ADDENDUM NO. 1

Boquet River Non-Point Source Pollution Improvement Project – Phase II

Town of Willsboro, New York

March 28, 2018

TO ALL CONTRACT DOCUMENT HOLDERS AND PROSPECTIVE BIDDERS:

This Addendum is issued to document clarifications and modifications to the Contract Documents for the Boquet River Non-Point Source Pollution Improvement Project. This Addendum is made a part of the Contract Documents. Each bidder must acknowledge receipt of the Addendum on the Proposal Form.

- 1. A Pre-Bid Meeting was held at the project site on March 22. 2018 10:00 AM. A sign-up list from that meeting is attached. Items that were discussed in the meeting that impact the project scope are addressed in this addendum.
- 2. The bid form has been revised and is attached to this document. USE THE REVISED BID PROPOSAL FORM TO SUBMIT YOUR BID. The bid items have been modified so that Task 1 includes the excavation and removal of all fill material that must be disposed of as historic fill and non-friable asbestos waste at a lined landfill. Task 1 will be completed as an asbestos abatement project. Tasks 2, 3, 4, and 5 involve bank stabilization, ramp construction, fishing platform construction, and site restoration, respectively.
- 3. Sheet EC.1 has been revised to show the entire project area and is attached. The sheet has also been revised to show the location of a project sign required as part of the project, and removal of any reference to a sheet SP-2.
- 4. Appendix G Change Order (page 88 of 376 in the original Contract Documents) has been revised and is attached.
- 5. A variance has been obtained from the New York State Department of Labor in regards to the exterior removal of non-friable ACM Transite material and soil cleanup and is attached.
- 6. The Engineer's Estimate for the project is between \$200,000 and \$300,000.
- 7. In response to a question from a prospective bidder seeking clarification regarding the railings: The details on sheet D.1 for the ramp shall be a 3-rail fence plus a handrail in accordance with details B/D.1 and C/D.1 for OSHA low use. Alternative proposals for the railing and how it is anchored will be accepted that provide equivalent safety in the interest of reducing cost. The railing on the fishing platform shall be anchored in accordance with the details and notes on sheet S1.0. The railing itself shall be painted metal (galvanized or not) and shall resemble the railing at the former fish ladder at the former site of the dam (pictures attached).

- 8. In response to a question from a prospective bidder seeking clarification regarding the planting plan. The planting schedule is provided on sheet D.1 in between detail B/D.1 and C/D.1. A total of 200 plants (trees and shrubs) are to be provided. The location of plants shall be generally within the hatched area on sheet SP.1 in accordance with the spacing guidelines in the plant schedule. Actual plant locations may be modified by the Owner during construction.
- 9. Two of the sources that are being used to fund the design and construction of this project have specific requirements regarding signage. The contractor shall include in the bid a project sign to be covered under Task 1 and located as indicated on EC.1. Sign requirements per the NYSDEC Environmental Protection Fund and the Lake Champlain Basin Program NEIWPCC grant are attached. Further information on the LCBP sign can be found here: http://www.lcbp.org/about-us/grants-rfps/grant-toolkit/
- 10. In the execution of Task 1, large pieces of concrete and rock shall be cleaned and left onsite and may be re-used as part of the rock wall or rip-rap, as approved by the Engineer, to reduce the amount of waste disposed of at the landfill. Native material (such as the substrate at the riverbank) may remain in place during the asbestos removal phase and excavated out later after the asbestos project is cleared.
- 11. According to one of the funding sources for this project, contactors are required to make good faith efforts to subcontract at least 10% of the dollar value of the contract to Minority Owned Business Enterprises (MBEs) and at least 10% of such value to Women Owned Business Enterprises (WBEs).
- Attachments: 1) Pre-Bid Meeting Sign-In Sheet
 - 2) Bid Proposal Form (Revision 6/9/2015), pages 8-10
 - 3) Sheet EC.1 (Revision 3/27/2018)
 - 4) Sample Change Order (Revision 3/27/2018)
 - 5) NYSDOL Variance
 - 6) Photographs of railing at former fish ladder
 - 7) Project Sign requirements

Page____

PROPOSAL

Date: Proposal of

to furnish and deliver all labor, supervision, materials, and equipment and perform all work in accordance with the Specifications for Boquet River Non-Point Source Pollution Prevention Improvement Project -*Phase II* in the Town of Willsboro, New York for the following lump sum cost.

The owner, Town of Willsboro, is tax-exempt. Do not include sales tax in Bid amounts.

The undersigned bidder has carefully examined the contract documents, site of the work, is familiar with existing conditions, and will provide all necessary insurance, bonds, machinery, tools, apparatus, false work and other means of construction, and do all the work and furnish all the materials called for by said contract according to the following bid, including all labor, supplies and equipment, permits, fees, overhead and profit for the following Lump Sum price and unit price for the specific items identified. The Total Bid price is the sum of the Lump Sum Base Bid(s) and Unit Price Base Bid(s) and is to be shown in both words and figures. In the event of discrepancies, the amount shown in words shall govern. All items are to be furnished and installed in place complete.

TASK 1 LUMP SUM BASE BID: Task 1: Clean up Debris (Approximate Station 10+25 to 15+10) and Removal of Fill for Excavation Cut. Includes construction of project sign, removal and disposal of loose debris including steel, rebar, brick, loose concrete, pipes, rails, and other debris from station 10+25 to 15+10 from the river to the access road. Also includes the removal of all existing non-native fill material that needs to be removed for the bank stabilization (Task 2), ramp and walking path construction (Task 3) and accessible fishing platform (Task 4). The removal shall be performed as an non-friable asbestos abatement project. Does not include transport and disposal of waste at landfill. \$

1) Lump Sum Price

TASK 2 LUMP SUM BASE BID: Task 2: Stabilize eroded river bank section (Approximate Station 14+15 to 15+25). Includes rockery crib wall at tow of slope, vegetated slope with brush layering and grass,

and stabilized outfall with medium stone fill.

2) Lump Sum Price

\$_____

TASK 3 LUMP SUM BASE BID: Task 3: Handicap Accessible Ramp and Walking Path (Approximate Station 13+00 to 15+60). Includes constructing a concrete walkway that meets ADA accessibility requirements including railings, and maximum slope of 8.3% with level landings. A gravel surface walking path (not ADA compliant) constructed south of approximate station 13+80.

3) Lump Sum Price

\$

Accessible	e Fishing Platfo	orm (Approxim	ate Station 13+89	
ishing platf	form on top of e	xisting structure	s that are remnants	
surface, fo	oundation drain,	steel reinforced	concrete slab, grout	
, and metal	platform railing		-	
	\$_			
Site Resto	oration (Approx	ximate Station 1	12+90 to 15+60).	
pecified on	the plans.			
5) Lump Sum Price \$				
<u>UNIT</u>	QUANTITY	UNIT PRICE	TOTAL PRICE	
sis TONS	900	\$	\$	
ID (sum of	items (1) and (<u>2))</u>		
(Amount in Words)				
(Amount in Figures)				
	ishing platf surface, fc and metal Site Resto pecified on <u>UNIT</u> sis TONS ID (sum of (Amount in	ishing platform on top of e surface, foundation drain, and metal platform railing Site Restoration (Approx pecified on the plans. <u>UNIT QUANTITY</u> sis TONS 900 (D (sum of items (1) and ((Amount in Words)	<u>UNIT</u> QUANTITY UNIT PRICE sis TONS 900 <u>\$</u> (Amount in Words)	

The undersigned further understands that the contract will be awarded to the competent, qualified bidder submitting the lowest bid for the Total Bid.

ADDENDA ACKNOWLEDGEMENT

Addendum No.

Date Received

Proposal Form (Rev. 7/31/17)

UNIT PRICES:

The undersigned proposes unit prices as follows for use in determining cost of work added to or deducted from the Contract. Said unit prices shall include all charges for installation, supervision, taxes, insurance and profit. See Contract Documents for Unit Price descriptions.

TECHNICAL SPECIFICATION/DESCRIPTION	UNIT PRICE
207.0 - Cost per cu.yd. Rock / Ledge Excavation	\$
207.0 - Cost per cu.yd. Common Excavation	\$
501.0 - Cost per sq. yd. Geotextile	\$
218.0 - Cost per cu.yd. Fill Material (Stone)	\$



TOWN OF WILLSBORO, NEW YORK

5 Farrell Road, P.O. Box 370 Willsboro, NY 12996 (518) 963-8668

Shaun Gillilland Town Supervisor

CHANGE ORDER

CONTRACT NO.	CHANGE ORDER NO.	
CONTRACTOR:		
PROJECT:		

DESCRIPTION OF	
CHANGES	

AGREED INCREASE IN	AGREED DECREASE IN	
CONTRACT PRICE:	CONTRACT PRICE:	

Pursuant to Section 9 of the above-referenced contract, I, the Town of Willsboro Town Supervisor, hereby authorize the changes or additions in work described above and agree to the increase or decrease, if any and as indicated above, in the Contract Price.

Dated:

Shaun Gillilland Willsboro Town Supervisor

I, the duly authorized representative of the Contractor, hereby agree that the Contractor will perform/provide the changes or additions in work described above and to accept the increase or decrease, if any and as indicated above, in the Contract Price.

Dated:_____

(Signature)

(Print Name)

(Print Title)

Division of Safety and Health Engineering Services Unit

Department of Labor

W. Averell Harriman State Office Campus Building 12, Room 154, Albany, NY 12240 www.labor.ny.gov 518-457-1536

March 22, 2018

KAS Inc. 589 Avenue D STE 10 Williston, VT 05495

RE: File No. 18-0249

Dear Sir/Madam:

STATE OF NEW YORK DEPARTMENT OF LABOR DIVISION OF SAFETY AND HEALTH

The attached is a copy of Decision, dated, 3/22/2018, which I have compared with the original filed in this office and which I DO HEREBY CERTIFY to be a correct transcript of the text of the said original.

If you are aggrieved by this decision you may appeal within 60 days from its issuance to the Industrial Board of Appeals as provided by Section 101 of the Labor Law. Your appeal should be addressed to the Industrial Board of Appeals, State Office Building Campus, Building 12, Room 116, Albany, New York, 12240 as prescribed by its Rules and Procedure, a copy of which may be obtained upon request.

WITNESS my hand and the seal of the NYS Department of Labor, at the City of Albany, on this day of 3/22/2018.

Junes / 1/

Edward A. Smith, P.E. Professional Engineer 2 (Industrial)



STATE OF NEW YORK DEPARTMENT OF LABOR STATE OFFICE BUILDING CAMPUS ALBANY, NEW YORK 12240-0100

Variance Petition	
of	File No. 18-0249
KAS, Inc. Petitioner's Agent On Behalf Of	DECISION
Town of Willsboro	Case 1
Petitioner	ICR 56
in re	
Premises: Fishing Access & Bank Stabilization Project North End of Mill Street Willsboro, New York 12996	
Exterior Removal of Non-Friable ACM Transite Material and Soil Cleanup	

The Petitioner, pursuant to Section 30 of the Labor Law, having filed Petition No. 18-0249 on February 26, 2018 with the Commissioner of Labor for a variance from the provisions of Industrial Code Rule 56 as hereinafter cited on the grounds that there are practical difficulties or unnecessary hardship in carrying out the provisions of said Rule; and the Commissioner of Labor having reviewed the submission of the petitioner dated February 19, 2018; and dated March 20, 2018; and

Upon considering the merits of the alleged practical difficulties or unnecessary hardship and upon the record herein, the Commissioner of Labor does hereby take the following actions:

Case No. 1 ICR 56-11.6

VARIANCE GRANTED. The Petitioner's proposal for removal of exterior nonfriable ACM transite material and debris at the subject premises in accordance with the attached 08-page stamped copy of the Petitioner's submittal, is accepted; subject to the Conditions noted below:

THE CONDITIONS

- 1. A full-time project monitor shall be on site and responsible for oversight of the abatement contractor during all abatement activities to ensure compliance with ICR 56 and variance conditions.
- 2. The Project Monitor shall perform the following functions during asbestos abatement projects in addition to functions already required by ICR-56:
 - a. Inspect of the interior of the asbestos project work area made at least twice every work shift accompanied by the Asbestos Supervisor;
 - b. Observe and monitor the activities of the asbestos abatement contractor to determine that proper work practices are used and are in compliance with all asbestos laws and regulations;
 - c. Inform the asbestos abatement contractor of work practices that, in the Project Monitor's opinion, pose a threat to public health or the environment, and are not in compliance with ICR-56 and/or approved variances or other applicable rules and/or regulations;
 - d. Document in the Project Monitor Log observations and recommendations made to the Asbestos Supervisor based upon the interior/exterior observations of the asbestos project made by the PM.
- 3. The PM shall alert the nearest District Office of the NYSDOL Asbestos Control Bureau whenever, after the PM has provided recommendations to the Asbestos Supervisor, unresolved conditions remain at the asbestos project which present significant potential to adversely human health or the environment.
- 4. The provisions of 56-11.6 shall be followed for all non-friable removals of transite, except as modified by this variance.
- 5. The restricted areas, regulated abatement work areas, decontamination units, airlocks, and dumpster areas shall be cordoned off at a distance of twenty-five feet (25') where possible, and shall remain vacated except for certified workers until satisfactory clearance air monitoring results have been achieved or the abatement project is complete. For areas where 25-feet aren't possible, the areas shall be cordoned off as practical, and a daily abatement air sample shall be included within 10 feet of the barrier. These areas shall have Signage posted in accordance with Subpart 56-8.1(b) of this Code Rule.
- 6. Removals and cleanup shall include all visible asbestos or suspect asbestos debris, as well soil around and immediately underneath any asbestos material.

- 7. Personal and waste decontamination shall comply with ICR 56-7.5(d)&(f).
- 8. In addition to the requirement of Subpart 56-4.9(b-c), air monitoring within the work areas shall be conducted daily during abatement and cleaning activities. Two (2) additional daily air samples shall be collected within the work areas in the immediate vicinity of potential disturbance activities. The work area air samples shall be collected for each entire workshift with the samples locations being distributed both upwind and downwind of the daily abatement activity
- 9. In lieu of post-abatement clearance air monitoring, the most recent daily abatement air samples collected during all removals and cleaning operations in the regulated work area, shall be used for comparison with ICR 56-4.11 clearance criteria. All other applicable provisions of ICR 56-4 shall be followed for the duration of the abatement project.
- 10. After removal and cleanings are complete and a minimum drying period has elapsed, a project monitor shall determine if the area is dry and free of visible asbestos debris/residue. Clearance is achieved when the area is determined to be acceptable by the project monitor and the most recent daily abatement air sample results meet 56-4.11 clearance criteria.
- 11. All ACM soil/debris shall be removed from site and disposed of by appropriate legal method.
- 12. Usage of this variance is limited to those asbestos removals identified in this variance or as outlined in the Petitioner's proposal.

In addition to the conditions required by the above specific variances, the Petitioner shall also comply with the following general conditions:

GENERAL CONDITIONS

- 1. A copy of this DECISION and the Petitioner's proposals shall be conspicuously displayed at the entrance to the personal decontamination enclosure.
- 2. This DECISION shall apply only to the removal of asbestos-containing materials from the aforementioned areas of the subject premises.
- 3. The Petitioner shall comply with all other applicable provisions of Industrial Code Rule 56-1 through 56-12.
- 4. The NYS Department of Labor Engineering Service Unit retains full authority to interpret this variance for compliance herewith and for compliance with Labor Law Article 30. Any deviation to the conditions leading to this variance shall render this variance Null and Void pursuant to 12NYCRR 56-12.2. Any questions regarding the conditions supporting the need for this variance and/or regarding compliance hereto must be directed to the Engineering Services Unit for clarification.

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5. This DECISION shall terminate on March 31, 2019.

Date: March 22, 2018

ROBERTA L. REARDON COMMISSIONER OF LABOR

Edward A. Smith, P.E. Professional Engineer 2 (Industrial)

By

PREPARED BY: Mark G. Wykes, P.E. Professional Engineer 1 (Industrial)

REVIEWED BY: Edward A. Smith, P.E. Professional Engineer 2 (Industrial)

NEW YORK STATE DEPARTMENT OF LABOR PETITION FOR A VARIANCE OR OTHER RELIEF February 19, 2018 (revised March 20, 2018)

Attachment 1 to SH 752 (5-12)

Petitioner: Town Of Willsboro 5 Farrell Road Willsboro, NY 12996 Premises: Fishing Access North End Mill Street Willsboro, NY 12996

9. ICR 56 Relief Sought

A recreation and fishing access and bank stabilization is to be constructed at the north end of Mill Street along the Boquet River in Willsboro New York by the Town of Willsboro (see attached drawing and pictures). Plans call for removal of approximately 1,202 cubic yards of soil during the construction. It is known that a pulp paper mill existed up and cross gradient to the construction site that was demolished about 1967 (see historical picture of the mill). Transite, apparently from the demolition, is known to exist sporadically in the general area. This variance is to request relief to be able to quickly address any Transite that is found during the construction. A parking area has been constructed previously on the north end of this construction site is closer to the location of the demolished mill and it is expected that some Transite debris will be encountered at that area of the construction. Construction is expected to start during spring 2018.

The Town of Willsboro does not own the site but has a permanent easement to construct the recreation area and maintain it.

The following relief is requested.

If encountered pick up Transite debris in accordance with 56-11.6

10. Hardship Description

The Town of Willsboro is about to award a contract to construct the recreation area shown on the attached drawing. Once construction starts it is desired to be able to continue with minimal delays if Transite materials are discovered during the construction. Approval of this variance will allow minimal delays while a licensed asbestos abatement firm abates any Transite found.

See pictures attached for site location, its current condition and attached drawing of the construction plan.

Attachment 1 to SH 752 (5-12)

Petitioner: Town Of Willsboro 5 Farrell Road Willsboro, NY 12996

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Premises: Fishing Access North End Mill Street Willsboro, NY 12996

11. Proposed Abatement Method Description for each work area or method used:

During construction, the limits of excavation will be cordoned off and a licensed asbestos abatement firm will be retained to conduct the soil removal that has the potential to have Transite debris within it. All material that is excavated for the construction of the ramp and platform is to be disposed of at a lined landfill capable of accepting non-friable ACM (expected to be Clinton County Landfill). No soil that is excavated will be re-used at the site. A licensed independent Asbestos Project Monitor or Inspector will be present at all times that material is being removed. If friable ACM or PACM are encountered work will cease in that area until the materials are properly identified and abated in accordance with Code Rule 56.



















PROJECT NAME LOCAL PROJECT SPONSOR

ENVIRONMENTAL PROTECTION FUNI Water Quality Improvement Project NEW YORK STATE



(Updated 4/18/11)

ENVIRONMENTAL PROTECTION FUND PROJECT SIGN SPECIFICATIONS

Size: Horizontal format - 48" wide by 24" high.

Construction Materials:

Aluminum blank sign boards with vinyl sheeting.

Inserts: "Project Name", and "Local Project Sponsor" indicate position, size and topography for specific project names and sponsor to be inserted.

Color Scheme:

Copy surrounding DEC logo – "NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION" – PMS 355

DEC logo: Process Blue & PMS 355 Green

TEXT:

New York State Department of	PMS301
Environmental Conservation	a a c
Water Quality Improvement Project	PMS301
Environmental Protection Fund	PMS 301
Project Site Name/Local Project Sponsor	PMS 355

Type Specifications: All type is Caslon 540, with the exception of the logo type. Format is: center each line of copy with small caps and initial caps.

Production Notes: 48" wide x 24" high aluminum blanks will be covered with vinyl sheeting to achieve background color. Copy and logo will be silk screened on this surface.

Time Period: From start of Construction until 90 days after closeout of the project.

Grant recipients must provide a project name and the local project sponsor to be inserted on the sign.