	FIELD OFFICE	EA	1
706	0500	AGGREGATE LABORATORY	EA	1
706	0550	BITUMINOUS LABORATORY	EA	1

SPEC	CODE	ITEM DESCRIPTION	UNIT	TOTAL
706	0600	CONTRACTOR'S LABORATORY	EA	1
709	0100	GEOSYNTHETIC MATERIAL TYPE G	SY	321
709	0151	GEOSYNTHETIC MATERIAL TYPE R1	SY	5,347
709	0155	GEOSYNTHETIC MATERIAL TYPE RR	SY	257
714	4099	PIPE CONDUIT 18IN-APPROACH	LF	372
714	4106	PIPE CONDUIT 24IN-APPROACH	LF	254
714	4110	PIPE CONDUIT 30IN	LF	518
714	4113	PIPE CONDUIT 30IN-APPROACH	LF	122
714	4115	PIPE CONDUIT 36IN	LF	312
714	4120	PIPE CONDUIT 42IN	LF	1,086
714	5015	PIPE CORR STEEL .064IN 18IN	LF	64
714	5041	PIPE CORR STEEL .064IN 30IN POLYMERIC COATED	LF	14
714	5051	PIPE CORR STEEL .064IN 42IN POLYMERIC COATED	LF	76
714	5056	PIPE CORR STEEL .064IN 48IN POLYMERIC COATED	LF	6
714	9660	REMOVE & RELAY END SECTION-ALL TYPE & SIZES	EA	6
720	0110	RIGHT OF WAY MARKERS	EA	82
720	0125	ALIGNMENT MONUMENTS	EA	30
720	0130	IRON PIN R/W MONUMENTS	EA	68
720	0135	IRON PIN REFERENCE MONUMENTS	EA	14
722	0120	MANHOLE 72IN	EA	1
722	1120	MANHOLE RISER 72IN	LF	10.8
722	3300	SANITARY MANHOLE REPAIR	EA	3
722	4010	INLET CATCH BASIN 6IN BEEHIVE	EA	1
722	6140	ADJUST GATE VALVE BOX	EA	4
722	6200	ADJUST MANHOLE	EA	1
724	0427	ADJUST HYDRANT	EA	1
724	0891	WATERMAIN MODIFICATIONS	L SUM	1
744	0050	INSULATION BOARD	CF	234
750	0115	SIDEWALK CONCRETE 4IN	SY	564
750	0140	SIDEWALK CONCRETE 6IN	SY	105
750	2115	DETECTABLE WARNING PANELS	SF	50
752	0110	FENCE BARBED WIRE 3 STRAND-STEEL POST	LF	1,488
752	0201	FENCE SMOOTH WIRE 4 STRAND	LF	9,661
752	0911	TEMPORARY SAFETY FENCE	LF	4,738
752	0993	FENCE TERMINAL	EA	5
752	2100	VEHICLE GATE	EA	3
752	2120	REMOVE VEHICLE GATE	EA	2
752	3140	CORNER ASSEMBLY BARBED WIRE	EA	29
752	4100	DOUBLE BRACE ASSEMBLY BARBED WIRE	EA	1
754	0110	FLAT SHEET FOR SIGNS-TYPE XI REFL SHEETING	SF	393.1
754	0112	FLAT SHEET FOR SIGNS-TYPE IV REFL SHEETING	SF	546.0
754	0206	STEEL GALV POSTS-TELESCOPING PERFORATED TUBE	LF	1,492.1
754	0563	REFERENCE MARKER-TYPE C	EA	6
754	0805	OBJECT MARKERS - CULVERTS	EA	28
762	0112	EPOXY PVMT MK MESSAGE	SF	960
762	0113	EPOXY PVMT MK 4IN LINE	LF	60,456
762	0114	EPOXY PVMT MK 6IN LINE	LF	240
762	0115	EPOXY PVMT MK 8IN LINE	LF	8,842
762	0117	EPOXY PVMT MK 24IN LINE	LF	240
762	0420	SHORT TERM 4IN LINE-TYPE R	LF	30,480
770	0003	LIGHTING SYSTEM A	EA	1
770	0004	LIGHTING SYSTEM B	EA	1
770	0005	LIGHTING SYSTEM C	EA	1
772	9811	TRAFFIC SIGNAL SYSTEM - SITE 1	EA	1
902	0400	MACHINE HYGIENE	L SUM	1
920	1242	BIOLOGIST	DAY	280
970	0300	BENCH	EA	3
970	0700	GOLF COURSE	L SUM	1
990	0230	TEMPORARY ACCESS	L SUM	1
990	0400	PIPE CLEANOUT	EA	4

ND 23B Truck Reliever Route  
Estimate of Quantities



**1 Tree Planting Detail**  
6 NOT TO SCALE



**2 Shrub Planting Detail**  
6 NOT TO SCALE

**PLANTING LEGEND**

KEY	COMMON NAME	BOTANICAL NAME	QTY.	SIZE	NOTES
<b>TREES</b>					
BO	Burr Oak	Quercus macrocarpa	23	2" BB	Straight single leader
BW	Black Walnut	Juglans nigra	9	2" BB	Straight single leader
EL	Accolade Elm	Ulmus "Morton" accolade	22	2" BB	Straight single leader
FM	Freeman Maple	Acer x freemanii 'Jeffersred'	7	2" BB	Straight single leader
HB	Hackberry	Celtis occidentalis	23	2" BB	Straight single leader
RP	Red Pine	Pinus Resinosa	115	6" BB	Straight single leader
SC	Cottonwood - Seedless	Populus deltoides 'Siouxland'	20	2" BB	Straight single leader
SP	Scotch Pine	Pinus sylvestris	5	6" BB	Straight single leader
			<b>TOTAL TREES</b>	<b>224</b>	
<b>SHRUBS</b>					
BB	Buffalo Berry	Shepherdia argentea	474	36"	
CL	Common Lilac	Syringia vulgaris	236	36"	
			<b>TOTAL SHRUBS</b>	<b>710</b>	



Sheet:  
**GOLF COURSE PLANTING PLAN**

Golf Course Architect:  
**HERFORD NORBY ARCHITECTS**  
100 East Second Street, Suite 200  
Chaska, MN 55318  
(952) 361-0544  
email: gfn@golfdesign.com  
web: herfordnorbys.com

Engineers:  
**KLJ**  
3203 32nd Ave. S., Suite 201  
Fargo, ND 58103  
(701) 232-5353  
web: kljeng.com

**October 4, 2017**  
Revisions:  
11/7/17 Added trees and shrubs, updated plant list  
11/15/17 Revised Red & Scotch Pine size to 6"

This plan and the concepts represented herein are the property of Herford Norby Golf Course Architects. Use of this plan shall require prior written approval by Herford Norby Golf Course Architects.

**6**

## NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

### SPECIAL PROVISION

#### MIGRATORY BIRD TREATY ACT AND THREATENED AND ENDANGERED SPECIES ACT COMPLIANCE

#### PROJECT # 7-023(041)048 – PCN 19862

##### DESCRIPTION

This work consists of hiring a qualified Biologist to conduct Migratory Bird and Threatened and Endangered (T&E) species surveys.

A Biologist is required between the dates of February 1<sup>st</sup> and April 14<sup>th</sup> to conduct Migratory Bird Surveys if preventative measures are not implemented before February 1<sup>st</sup>. Preventive measures are described within this Special Provision.

A Biologist is required between the dates of April 15<sup>th</sup> and August 31<sup>st</sup> to conduct T&E Species Surveys.

##### Definitions

###### A. Take.

For the purpose of this SP, “take” is defined in 50 CFR 10.12 is: to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect.

###### B. Avoidance Area.

###### 1. Migratory Birds.

Avoidance Area is defined for Migratory Birds as an area within 50 feet of an active nest.

###### 2. T&E Species.

Avoidance Area is defined for T&E Species as an area within 0.5 mile of a Piping Plover, Interior Least Tern, Rufa Red Knot or their nests.

###### C. Buffer.

Buffer is defined for the T&E Species as an area within 0.5 mile of Lake Sakakawea.

##### QUALIFICATIONS

A Biologist is required to have a four year Bachelor of Science degree in wildlife management, biology/zoology, or closely related natural resources degree from an accredited university. The Biologist is also required to be employed as an environmental professional and have at least one year of experience performing migratory bird surveys, including the interior least tern, piping plover, and rufa red knot and their habitat.

## CONSTRUCTION REQUIREMENTS

### A. General.

This work may impact migratory birds or active migratory bird nests located on building structures, trees, brush, sandy, or grassy areas. A nest is considered active when it contains eggs or chicks.

### B. Migratory Birds

#### 1. General.

Nests are active during the primary breeding season for migratory birds in North Dakota from February 1 to July 15.

All reasonable, prudent, and effective measures should be identified and implemented to avoid take of any migratory bird, nests, or eggs of such bird.

#### 2. Preventive Measures.

##### a. Mowing or Grubbing.

Grub all trees and shrubs before February 1<sup>st</sup>.

Mow all other vegetation to a height of 6 inches or less before April 1<sup>st</sup>. Repeat mowing as required throughout the nesting season to maintain vegetation at a height of 6 inches or less.

If inactive nests are discovered during the initial mowing or grubbing, destroy the discovered nests on site. No nests can be transported intact off of the job site.

##### b. Surveys.

###### (1). General.

If mowing or grubbing is not completed before the nesting season, hire a qualified Biologist to conduct an active nest survey no more than 5 working days before starting work at the site.

When conducting the survey, the Biologist will record the following information:

- Date of survey;
- Time of survey;
- Method; and
- Result of survey.

###### (2). No Nests Identified.

If no active nests are identified, the Biologist will submit the report with the record of survey to the Engineer, Contractor, and NDDOT ETS Environmental Section I Biologist within 7 days of the survey.

###### (3). Nests Identified.

If active nests are identified perform the following actions:

- Create a 50 foot avoidance area around active nests using high visibility fencing. The buffer area around the nest may need to be increased or



- decreased depending on the species identified; and
- The Biologist will notify the Engineer and the NDDOT ETS Environmental Section I Biologist.

The NDDOT ETS Environmental Section I Biologist will determine if the buffer size needs to be revised.

The Biologist will record the following:

- Location of each protected nest;
- Bird species;
- Protection method used;
- Buffer distance; and
- The date installed.

The Biologist will submit a report with the record of survey to the Engineer, Contractor, and the NDDOT ETS Environmental Section I Biologist.

Work will not be allowed within the buffer area until weekly surveys show that the young have fledged or the nest(s) have become inactive.

The Biologist will report any taking of a migratory bird to the Engineer. Any penalties levied by USFWS for the taking of a migratory bird will be the responsibility of the Contractor.

### **C. T & E Species (Interior Least Tern, Piping Plover, and Rufa Red Knot).**

#### **1. General.**

The summer nesting season for Interior Least Tern, Piping Plover, and Rufa Red Knot occurs between April 15 and August 31. Conduct surveys within an area 0.5 mile along Lake Sakakawea.

The potential for habitat can be found between the following stations:

- ND 23 from 2570+45 to 2600+23;
- ND 23B from 48873+55 to 48920+00; and
- 40<sup>th</sup> St NW from 50+00 to 64+00.

#### **2. Initial Survey.**

The Biologist will conduct an initial field survey within the 0.5 mile buffer area of Lake Sakakawea 2 days before beginning construction activities to identify suitable habitat (e.g. islands or shoreline habitat).

#### **3. No Habitat Present.**

If no suitable habitat is identified during the initial survey, conduct a weekly survey to identify any new habitat uncovered by the lake.

End surveys July 15<sup>th</sup> if no suitable nesting habitat, nesting pairs, or nests have been identified. Construction within the 0.5 mile buffer area can resume without surveys on July 16<sup>th</sup>.

**4. Habitat Present.**

If suitable habitat has been identified and construction activities will take place within 0.5 mile of the suitable habitat, conduct 2 daily surveys within the suitable habitat:

- Conduct the first survey for 2 hours during daylight before starting construction activities for that day.
- Conduct a second survey for 1 hour beginning after work has stopped for that day. Stop construction activities early enough to allow for the survey to be completed no later than 30 minutes after sunset.

If an individual or pairs of birds are discovered during surveys, the Biologist will determine if the species is exhibiting nesting behavior or territorial displays.

If the birds are exhibiting nesting behavior or territorial displays, the Biologist will notify the Engineer and create a 0.5 mile avoidance area around the identified area. The Engineer will contact NDDOT ETS Environmental Section I Biologist.

If the birds are not exhibiting nesting behavior or territorial displays (e.g. resting or feeding), construction can resume provided that the Biologist continues to monitor the bird behavior.

Do not resume construction activities within the avoidance area until one of the following has been fulfilled:

- Mitigation measures determined by the contacted agencies have been installed;
- Daily surveys show that the birds have vacated the area; or
- September 1 has been reached.

**5. Survey Report.**

The Biologist will submit a weekly report to the Engineer, Contractor, and the NDDOT ETS Environmental Section I Biologist detailing the following information:

- Date and time of surveys;
- Locations of suitable habitat; and
- Results of the surveys.

**METHOD OF MEASUREMENT**

The Engineer will measure a Day as a Calendar Day where the Biologist is onsite conducting surveys for Migratory Birds and/or T&E Species.

**BASIS OF PAYMENT**

<b>Bid Item</b>	<b>Unit</b>
Biologist	Day

Such payment is full compensation for furnishing all materials, equipment, labor, and incidentals to complete the work as specified.