MAINE TURNPIKE AUTHORITY

MAINE TURNPIKE

CONTRACT DOCUMENTS

CONTRACT 2026.19

RAMP IMPROVEMENTS
BIDDEFORD EXIT 32
MM 31.6

NOTICE TO CONTRACTORS

PROPOSAL

CONTRACT AGREEMENT

CONTRACT BOND

FINAL LIEN AND CLAIM WAIVER AND AFFIDAVIT

SPECIFICATIONS

MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

The Specifications are divided into two parts:
Part I, Supplemental Specifications and Part II, Special Provisions.

The Maine Turnpike Supplemental Specifications are additions and alterations to the 2014 Maine Department of Transportation Standard Specifications. See Subsection 100.1.

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MAINE TURNPIKE AUTHORITY

NOTICE TO CONTRACTORS

Sealed Proposals will be received by the Maine Turnpike Authority for:

CONTRACT 2026.19

RAMP IMPROVEMENTS
BIDDEFORD EXIT 32
MM 31.6

at the office of the Maine Turnpike Authority, 2360 Congress Street, Portland, ME, until 10:00 a.m., prevailing time as determined by the Authority on May 19, 2026 at which time and place the Proposals will be publicly opened and read. Bids will be accepted from Contractors **prequalified** by the Maine Department of Transportation for Highway Construction Projects. In addition, Contractors submitting bids must be themselves or utilize an electrical subcontractor **prequalified** by the Maine Department of Transportation for Traffic Signals and Lighting Projects. All other bids may be rejected. This Project includes a wage determination developed by the State of Maine Department of Labor. **We now accept electronic bids for bid packages posted on the Bid Express website. Electronic bids do not have to be accompanied by paper bids. Until further notice, dual bids (one paper, one electronic) will be accepted, with the paper copy taking precedence.**

The work consists of modifications to the Exit 32 Interchange southbound off-ramp at MM 31.6 in the Town of Biddeford, Maine. The work includes milling, earthwork, pavement, signing, guardrail, drainage, electrical work, and maintenance of traffic and all other work incidental thereto in accordance with the Plans and Specifications.

The half size Plans and Contract Documents may be obtained from the Authority upon payment of One Hundred ($100.00) Dollars for each set, which payment will not be returned. Checks shall be made payable to: Maine Turnpike Authority. The Plans and Contract Documents may also be downloaded from a link on our website listed below.

For general information regarding Bidding and Contracting procedures, contact Nate Carll, Purchasing Manager, at (207) 482-8115. For information regarding Schedule of Items, plan holders list and bid results, visit our website at the link below. To submit questions, use the electronic Request For Information (RFI) tab at https://www.maineturnpike.com/projects/construction-contracts for Contract 2026.19. Questions shall be submitted by May 12, 2026 at 5:00 p.m. Responses will not be prepared for questions received by telephone. Bidders shall not contact any other Authority staff or Consultants for clarification of Contract provisions, and the Authority will not be responsible for any interpretations so obtained.

All work shall be governed by the Specifications entitled "State of Maine, Department of Transportation, Standard Specifications, Revision of November 2014", "Standard Details, Revision of March 2020" and "Best Management Practices for Erosion and Sediment Control", latest issue. Copies and recent updates to these publications can be downloaded at the following

links: https://www.maine.gov/dot/doing-business/bid-opportunities/standards# and https://www.maine.gov/dot/publications/brochures-guides.

Proposals must be accompanied by an original bid bond, certified or cashier's check payable to the Maine Turnpike Authority in an amount not less than Five (5%) Percent of the Total Amount in the Proposal, but not less than $500.00. The Bidder to whom a Contract is awarded will be required to furnish a Surety Corporation Bond, satisfactory to the Authority, on the standard Contract Bond form of the Authority, for a sum not less than the Total Amount of the Proposal.

Proposals must be made upon the Proposal Forms furnished by the Authority separately with the Contract Documents, and must be enclosed in the sealed special addressed envelope provided therefore bearing the name and address of the Bidder, the name of the Contract, and the date and time of Proposal opening on the outside.

A pre-bid conference will be held on May 5, 2026 at 2:00 p.m. at the Maine Turnpike Authority, 2360 Congress Street, Portland, Maine.

The Authority reserves the unqualified right to reject any or all Proposals and to accept that Proposal which in its sole judgment will under all circumstances serve its best interest.

MAINE TURNPIKE AUTHORITY

Nate Carll
Purchasing Manager
Maine Turnpike Authority

Portland, Maine

Maine Turnpike Authority

MAINE TURNPIKE

PROPOSAL

CONTRACT 2026.19

RAMP IMPROVEMENTS
BIDDEFORD EXIT 32
MM 31.6

MAINE TURNPIKE AUTHORITY

PROPOSAL

CONTRACT 2026.19

RAMP IMPROVEMENTS
BIDDEFORD EXIT 32
MM 31.6

TO MAINE TURNPIKE AUTHORITY:

The work consists of modifications to the Exit 32 Interchange southbound off-ramp at MM 31.6 in the Town of Biddeford, Maine. The work includes milling, earthwork, pavement, signing, guardrail, drainage, electrical work, and maintenance of traffic and all other work incidental thereto in accordance with the Plans and Specifications.

This Work will be done under a Contract known as Contract 2026.19 according to the Plans and Specifications which are on file in the office of the Maine Turnpike Authority, 2360 Congress Street, Portland, Maine.

On the acceptance of this Proposal for said Work, the undersigned will give the required bond with good security conditioned for the faithful performance of said Work, according to said Plans and Specifications, and the doing of all other work required by said Specifications for the consideration herein named and with the further condition that the Maine Turnpike Authority shall be saved harmless from any and all damages that might accrue to any person, persons or property by reason of the carrying out of said Work, or any part thereof, or by reason of negligence of the undersigned, or any person or persons under his employment and engaged in said Work.

The undersigned hereby declares that he/she has carefully examined the Plans, Specifications and other Contract Documents, and that he/she will contract to carry out and complete the said Work as specified and delineated at the price per unit of measure for each scheduled item of Work stated in the Schedule of Prices as follows:

It is understood that the TOTAL AMOUNT stated by the undersigned in the following Schedule of Prices is based on approximate quantities and will be used solely for the comparison of bids, and that the quantities stated in the Schedule of Prices for the various items are estimates only and may be increased or decreased all as provided in the Specifications.

SCHEDULE OF BID PRICES
CONTRACT NO. 2026.19
Ramp Improvements
Biddeford Exit 32
MM 31.6

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
202.202	REMOVING PAVEMENT SURFACE	Square Yard	1,450				
203.20	COMMON EXCAVATION	Cubic Yard	4,250				
203.25	GRANULAR BORROW	Cubic Yard	230				
304.10	AGGREGATE SUBBASE COURSE - GRAVEL	Cubic Yard	1,650				
304.14	AGGREGATE BASE COURSE - TYPE A	Cubic Yard	410				
403.207	HOT MIX ASPHALT, 19.0 mm NOMINAL MAXIMUM SIZE	Ton	330				
403.2081	HOT MIX ASPHALT, 12.5 mm (POLYMER MODIFIED) - RAP	Ton	300				
403.211	HOT MIX ASPHALT, 9.5 mm NOMINAL MAXIMUM SIZE (SHIMMING)	Ton	10				
403.213	HOT MIX ASPHALT, 12.5 mm (BASE AND INTERMEDIATE BASE COURSE)	Ton	470				
409.15	BITUMINOUS TACK COAT RS-1 OR RS1H - APPLIED	Gallon	430				
419.30	SAWING BITUMINOUS PAVEMENT	Linear Foot	2,050				

CARRIED FORWARD:

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
			BROUGHT FORWARD:				
526.306	TEMPORARY CONCRETE BARRIER, TYPE I - SUPPLIED BY THE AUTHORITY (1040 LF)	Lump Sum	1				
527.341	WORK ZONE CRASH CUSHIONS TL-3	Unit	1				
603.175	18 INCH REINFORCED CONCRETE PIPE - CLASS III	Linear Foot	32				
603.195	24 INCH REINFORCED CONCRETE PIPE - CLASS III	Linear Foot	12				
603.28	CONCRETE COLLAR	Each	2				
606.13	31" W-BEAM GUARDRAIL - MID-WAY SPLICE (7' STEEL POSTS, 8" OFFSET BLOCKS, SINGLE FACED)	Linear Foot	820				
606.1307	31" W-BEAM GUARDRAIL - MID-WAY SPLICE FLARED TERMINAL	Each	2				
606.353	REFLECTORIZED FLEXIBLE GUARDRAIL MARKER	Each	4				
606.356	UNDERDRAIN DELINEATOR POST	Each	15				
606.3621	GUARDRAIL ADJUST, SINGLE RAIL	Linear Foot	60				
606.3622	GUARDRAIL ADJUST, DOUBLE RAIL	Linear Foot	75				
610.08	PLAIN RIPRAP	Cubic Yard	14				

CARRIED FORWARD:

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
			BROUGHT FORWARD:				
610.181	TEMPORARY STONE CHECK DAM	Cubic Yard	12				
613.319	EROSION CONTROL BLANKET	Square Yard	3,250				
615.07	LOAM	Cubic Yard	860				
618.14	SEEDING METHOD NUMBER 2	Unit	70				
619.1201	MULCH - PLAN QUANTITY	Unit	70				
619.1202	TEMPORARY MULCH	Lump Sum	1				
620.58	EROSION CONTROL GEOTEXTILE	Square Yard	51				
626.122	QUAZITE JUNCTION BOX (18X11)	Each	3				
626.21	METALLIC CONDUIT	Linear Foot	5				
626.22	NON-METALLIC CONDUIT	Linear Foot	760				
626.31	18 INCH DIAMETER FOUNDATION	Each	2				
627.73	TEMPORARY 6 INCH PAVEMENT MARKING TAPE	Linear Foot	430				

CARRIED FORWARD:

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
			BROUGHT FORWARD:				
627.77	REMOVING EXISTING PAVEMENT MARKING	Square Foot	1,000				
627.78	TEMPORARY PAVEMENT MARKING LINE, WHITE OR YELLOW	Linear Foot	6,450				
629.05	HAND LABOR, STRAIGHT TIME	Hour	40				
631.12	ALL PURPOSE EXCAVATOR (INCLUDING OPERATOR)	Hour	20				
631.133	SKID STEER (INCLUDING OPERATOR)	Hour	20				
631.172	TRUCK - LARGE (INCLUDING OPERATOR)	Hour	20				
631.22	FRONT END LOADER (INCLUDING OPERATOR)	Hour	20				
631.32	CULVERT CLEANER (INCLUDING OPERATOR)	Hour	20				
631.36	FOREMAN	Hour	40				
631.53	ELECTRICIAN	Hour	40				
631.54	ELECTRICIAN'S APPRENTICE	Hour	40				
645.1099	REMOVE AND DISPOSE SIGN	Each	1				

CARRIED FORWARD:

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
			BROUGHT FORWARD:				
645.161	BREAKAWAY DEVICE SINGLE POLE	Each	1				
645.271	REGULATORY, WARNING, CONFIRMATION, AND ROUTE ASSEMBLY SIGN, TYPE 1	Square Foot	28				
645.289	STEEL H-BEAM POLES	Pound	260				
652.30	FLASHING ARROW	Each	1				
652.312	TYPE III BARRICADES	Each	6				
652.35	CONSTRUCTION SIGNS	Square Foot	780				
652.361	MAINTENANCE OF TRAFFIC CONTROL DEVICES	Lump Sum	1				
652.41	PORTABLE-CHANGEABLE MESSAGE SIGN	Each	7				
652.4502	TRUCK MOUNTED ATTENUATOR	Each	1				
652.4503	TRUCK MOUNTED ATTENUATOR	Week	4				
652.47	SEQUENTIAL FLASHING WARNING LIGHTS	Each	30				
656.50	BALED HAY, IN-PLACE	Each	10				

CARRIED FORWARD:

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
			BROUGHT FORWARD:				
656.632	30" TEMPORARY SILT FENCE	Linear Foot	1,550				
659.10	MOBILIZATION	Lump Sum	1				
				TOTAL:			

Acknowledgment is hereby made of the following Addenda received since issuance of the Plans and Specifications: _____

_____

_____

Accompanying this Proposal is an original bid bond, cashiers or certified check on _____ Bank, for _____, payable to the Maine Turnpike Authority. In case this Proposal shall be accepted by the Maine Turnpike Authority and the undersigned should fail to execute a Contract with, and furnish the security required by the Maine Turnpike Authority as set forth in the Specifications, within the time fixed therein, an amount of money equal to Five (5%) Percent of the Total Amount of the Proposal for the Contract awarded to the undersigned, but not less than $500.00, obtained out of the original bid bond, cashier's or certified check, shall become the property of the Maine Turnpike Authority; otherwise the check will be returned to the undersigned.

The performance of said Work under this Contract will be completed during the time specified in Subsection 107.1.

It is agreed that time is of the essence of this Contract and that I (we) will, in the event of my (our) failure to complete the Work within the time limit named above, pay to Maine Turnpike Authority liquidated damages in the amount or amounts stated in the Specifications.

The undersigned is an Individual/Partnership/Corporation under the laws of the State of _____, having principal office at _____, thereunto duly authorized.

_____ *(SEAL)*

_____ *(SEAL)*

Affix Corporate Seal
or Power of Attorney
Where Applicable

_____ *(SEAL)*

By: _____

Its: _____

Information below to be typed or printed where applicable:

INDIVIDUAL:

(Name)	(Address)

PARTNERSHIP - Name and Address of General Partners:

(Name)	(Address)
(Name)	(Address)
(Name)	(Address)
(Name)	(Address)

INCORPORATED COMPANY:

(President)	(Address)
(Vice-President)	(Address)
(Secretary)	(Address)
(Treasurer)	(Address)

MAINE TURNPIKE AUTHORITY

MAINE TURNPIKE

YORK TO AUGUSTA

CONTRACT AGREEMENT

This Agreement made and entered into between the Maine Turnpike Authority, and sometimes termed the "Authority", and _____

_____

herein termed the "Contractor":

WITNESSETH: That the Authority and the Contractor, in consideration of the premises and of the mutual covenants, considerations and agreements herein contained, agree as follows:

FIRST: The parties hereto mutually agree that the documents attached hereto and herein incorporated and made a part hereof collectively evidencing and constituting the entire Contract to the same extent as if herein written in full, are the Notice to Contractors, the Accepted Proposal, the Specifications, the Plans, this Agreement, the Contract Bond and all Addenda to the Contract Documents duly issued and herewith enumerated:

_____

_____

SECOND: The Contractor for and in consideration of certain payments to be made as hereafter specified, hereby covenants and agrees to perform and execute all of the provisions of this Contract and of all documents and parts attached hereto and made a part thereof, and at his own cost and expense to furnish and perform everything necessary and required to construct and complete, ready for its intended purpose, in accordance with the Contract and such instructions as the Engineer may give, acceptable to the Authority, in the times provided, all of the Work covered and included under Contract No. _____ covering _____ as herein described.

THIRD: In consideration of the performance by the Contractor of his covenants and agreements as herein set forth, the Authority hereby covenants and agrees to pay the Contractor according to the Schedule of Prices set forth in the Proposal with additions and deductions as elsewhere herein provided in the times and in the manner stated in the Specifications. This Agreement shall insure to the benefit of, and shall be binding upon the parties hereto, and upon their respective successors and assigns; but neither party hereto shall assign or transfer his interest herein in whole or in part without the consent of the other, except as herein provided.

IN WITNESS WHEREOF the parties to this Agreement have executed the same in quintuplicate.

AUTHORITY -

MAINE TURNPIKE AUTHORITY

By: _____

Title: CHAIRMAN

Date of Signature: _____

ATTEST:

_____
Secretary

CONTRACTOR -

_____
CONTRACTOR

By: _____

Title: _____

Date of Signature: _____

WITNESS:

_____

CONTRACT BOND

KNOW ALL MEN BY THESE PRESENTS that _____

of _____ in the County of _____ and State of _____

as Principal, and _____ a Corporation duly organized under the

laws of the State of _____ and having a usual place of business in _____

_____

As Surety, are held and firmly bound unto the Maine Turnpike Authority in the sum of _____Dollars ($_____.___), to be paid to said Maine Turnpike Authority, or its successors, for which payment, well and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally by these presents.

The condition of this obligation is such that the Principal, designated as Contractor in the foregoing Contract No. _____ shall faithfully perform the Contract on his part and satisfy all claims and demands incurred for the same and shall pay all bills for labor, material, equipment and all other items contracted for, or used by him, in connection with the Work contemplated by said Contract, and shall fully reimburse the Obligee for all outlay and expense which the Obligee may incur in making good any default of said Principal, then this Obligation shall be null and void; otherwise it shall remain in full force and effect.

Signed and sealed this _____ day of _____, A.D., 20___

Witnesses: CONTRACTOR

_____ _____ *(SEAL)*

_____ _____ *(SEAL)*

_____ _____ *(SEAL)*

SURETY

_____ _____ *(SEAL)*

_____ _____ *(SEAL)*

_____ _____ *(SEAL)*

(Surety must attach copy of Power of Attorney showing authority of Office or Agent to execute bonds)

FINAL LIEN AND CLAIM WAIVER AND AFFIDAVIT

Upon receipt of the sum of _____, which sum represents the total amount paid, including the current payment for work done and materials supplied for Project No. _____, in _____, Maine, under the undersigned's Contract with the Maine Turnpike Authority.

The undersigned, on oath, states that the Final Payment of _____ is the final payment for all work, labor, materials, services and miscellaneous (all of which are hereinafter referred to as "Work Items") supplied to the said Project through _____and that no additional sum is claimed by the undersigned respecting said Project.

The undersigned, on oath, states that all persons and firms who supplied Work Items to the undersigned in connection with said Project have been fully paid by the undersigned for such Work Items or that such payment will be fully effected immediately upon receipt of this payment.

In consideration of the payment herewith made, the undersigned does fully and finally release and hold harmless the Maine Turnpike Authority, and its Surety, if any, from any and all claims, liens or right to claim or lien, arising out of this Project under any applicable bond, law or statute.

It is understood that this Affidavit is submitted to assure the Owner and others that all liens and claims relating to the Work Items furnished by the undersigned are paid.

_____
(Contractor)

By: _____

Title: _____

State of MAINE

County of _____

I, _____, hereby certify on behalf of ___ _____
(Company Officer) *(Company Name)*

its _____, being first duly sworn and stated that the foregoing representations are
(Title)

are true and correct upon his own knowledge and that the foregoing is his free act and deed in said capacity and the free act and deed of the above-named

_____

.

(Company Name)

The above-named, _____, personally appeared before me this ____ day of _____ and swears that this is his free act and deed.

(SEAL)

_____
Notary Public

My Commission Expires: _____

MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

PART I – SUPPLEMENTAL SPECIFICATIONS

(Rev. November 10, 2016)

https://www.maineturnpike.com/projects/construction-related-documents

MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

PART II – SPECIAL PROVISIONS

PART II - SPECIAL PROVISIONS

MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

PART II - SPECIAL PROVISIONS

All work shall be governed by the Maine Department of Transportation Standard Specifications, Revision of November 2014, except for that work which applies to sections of the Maine Department of Transportation Standard Specifications which are amended by the Maine Turnpike Supplemental Specifications and the following modifications, additions and deletions.

General Description of Work

The work consists of modifications to the Exit 32 Interchange southbound off-ramp at MM 31.6 in the Town of Biddeford, Maine. The work includes milling, earthwork, pavement, signing, guardrail, drainage, electrical work, and maintenance of traffic and all other work incidental thereto in accordance with the Plans and Specifications.

Plans

The drawings included in these Contract Documents, and referred to as the Plans, show the general character of the work to be done under this Contract. They bear the general title "Maine Turnpike – Contract 2026.19 – Ramp Improvements Biddeford Exit 32– MM 31.6". The right is reserved by the Resident to make such minor corrections or alterations in the Plans as he deems necessary without change in the unit prices on the Schedule of Prices of the Proposal.

101.2 Definition

Holidays

The following is added after Memorial Day in the Supplemental Specifications:

Juneteenth (June 19, 2026)	12:01 p.m. preceding Thursday to 6:00 a.m. the following Monday.
Independence Day 2026 (July 4, 2026)	12:01 p.m. preceding Thursday to 6:00 a.m. the following Tuesday.
Indigenous Peoples Day (October 12, 2026)	12:01 p.m. preceding Friday to 6:00 a.m. the following Monday.

102.6 Bid Guaranty

In the Supplemental Specifications, replace the last paragraph with the following two paragraphs:

Bid Bonds must be: (A) issued by an insurance company licensed or approved by the State of Maine, Department of Business Regulation, Bureau of Insurance, to do business in the State of

Maine; and (B) properly signed by the bidder (as Principal) and a duly authorized representative of the insurance company referenced above.

Bid Bonds for electronic Bids must be delivered or received before the Bid Opening time. Electronic Bid Bonds that accompany electronic Bids are acceptable.

102.7 Delivery of Bids

In the Supplemental Specifications, add the following paragraph to Section 102.7.1 Location and Time:

Electronic Bids must be submitted to the appropriate electronic bid system before the precise time (as determined by the Authority) specified in the Notice to Contractors or any applicable Bid Amendment.

102.11 Bid Responsiveness

In the Supplemental Specifications, replace bullet C of Section 102.11.1 Non-curable Bid Defects with the following:

C. The Bid is not signed by a duly authorized representative of the Bidder.
    1) Properly submitted electronic bids meet this requirement.
    2) Paper bids must include at least one signed copy of the Contract Agreement Offer & Award form.

103.4 Notice of Award

The following sentence is added:

The Maine Turnpike Authority Board is scheduled to consider the Contract Award on May 28, 2026.

104.3.8 Wage Rates and Labor Laws

Section 104.3.8 Wage Rates and Labor Laws has been amended as follows:

The fair minimum hourly rates determined by the State of Maine Department of Labor for this Contract are as follows:

THIS DOCUMENT MUST BE CLEARLY POSTED AT ALL CONSTRUCTION SITES FUNDED IN PART WITH STATE FUNDS

State of Maine
Department of Labor
Bureau of Labor Standards
Augusta, Maine 04333-0045
Telephone (207) 623-7906

Wage Determination - In accordance with 26 MRS §1301 et. seq., this is a determination by the Bureau of Labor Standards, of the fair minimum wage rate to be paid to laborers and workers employed on the below titled project.

2026 Fair Minimum Wage Rates – Highway & Earth York County

Occupational Title	Minimum Wage	Minimum Benefit	Total
Brickmasons and Blockmasons	$43.02	$7.64	$50.66
Bulldozer Operator	$30.62	$5.38	$36.00
Carpenter	$33.75	$3.55	$37.30
Cement Masons and Concrete Finisher	$24.42	$2.52	$26.94
Construction and Maintenance Painters	$33.00	$0.00	$33.00
Construction Laborer	$26.57	$3.61	$30.18
Conveyor Operators and Tenders	$30.17	$13.77	$43.94
Crane and Tower Operators	$40.43	$8.63	$49.06
Crushing Grinding and Polishing Machine Operators	$29.40	$5.64	$35.04
Earth Drillers - Except Oil and Gas	$25.04	$3.77	$28.81
Electrical Power - Line Installer and Repairers	$48.12	$15.63	$63.75
Electricians	$37.80	$18.82	$56.62
Elevator Installers and Repairers	$67.34	$39.76	$107.10
Excavator Operator	$33.71	$6.43	$40.14
Fence Erectors	$30.90	$2.18	$33.08
Flaggers	$22.00	$1.06	$23.06
Floor Layers - Except Carpet/Wood/Hard Tiles	$29.00	$8.65	$37.65
Glaziers	$39.32	$19.22	$58.54
Hazardous Materials Removal Workers	$24.12	$1.60	$25.72
Heating and Air Conditioning and Refrigeration Mechanics and Installers	$35.68	$5.93	$41.61
Heavy and Tractor - Trailer Truck Drivers	$35.95	$3.09	$39.04
Highway Maintenance Workers	$22.31	$2.59	$24.91
Industrial Machinery Mechanics	$29.97	$6.74	$36.71
Industrial Truck and Tractor Operators	$24.61	$4.21	$28.82
Insulation Worker - Mechanical	$27.35	$6.05	$33.40
Light Truck or Delivery Services Drivers	$26.79	$5.14	$31.93
Loading Machine and Dragline Operators	$30.11	$5.48	$35.59
Millwrights	$35.99	$10.52	$46.51
Mobile Heavy Equipment Mechanics - Except Engines	$32.76	$7.19	$39.95
Operating Engineers and Other Equipment Operators	$39.18	$3.39	$42.57
Paving Surfacing and Tamping Equipment Operators	$33.60	$5.05	$38.65
Pile-Driver Operators	$37.15	$3.12	$40.27
Pipe/Steam/Sprinkler Fitter	$32.33	$7.56	$39.89
Pipelayers	$28.75	$3.64	$32.39
Plumbers	$34.11	$7.80	$41.91
Radio Cellular and Tower Equipment Installers	$34.72	$5.63	$40.35
Reinforcing Iron and Rebar Workers	$32.94	$20.82	$53.76
Riggers	$31.25	$7.68	$38.93
Roofers	$25.50	$3.49	$28.99
Sheet Metal Workers	$28.77	$7.00	$35.77
Structural Iron and Steel Workers	$30.98	$7.12	$38.10
Tapers	$29.16	$5.64	$34.80
Telecommunications Equipment Installers and Repairers - Except Line Installers	$37.09	$10.21	$47.30
Telecommunications Line Installers and Repairers	$28.49	$5.29	$33.78
Tile and Marble Setters	$28.91	$5.46	$34.37

Welders are classified as the trade to which welding is incidental (e.g. welding structural steel is Structural Iron and Steel Worker)

Apprentices – The minimum wage rates for registered apprentices are the rates recognized in the sponsorship agreement for registered apprentices working in the pertinent classification.

For any other specific trade on this project not listed above, contact the Bureau of Labor Standards for further clarification.

Title 26 §1310 requires that a clearly legible statement of all fair minimum wage and benefits rates to be paid the several classes of laborers, workers and mechanics employed on the construction on the public work must be kept posted in a prominent and easily accessible place at the site by each contractor and subcontractor subject to sections 1304 to 1313.

Appeal – Any person affected by the determination of these rates may appeal to the Commissioner of Labor by filing a written notice with the Commissioner stating the specific grounds of the objection within ten (10) days from the filing of these rates.

A true copy

Attest: Scott R. Cotnoir
Scott R. Cotnoir
Wage & Hour Director
Bureau of Labor Standards

Supersedes 01-01-2025
Effective 01-10-2026

104.4.6 Utility Coordination

This Subsection is amended by the addition of the following:

These Special Provisions outline the arrangements which have been established by the Authority for coordination of the work to be accomplished by the utilities. The scope and schedule of utility relocation work is noted herein. The Contractor shall plan and conduct his work accordingly.

General

Utility working days are Monday through Friday, conditions permitting. Times are estimated on the basis of a single crew for each utility. Any times and dates mentioned are estimates only and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractor shall have no claim against the Authority if they are exceeded.

The Contractor shall plan and conduct his operations in accordance with the following utility schedule. The Contractor must comply with all OSHA regulations pertaining to work adjacent to utility wires. The Contractor shall plan and conduct his work accordingly.

The following utilities are located within the Project limits. The Contractor shall ascertain the location of the existing utilities and any other necessary information by direct inquiry at the office of the following utility owners:

MAINE TURNPIKE AUTHORITY

The Authority has existing lighting facilities located within the existing Exit 32 Interchange southbound off ramp. All existing lights shall be maintained during construction.

104.4.7 Cooperation With Other Contractors

This Subsection is amended by the addition of the following:

Adjacent contracts currently scheduled for the 2026 construction season include:

MTA Contract 2022.07 – Interchange Improvements – Saco, MM 34.7 to MM 36.6

MTA Contract 2026.10 – Bridge, Toll, and Culvert Repairs – Various Locations

105.5.1 General Requirements

Delete the third paragraph and replace with the following:

Toll Free Passage on the Turnpike: The Contractor will be provided with six (6) electronic EZPass toll transponders or toll cards for movement of vehicles, labor and equipment and for delivery of material essential to the Work. The use of the transponders/cards will be limited to the Contractor's

project superintendent and supporting traffic control staff. The transponders/cards shall be distributed by the Contractor to the appropriate staff and used while working on the Turnpike.

The following paragraphs are added:

Transponders: Transponders will be provided upon the return of a Terms of Use agreement provided by the Authority and signed by the Contractor.

Cards: The cards may only be used while working on the Project designated on the cards. Such free use shall be limited to the portion of the Turnpike between the site of the Work and the nearest practicable exit. All vehicles with cards must stop at a staffed lane at the toll plazas to present the cards to the toll attendant. All cards shall be returned to the Resident at the completion of the Project. The use of the cards shall be revoked if the cards are misused.

105.8.2 Permit Requirements

The project is being constructed under the State of Maine Natural Resources Protection Act Title 38, Chapter 3, §§ 480-Q.17 exemption for minor alterations in freshwater wetlands.

The Project has been authorized under Section 404 of the Clean Water Act, through the U.S. Army Corps of Engineers Nationwide Permit 14 Linear Transportation Projects. The Project is subject to the 2026 Nationwide Permits General Conditions, the 2026 Nationwide Permits – New England District Regional Conditions, and the associated State of Maine Water Quality Certification and Coastal Zone Management Determination. Copies of these documents are provided in Appendix A. The Project is also subject to project-specific conditions required by the U.S. Army Corps of Engineers authorization. A copy of the U.S. Army Corps of Engineers authorization and any project-specific conditions has also been provided in Appendix B. A signed copy of the Start Work Notification Form must be sent by the Maine Turnpike Authority to the Army Corps Maine Project Office at least two weeks before work commences. The Contractor is responsible for executing all work under this contract in accordance with the U.S. Army Corps of Engineers Nationwide Permit 14 authorization.

The Project is subject to the Stormwater Memorandum of Agreement for Stormwater Management Between the Maine Department of Transportation, Maine Turnpike Authority, and Maine Department of Environmental Protection (Stormwater MOA). Under the Stormwater MOA, all MTA construction, operation, and maintenance activities are subject to Maine Stormwater Law Basic Standards through implementation of MaineDOT's Best Management Practices for Erosion and Sedimentation Control (MaineDOT BMP Manual), which are the Contractor's responsibility to implement. Under the Stormwater MOA, certain projects may also require the construction of permanent post-construction stormwater management BMPs, as specified in the plan set to this project where applicable.

The Project is subject to the requirements of the Maine Pollutant Discharge Elimination System (MPDES) General Permit for Stormwater Discharge from Construction Activity (Maine Construction General Permit), as promulgated by the US Environmental Protection Agency (US EPA) and Administrated by the Maine Department of Environmental Protection (DEP).

A project-specific Notice of Intent (NOI), accompanied by a preliminary Limit of Disturbance (LOD) plan, or an annual consolidated NOI for all MTA project construction

activities, was submitted by the Authority to the DEP for coverage under the Maine Construction General Permit (MCGP). Compliance with the erosion and sedimentation control requirements outlined in this Contract is required by the Contractor.

The Contractor shall prepare a LOD plan illustrating the Contractor's proposed limit of earthwork disturbance. The LOD plan shall show all construction access locations, field office locations, material and temporary waste storage locations, as well as include the Contract limits of earthwork disturbance. All applicable erosion and sedimentation control devices needed shall be detailed on the Contractor's LOD plan and are not limited to those devices shown on the Contract LOD plan. **This Plan shall be submitted for review and approval, to the Resident within 14 days of Contract award.** Payment for creating, revising, and completing this plan shall be incidental to Item 659.10, Mobilization.

The LOD for this Contract has been estimated to be **1.90** acres.

At any time during the Contract, if the Limit of Disturbance needs to be adjusted to accommodate construction activities, the Contractor shall resubmit the LOD plan (including any additional erosion and sedimentation control measures needed) to the Resident for review and approval prior to any additional disturbance taking place:

- The Resident shall have a minimum of five (5) working days to approve the revised LOD plan.
- For contracts with a project-specific NOI, if the cumulative area of disturbance exceeds the estimated LOD noted above, the Resident shall first approve of the plan and then possibly resubmit the NOI to Maine DEP for approval. The approval may take a minimum of 14 working days from the date of submittal to Maine DEP.

Compliance with the erosion and sedimentation control requirements outlined in this Contract is required by the Contractor.

The Contractor shall comply with the conditions and compliance standards outlined in the MaineDOT Best Management Practices for Erosion & Sedimentation Control, Army Corps of Engineers Nationwide Permit 14 Linear Transportation Projects, Army Corps project-specific authorization, Maine DEP NRPA Permit or Permit by Rule, , the Stormwater MOA, and the Maine Construction General Permit. The Contractor shall indemnify and hold harmless the Maine Turnpike Authority or its agents, representatives and employees against any and all claims, liabilities or fines arising from or based on the violation of the above noted permits.

This Project is also subject to the requirements of the Maine Pollutant Discharge and Elimination System (MPDES) General Permit for the Discharge of Stormwater from MTA's Municipal Separate Storm Sewer Systems (MS4), because it is located within an Urbanized Area (UA) as defined by the 2010 census by the U.S. Bureau of the Census. MS4 compliance requires all Contractors to be properly trained in Erosion and Sedimentation Control (ESC) measures (as per Special Provision Subsections 105.8.1 and 656.07) and implement measures to reduce pollutants in stormwater runoff from construction activities.

105.11 As-Built Plans

The Contractor shall provide the Authority with as-built plans in PDF and MicroStation or AutoCAD. The as-built plans shall note changes to the bid documents, including, but not limited to pavement, concrete, barrier, guardrail, culverts, drainage, foundations, wiring, signs, etc. The as-builts plans shall also provide GPS accurate locations of all underground work. Submittal of Draft, Final Draft, and 100% as-built plans to the Resident shall be conditions of Mobilization Payment, Retainage Reduction, and Final Payment as noted in Special Provision 108.

105.11.1 As-Built Plan Submittals

The Contractor shall make the following submittals of as-built plans to the Resident as part of the conditions of Mobilization Payment, Retainage Reduction, and Final Payment as noted in Special Provision 108:

a. Draft As-built Plans containing any underground work completed within the prior 30 day period once 50% of the Work is complete.
b. Final Draft As-Built Plans containing all underground work
c. 100% As-Built Plans containing all underground work and changes

105.11.2 As Built Plan Requirements

As-built plans and CADD files shall conform to the following requirements:

a. Include legend of line weights and styles
b. Project stationing shall be on its own layer and be color white
c. Changes to pavement, concrete, barrier, guardrail, foundations, signs etc. shall be on their own layer and be color brown
d. Electric power lines, cable, conduit, and lighting cables shall be on their own layer and be color red
e. Gas, oil, steam, petroleum, or gaseous materials shall be on their own layer and be color yellow
f. Communication, alarm or signal lines, cables, or conduit shall be on their own level and be color orange
g. Potable water shall be on its own layer and be color blue
h. Sewers and drain lines shall be on their own layer and be color green
i. Reclaimed water, irrigation, and slurry lines shall be on their own level and be color purple

107.1 Contract Time and Contract Completion Date

This Subsection is amended by the addition of the following:

All work shall be completed on or before November 20, 2026. The construction of 2026.19 shall be substantially complete by October 23, 2026.

107.1.1 Substantial Completion

This Subsection is amended by the addition of the following:

Substantially complete shall be defined by the Authority as the following:

- All milling, paving, and striping has been completed.
- All guardrail work has been completed.
- Exit 32 Southbound Off Ramp is fully opened to traffic.
- No lane closures, except for demobilization (removal of construction signs, drums, and general clean up).
- All disturbed slopes are loamed, seeded and mulched, and temporary erosion control mix and/or blanket has been installed where necessary.

Supplemental Liquidated damages on a calendar day basis in accordance with Subsection 107.8 shall be assessed for each calendar day that substantial completion is not achieved.

107.4.6 Prosecution of Work

The following activities shall not begin until the date specified:

- Exit 32 southbound off ramp shall not begin until on or after July 20, 2026.

The Contractor shall submit to the Authority a construction schedule which shall document that the Contractor has the necessary labor and equipment to work immediately and continuously at the project site once the bridge is closed. The intent of this specification is to minimize the amount of time for bridge closure, while providing the Contractor sufficient time to complete the work in a diligent manner and reopen the bridge as prescribed by the project's Substantial Completion date.

107.4.7 Limitations of Operations

All ramp closures shall be at night. Ramps shall be opened to traffic when work is not occurring. Nighttime closures will be allowed between 9:00 p.m. to 5:00 a.m. or as approved by the resident.

The Contractor shall progress the work in a manner that minimizes disruption to the public to the extent practical.

108.2.1 Generation of Progress Payments

The Authority will estimate the amount of Work performed at least monthly and make payment based upon such estimates. Estimates may be paid bimonthly (twice-a-month) if the bimonthly (twice-a-month) invoices exceed $100,000. No such estimates or payment will be made if, in the judgment of the Authority, the Work is not proceeding in accordance with the provisions of the Contract. The Contractor agrees to waive all claims related to the timing and amount of such estimates.

108.2.3 Mobilization Payment

The second paragraph is deleted in its entirety and replaced with the following:

Upon approval of all pre-construction submittals required for approval by this Contract, including those listed in Section 104.4.2 – Preconstruction Conference, the Contractor will receive payment of 50% of the Lump Sum price for Mobilization, not to exceed 5% of the Bid less the amount bid for Mobilization. After the Authority determines that the Work is 50% complete and the Contractor has submitted a Draft (50%) as-built submittal of all underground work to date (within the prior 30 day pay period) as defined in Special Provision 105., the Contractor will receive the other 50% of the Lump Sum price for Mobilization, not to exceed 5% of the Bid less the amount bid for Mobilization. Any remaining Mobilization will be at the completion of physical work.

108.3 Retainage

The seventh paragraph is deleted in its entirety and replaced with the following:

When requested by the Contractor, an 80 percent reduction of retainage will be considered by the Authority when the Project is substantially complete and the Contractor has submitted a Final Draft (98%) as-built submittal of all underground work, in accordance with Special Provision 105. When requesting a reduction, the Contractor shall include an explanation of the outstanding Work, an estimate of the cost to complete the Work, and a schedule for completing the Work. Seasonal limitations as well as warranty and establishment periods (for vegetation) shall be addressed.

SPECIAL PROVISION

SECTION 202

REMOVING STRUCTURES AND OBSTRUCTIONS

(Removing Pavement Surface-Mainline)
(Removing Existing Pavement Surface)

202.01 Description

The following sentences are added:

This work shall also consist of removing the surface of the bituminous concrete pavement in all locations to the depth, width, grade, and cross section on the mainline as shown on the Plans or as directed by the Resident.

Removal of the pavement and membrane surface from the bridge decks shall be completed by scraping or other methods that will not damage the existing concrete deck surface. Milling of bridge deck pavement shall not be allowed.

Removal of approach pavement shall be completed using a milling machine meeting the requirements in the first two paragraphs of section 202.061.

Areas requiring shim pavement to reach final pavement grade shall not be milled.

This work shall also consist of construction of temporary ramps at all butt joints as shown in the MaineDOT Standard Details, November 2014 Edition – Pavement Overlay Butt Joint Detail (Roadways), Page 202(01) or as approved by the Resident. The length of the temporary ramp shall be at least 1/2 L.

The following subsection is added:

202.032 Removing Bridge Pavement Surface and Membrane

All bridge deck pavement, membrane and scrapings shall be disposed of by the Contractor off of the turnpike right-of-way in accordance with the Maine Department of Environmental Protection Solid Waste Management Requirements.

The following paragraph is added:

Extreme care shall be taken to avoid damaging the existing concrete or bituminous pavement intended to remain. All existing bituminous pavement and bridge deck concrete, intended to remain, damaged by the Contractor's removal operations shall be repaired by the Contractor as approved by the Resident at no additional cost to the Authority.

202.061 Removing Pavement Surface

This Subsection is deleted and replaced with the following:

The equipment for removing the bituminous surface, excluding bridge decks, shall be a power-operated milling machine or grinder capable of removing the bituminous concrete pavement to the required depth, transverse cross slope, and profile grade using an automated grade and slope control system. The controls shall automatically increase or decrease the pavement removal depth as required, and readily maintain desired cross slope to compensate for surface irregularities in the existing pavement course. The milling machine shall accurately establish profile grades by referencing from a fixed point such as a 30-foot minimum contact ski (floating beam), 24-foot non-contact ski (floating beam) with 3 or more sensors; or 3 non-contact sensors directly affixed to the fore, mid, and aft points of the milling machine. Systems designed to incorporate a contact sensor located at the mid-point of the milling machine in lieu of a non-contact sensor in conjunction with non-contact sensors at the fore and aft points will be permitted. Grade control sensors shall all be located on the same side. A single sensor, contact or otherwise, shall not be permitted. A copy of the automation operations manual shall be provided to the resident upon request. The equipment shall also have an effective means for removing excess material from the surface and preventing flying material in compliance with Subsections 105.2.5 Compliance with Health and Safety Laws and 105.2.6 Convenience of the Public, of the Specification.

The rotary drum on the machine shall be a minimum of 7 feet in width and utilize carbide tipped tools at a maximum 8mm tooth spacing pattern and a minimum triple wrap configuration. The difference in height from the top of any ridge to the bottom of the groove adjacent to that ridge shall not exceed ¼ inch. The carbide, or diamond tipped tools on the rotary drum shall be continually maintained and shall be replaced as warranted to provide a uniform milled pavement texture. The forward operating speed shall be limited to a maximum speed of 50 feet per minute (fpm). The limited speed is not to be calculated on an average basis over time but shall be the actual limitation at any moment during the milling operation.

The track pads that the machine travel on shall all be of a uniform thickness equal to or exceeding the manufacturers recommendations. A copy of the manufacturer's recommendations shall be provided to the resident upon request.

The Contractor shall locate, identify and remove all objects in the pavement through the work area that would be detrimental to the milling machine.

The Contractor shall be responsible for the layout of the longitudinal centerline along the crown line. The contractor shall layout the site prior to any milling. Layout shall be achieved by physical measurements obtained every 50' along the length to be milled from a fixed reference point. The contractor shall transfer the measurements to the pavement surface every 50' and apply a paint mark at each location. The marks shall then be connected by a smoothed string line and subsequent paint marks applied along the string at no greater than 10' intervals. The Resident will inspect the layout line before milling activities may begin.

The finished milled surface will be inspected before being accepted, and any deviations in the profile exceeding 3/8 inch under a 16-foot string line or straightedge placed parallel to the centerline will be corrected. Any deviations in the cross slope that exceed 3/8 inch under a 12-foot

string line or straightedge placed transversely to the centerline will be corrected. In no case shall the cross slope in a single lane width be inverted resulting in a depression as measured transverse to the direction of travel. Any cross slope inversions or depressions shall be corrected by spot shimming the area with HMA as directed by the resident prior to installing any leveling or wearing course. Any areas requiring corrections will be subject to the same acceptable surface tolerances. These corrections shall be done with no additional expense to the Authority. Excess material that becomes bonded to the milled surface shall be removed to the Resident's satisfaction before the area is accepted.

If a milled safety wedge is required by the contract, it shall not be removed any sooner than 24 hours prior to paving. In no case will a vertical milled edge be permitted over a weekend or holiday. The contractor shall schedule the wedge removal accordingly.

All surplus pavement grindings, except for the amount specified above, shall be disposed of by the Contractor off the turnpike right-of-way. All grindings shall be disposed of in accordance with the Maine Department of Environmental Protection Solid Waste Management Requirements.

In the event of encountering shoulder gravels during milling, the contractor shall reset and plunge cut fully through pavement into shoulder gravels by 1-2 inches as directed by the Resident. Contractor will be paid double the unit price of Item 202.202 - Removing Pavement Surface, for the area requiring the deeper plunge cut. Type A gravels to restore grade shall be paid under 304.14 – Aggregate Base Course – Type A. No additional payment will be made for this work.

202.07 Method of Measurement

The removal of existing bituminous concrete pavement – mainline will be measured by the square yard of material removed to the required depth.

The following sentences are added:

Transporting and stockpiling of the pavement grindings at the maintenance facilities will not be measured separately for payment, but shall be incidental to the Removing Pavement Surface items.

Installation of temporary bituminous ramps will not be measured separately for payment, but shall be incidental to the Contract.

Removal of temporary bituminous ramps will not be measured separately for payment, but shall be incidental to the Contract.

Installation of and removal of longitudinal safety wedges will not be measured separately for payment, but shall be incidental to the Contract.

Shoulder area requiring a deeper plunge cut to remove thin remaining existing pavement will be measured by the square yard of additional material removed. In effect, the Contractor will be paid double the unit price of Item 202.202 - Removing Pavement Surface, for the area requiring the deeper plunge cut; once for typical depth milling and once for the deeper depth removal. Type

A gravels to restore grade shall be measured and paid under 304.14 – Aggregate Base Course – Type A. No additional payment will be made for this work.

202.08 Basis of Payment

Removing Pavement Surface – Mainline will be paid for at unit price per square yard which price shall be full compensation for removing and disposing of the bituminous and gravel materials.

Payment will be made under:

Pay Item		Pay Unit
202.202	Removing Pavement Surface – Mainline	Square Yard

SPECIAL PROVISION

SECTION 203

EXCAVATION AND EMBANKMENT

203.01 Description

The following paragraph is added:

This work shall consist of cutting, removing and disposing of the full depth of existing bituminous concrete pavement at the approaches to the bridge structures within the limits of work as shown on the Plans or as approved by the Resident. The pavement shall be sawcut to the full depth of pavement at the limits of the excavation to provide a clean, vertical cut surface.

203.04 General

The following sentence is added to the end of the third paragraph.

There are no approved waste storage areas or waste areas within the Project limits unless shown on the Plans. Unsuitable materials shall be disposed of off-site in accordance with Subsection 203.06.

All excavations shall be accomplished in accordance with the applicable OSHA Standards. The Resident reserves the right to request the Contractor to prepare an excavation plan. This plan shall include, but not necessarily be limited to, the limit and depth of excavation, side slope, shoring, trench box and utility support.

203.10 Embankment Construction - General

The thirteenth and fourteenth paragraphs are deleted and replaced with the following:

All portions of the embankment shall be compacted in accordance with the designated embankment compaction requirements specified for the Project.

The existing slopes should be benched as shown on the drawings prior to placing additional fill. Embankment fill should be placed in lifts which extend laterally beyond the limits of the design side slopes such that the specified degree of compaction is achieved within the limits of the completed embankment. The slopes should then be trimmed back to design dimensions.

203.16 Winter Construction of Embankments

The word “core” is deleted from the first and second sentences in the first paragraph.

203.18 Method of Measurement

The following paragraphs are added:

There will be no additional payment for the required excavation plan, and costs shall be incidental to the Excavation items.

SPECIAL PROVISION

SECTION 206

STRUCTURAL EXCAVATION

206.02 Construction Methods

The following paragraphs are added:

There are no approved waste storage areas or waste areas within the Project limits. Unsuitable materials shall be disposed of off-site in accordance with Subsection 203.06.

SPECIAL PROVISION

SECTION 401

HOT MIX ASPHALT PAVEMENT

Section 401 of the Maine Turnpike Authority 2016 Supplemental Specifications is deleted in its entirety and replaced with the following:

401.01 Description

The Contractor shall furnish and place one or more courses of Hot Mix Asphalt Pavement (HMA) on an approved base in accordance with the Contract documents and in reasonably close conformity with the lines, grades, thickness, and typical cross sections as shown on the Plans or established by the Resident. The Authority will accept this work under Quality Assurance provisions, in accordance with these Specifications and the requirements of Section 106, Quality, the provisions of AASHTO M 323, except where otherwise noted in Section 401 of these Specifications, and the MaineDOT Policies and Procedures for HMA Sampling and Testing. A Quality Control Plan (QCP) is required.

401.02 Materials

Aggregates for HMA Pavements Coarse Aggregate and fine aggregate for HMA pavements shall be graded such that when combined in the proper proportions, including filler if required, the resultant blend will meet the composition of mixture for the type of pavement specified. Materials shall meet the requirements specified in Section 700 – Materials:

Asphalt Cement	702.01
Aggregates for HMA Pavement	703.07
RAP for HMA Pavement	703.08
HMA Mixture Composition	703.09

Mainline Surface HMA Coarse aggregate: Each individual aggregate stockpile shall conform to the following requirements. The material retained on the No. 4 sieve, shall consist of angular fragments obtained from crushed quarry stone and be free of dirt or other objectionable materials. Coarse aggregate shall have a Micro-Deval value of 15.0 percent or less as determined by AASHTO T 327. The crushed stone shall have a maximum of 1.5% material finer than the No. 200 mesh when tested in accordance with AASHTO T-11. Flat and elongated particles shall not exceed a maximum of 8% at a 5:1 ratio in accordance with ASTM D-4791. Coarse aggregate angularity shall be a minimum of 95/90 in accordance with AASHTO T-335.

Mainline Surface HMA Fine aggregate: Each individual aggregate stockpile shall conform to the following requirements. The material passing the No. 4 sieve, shall be crushed manufactured sand free from dirt, clay balls, or other objectionable material. Natural sand may be incorporated into the mix at a rate no greater than 10 percent by weight of total aggregate. The unconfined void content of the fine aggregate, excluding natural sand, shall be a 45 minimum value when tested in accordance with AASHTO T-304, method A. AASHTO T-176 sand equivalent value shall be 45

minimum. The fine aggregate, excluding RAP, shall have a Micro-Deval of 15.0 percent or less when tested in accordance with ASTM D-7428.

Each individual stockpile for both coarse and fine aggregates shall be completely separated from any other stockpile and be constructed such that the material is visually homogenous and maintains consistent consensus quality test results. A documented testing program and records of all test results shall be maintained for all materials and subject to inspection by the Authority.

Asphalt Low Modulus Joint Sealer: Asphalt Low Modulus Joint Sealer shall be a modified asphalt and rubber compound designed for sealing and improving the strength and performance of the base asphalt cement and shall conform to ASTM D6690 **Type II or IV, as noted in the plans**, and the following specifications:

	Type II	**Type IV**
Cone Penetration	**90 max.**	**90-150**
Flow @ 60°C [140ºF]		**3.0mm [1/8 in] max**
Bond, non-immersed	**Three 12.5 mm [½ in] specimens pass 3 cycles @ 50% extension @ -29°C [-20ºF]**	**Three 12.5 mm [½ in] specimens pass 3 cycles @ 200% extension @ -29°C [-20ºF]**
Resilience, %	**60 min**	**60 min**
Asphalt Compatibility, ASTM D5329	**pass***	**pass***

* There shall be no failure in adhesion, formation of any oily exudate at the interface between the sealant and asphaltic concrete or other deleterious effects on the asphaltic concrete or sealant when tested at 60°C [140ºF].

The contractor shall provide the Resident or authorized representative with a copy of the material manufacturer's recommendations pertaining to heating, application, and reheating prior to the beginning of operations or the changing of materials.

401.021 Recycled Asphalt Materials

Recycled Asphalt Pavement (RAP) may be introduced into the mixture at percentages approved by the Authority. If approved by the Authority, the Contractor shall provide documentation stating the source, average test results for average residual asphalt content, and stockpile gradations showing RAP materials have been sized to meet the maximum aggregate size requirements of each mix designation. The Authority will obtain samples for verification and approval prior to its use.

In the event that RAP source or properties change, the Contractor shall notify the Authority of the change and submit new documentation stating the new source or properties. A plant produced test batch meeting all requirements including Hamburg Wheel Tracker results.

RAP shall meet the following requirements:

Classification	**Asphalt Content Standard Deviation**	**% Passing #200 Sieve Standard Deviation**	**% Passing #200 Sieve / Asphalt Content Ratio**	Residual Aggregate Micro Deval Loss Value
Class II	≤ 0.5	≤ 1.0	≤ 2.8	≤ 18.0
Class I	≤ 0.3	≤ 0.5	≤ 1.8	≤ 18.0

401.03 Composition of Mixtures

HMA pavement mixtures for base, intermediate, shim and local road bridge projects shall be a currently approved MDOT design unless otherwise noted. A maximum of 20% RAP may be used. VMA during production shall meet the requirements listed in Table 1.

HMA pavement mixtures for Mainline surface paving projects shall conform to the following requirements:

The Contractor shall compose the Hot Mix Asphalt Pavement with aggregate, Performance Graded Asphalt Binder (PGAB), and mineral filler if required. HMA shall be designed and tested according to AASHTO R35 and the volumetric criteria in Table 1. The Contractor shall size, uniformly grade, and combine the aggregate fractions in proportions that provide a mixture meeting the grading requirements of the Job Mix Formula (JMF). The Contractor may use a maximum of 15 percent Class I reclaimed asphalt pavement (RAP) or a maximum of 10 percent Class II RAP in any mainline surface course.

The Contractor shall submit a job mix formula (JMF) developed for each specified mixture at least 30 days prior to placement.

The JMF shall establish a single percentage of aggregate passing each sieve size within the limits shown in Subsection 703.09. The mixture shall be designed and produced, including all production tolerances, to comply with the allowable control points for the particular type of mixture as outlined in Subsection 703.09. The JMF shall state the original source, gradation, and percentage to be used of each portion of the aggregate and mineral filler if required. It shall also state the proposed PGAB content, the name and location of the refiner, the supplier, the source of PGAB submitted for approval, the type of PGAB modification if applicable, and the location of the terminal if applicable.

In addition, the Contractor shall provide the following information with the proposed JMF:

- Properly completed JMF indicating all mix properties (Gmm, VMA, VFB, etc.).
- Stockpile Gradation Summary.
- Contractor generated test reports for individual aggregate consensus properties. Test results must have been generated within six months of JMF submission
- Design Aggregate Structure Consensus Property Summary.
- Design Aggregate Structure Trial Blend Gradation Plots (0.45 power chart).

- Trial Blend Test Results for at least three different aggregate blends. (Not required if the supplier has mix history with the selected design aggregate blend)
- Selected design aggregate blend.
- Test results for the selected design aggregate blend at a minimum of three binder contents.
- Test results for final selected blend compacted to $N_{max.}$
- PGAB certification from the supplier
- Specific Gravity for the PGAB to be used.
- Recommended mixing and compaction temperatures from the PGAB supplier.
- Data Sheets (SDS) For PGAB.
- Asphalt Content vs. Air Voids trial blend curve.
- Test report for Contractor's Verification sample.
- Summary of RAP test results (if used), including count, average and standard deviation of binder content and gradation. This should be a MaineDOT generated report showing approval.

At the time of JMF submittal, the Contractor shall identify and make available the stockpiles of all proposed aggregates at the plant site. There must be a minimum of 150 ton for coarse aggregate stockpiles, 75 ton for fine aggregate stockpiles before the JMF may be submitted. The Authority shall obtain samples for laboratory testing. The Contractor shall also make available to the Authority the PGAB proposed for use in the mix in sufficient quantity to test the properties of the asphalt and to produce samples for testing of the mixture. Before the start of paving, the Contractor and the Authority's representative shall test a production sample in the Contractor's laboratory for evaluation. If the Authority finds the mixture acceptable, an approved JMF will be forwarded to the Contractor. The Authority will then notify the Contractor that paving may commence. The first day's production shall be monitored, and the approval may be withdrawn if the mixture exhibits undesirable characteristics such as checking, shoving or displacement. The Contractor shall be allowed to submit aim changes within 24 hours of receipt of the first Acceptance test result for an individual JMF. Adjustments will be allowed of up to 2% on the percent passing the 2.36 mm sieve through the 0.075 mm and 3% on the percent passing the 4.75 mm or larger sieves. Adjustments will be allowed on the %PGAB of up to 0.2 percent. Adjustments will be allowed on GMM of up to 0.010.

The contractor may request to carry over an approved mix design from the previous calendar year. The Authority will evaluate the request based on the performance and production history from the previous season. If the request is approved by the Authority no aggregate material, RAP, or aim changes will be granted for a carryover mix design and the initial design must not be older than the previous paving season.

The Contractor shall submit a new JMF for approval each time a change in material source or materials properties is proposed. The same approval process shall be followed. The cold feed percentage of any aggregate except natural sand may be adjusted up to 10 percentage points from the amount listed on the JMF, however no aggregate listed on the JMF shall be eliminated. Natural sand may be adjusted up to 5 percent from the amount listed on the JMF but shall not exceed 10% by weight of total aggregates. The cold feed percentage for RAP may be reduced up to five percentage points from the amount listed on the JMF and shall not exceed the percentage of RAP approved in the JMF or for the specific application.

TABLE 1
VOLUMETRIC DESIGN CRITERIA

Design ESAL's (Millions)	Required Density (Percent of G_{mm})			Voids in the Mineral Aggregate (VMA)(Minimum Percent) Nominal Maximum Aggregate Size (mm)				Voids Filled with Binder (VFB) (Minimum %)	Fines/Eff. Binder Ratio
	$N_{initial}$	N_{design}	N_{max}	19	12.5	9.5	4.75		
3 to <30	≤89.0	96.0	≤98.0	13.5	14.5	15.5	15.5	65-80	0.6-1.2

As part of the JMF submittal the Contractor shall provide the Authority with Hamburg Wheel Tracker test results in accordance with AASHTO T324. The results shall be generated by a third-party independent testing laboratory as approved by the Authority. The test results for each individual specimen as well as the average shall meet the requirements of Table 1A

TABLE 1A
HAMBURG WHEEL TRACKER REQUIREMENTS

Specified PG Binder Grade	Test Temperature (ºC)	Maximum Rut Depth (mm)	Minimum Number of Passes	Minimum Allowable SIP*
64-28	45	12.5	20,000	15,000
64E-28	48	8.0	20,000	15,000
70E-28	50	6.3	20,000	15,000

401.031 Warm Mix Technology

The Contractor may place Hot Mix Asphalt Pavement produced with an accepted WMA technology if approved by the Authority. Methods or technologies shall generally be at the Contractors' option, but will be limited to proven, Agency and Industry accepted practice. Mixture production, placement and volumetric testing details, including temperatures, shall be included in the project specific QCP, submitted to the Authority for approval prior to any work. Weather and seasonal limitations as outlined in section 401.06 may be reduced by a maximum 5ºF with the use of WMA only after seeking approval from the MTA Construction Project Manager in advance. The temperature reduction shall only apply when paving of the current work pass had already begun while the ambient temperature was at or above the limits outlined in section 401.06. No reduction in ambient temperature will be permitted for HMA being placed over bridge deck membrane.

401.04 Temperature Requirements

After the JMF is established, the temperatures of the mixture shall conform to the following tolerances:

- In the truck at the mixing plant – allowable range 275° to 325°F.
- At the paver – allowable range 275° to 325°F.
- Or the recommendations, approved by the Authority, from the Asphalt Binder supplier.
- Any HMA placed over bridge deck membrane shall have a minimum temperature of 300° F measured directly behind the screed in the uncompacted mat.

The JMF and the mix subsequently produced shall meet the requirements of Table 1.

No vehicular loads shall be permitted on newly completed pavement until adequate stability has been attained and the material has cooled sufficiently to prevent distortion or loss of fines. The newly paved area may be opened to traffic after the internal temperature of the pavement has cooled to 120° F. The Resident will test the internal temperature of the pavement and shall be the sole judge as to the opening to traffic. The period of time before opening to traffic may be extended at the discretion of the Resident. The lane closure may not be removed until the internal temperature has cooled to 120° F.

401.05 Performance Graded Asphalt Binder

Unless otherwise noted in Special Provision Section 403, Hot Bituminous Pavement, PGAB shall be 64-28. The PGAB shall meet the applicable requirements of AASHTO M320 - Standard Specification for PGAB. The Contractor shall request approval from the Authority for a change in PGAB supplier or source by submitting documentation stating the new supplier or source a minimum of 24-hours prior to the change. If the PGAB supplier or source is changed, the Contractor shall make efforts to minimize the occurrence of PGAB co-mingling.

401.06 Weather and Seasonal Limitations

The Contractor may place Hot Mix Asphalt Pavement for use other than a traveled way wearing course, provided that the air temperature as determined by an approved thermometer (placed in the shade at the paving location) is 45°F or higher and the area to be paved is not frozen. The Contractor may place Hot Mix Asphalt Pavement as traveled way wearing course, provided the air temperature determined as above is 50°F or higher. For the purposes of this Section, the traveled way includes truck lanes, ramps, shoulders, approach roads and auxiliary lanes. The atmospheric temperature for all courses on bridge decks shall be 50°F or higher.

Hot Mix Asphalt Pavement used for curb, driveways, sidewalks, islands, or other incidentals is not subject to seasonal limitations, except that conditions shall be satisfactory for proper handling and finishing of the mixture. All mixtures used for curb, driveways, sidewalks, islands, or other incidentals shall conform to Subsection 401.04, Temperature Requirements. Unless otherwise specified, the Contractor shall not place Hot Mix Asphalt Pavement on a wet or frozen surface and the air temperature shall be 40°F or higher.

On all sections of overlay with wearing courses one inch thick or less, the wearing course for the travel way and adjacent shoulders shall be placed provided the air temperature is determined as above 50°F or higher.

401.07 Hot Mix Asphalt Plant

401.071 General Requirements

HMA plants shall meet the requirements of the 2020 Maine Department of Transportation Standard Specifications section 401.07 and maintain current approval from the Maine Department of Transportation.

401.08 Hauling Equipment Trucks for Hauling Hot Mix Asphalt

Trucks for hauling Hot Mix Asphalt Pavement shall have tight, clean, and smooth metal dump bodies, which have been thinly coated with a small amount of approved release agent to prevent the mixture from adhering to the bodies. Solvents based agents developed to strip asphalts from aggregates will not be allowed as release agents.

All truck dump bodies shall have a cover of canvas or other water repellent material capable of heat retention, which completely covers the mixture. The cover shall be securely fastened on the truck, unless unloading.

All truck bodies shall have an opening on both sides, which will accommodate a thermometer stem. The opening shall be located near the midpoint of the body, at least 12 inches above the bed.

The undercarriage of haul units actively hauling HMA to the site shall be relatively free of dust / mud agglomerations. Haul units found to be contaminating the paving surface shall be removed from the site and cleaned prior to returning.

The contractor shall supply enough haul units such that paving is continuous and without any stops or paver speed changes during the installation of ramp or mainline wearing courses utilizing an MTV. or any course placed on a bridge deck. The contractor will be charged a fee of $1,000. for every occurrence if paving is either stopped or the paver must slow down to avoid stopping due to inadequate number of haul units at the sole discretion of the Authority.

401.09 Pavers

Pavers shall be self-contained, self-propelled units with an activated screed (heated if necessary) capable of placing courses of Hot Mix Asphalt Pavement in full lane widths specified in the Contract on the mainline, shoulder or similar construction.

On projects with no price adjustment for smoothness, pavers shall be of sufficient class and size to place Hot Mix Asphalt Pavement over the full width of the mainline travel way with a 10 feet minimum main screed with activated extensions.

The Contractor shall place Hot Mix Asphalt Pavement on the mainline with a paver using an automatic grade and slope controlled screed, unless otherwise authorized by the Authority. The controls shall automatically adjust the screed and increase or decrease the layer thickness to compensate for irregularities in the preceding course. The controls shall maintain the proper transverse slope and be readily adjustable so that transitions and super elevated curves can be properly paved. The controls shall operate from a fixed or moving reference such as a grade wire or ski type device (floating beam) with a minimum length of 30 ft, a non-contact grade control with a minimum span of 24 ft, except that a 40 ft reference shall be used on mainline projects.

The Contractor shall operate the paver in such a manner as to produce a visually uniform surface texture and a thickness within the requirements of Subsection 401.101, Surface Tolerances. The paver shall have a receiving hopper with sufficient capacity for a uniform spreading operation and a distribution system to place the mixture uniformly, without segregation in front of the screed. The screed assembly shall produce a finished surface of the required evenness and texture without tearing, shoving, or gouging the mixture. Pavers with extendible screeds shall have auger extensions and tunnel extenders as per the manufacturer's recommendations, a copy of which shall be available if requested. The forward operating speed of the paver shall be limited based on the course being placed. A shim or leveling course shall have a maximum speed of 50 feet per minute (fpm). Any base, intermediate, or surface course shall have a maximum paver speed of 45 fpm. The limited speed is not to be calculated on an average basis over time but shall be the actual limitation at any moment during the paving operation.

The Contractor shall have the paver at the Project site sufficiently before the start of paving operations to be inspected and approved by the Authority. The Contractor shall repair or replace any paver found worn or defective, either before or during placement, to the satisfaction of the Authority. Pavers that produce an unevenly textured or non-uniform mat will be repaired or replaced before continuing to place HMA on MTA projects. On a daily basis, the Contractor shall perform density testing across the uncompacted mat being placed, at 12 inch intervals. If the values vary by more than 2.0 percent from the mean, the Contractor shall make adjustments until the inconsistencies are remedied.

Failure to replace or repair defective placement equipment may result in a letter of suspension of work and notification of a quality control violation resulting in possible monetary penalties as governed by Section 106, Quality.

401.091 Material Transfer Vehicle (MTV)

When required by Special Provision Section 403, the paver shall be supplied mixture by a material transfer vehicle (Roadtec SB2500 or approved equal) capable of receiving and storing bituminous mixture from haul trucks, remixing, and delivering the mix to the paver hopper in a consistently uniform manner.

The MTV shall operate as an independent unit not attached to the paver. It shall be a commercially manufactured unit specifically designed to transfer the hot mix from haul trucks to the paver without depositing mix on the roadway.

Also required is a separate hopper with a capacity of 18 mg (20 Ton) that shall be inserted into the regular paving hopper.

The MTV shall be designed so that the mix receives additional mixing action.

The MTV and the hopper insert will not be measured separately for payment, but shall be incidental to the various Hot Mix Asphalt items.

401.10 Rollers

Rollers shall be static steel, pneumatic tire, oscillatory, or approved vibrator type. Rollers shall be in good mechanical condition, capable of starting and stopping smoothly, and be free from backlash when reversing direction. Rollers shall be equipped and operated in such a way as to prevent the picking up of hot mixed material by the roller surface. The use of rollers, which result in crushing of the aggregate or in displacement of the HMA will not be permitted. Any Hot Mix Asphalt Pavement that becomes loose, broken, contaminated, shows an excess or deficiency of Performance Graded Asphalt Binder, or is in any other way defective shall be removed and replaced at no additional cost with fresh Hot Mix Asphalt Pavement, which shall be immediately compacted to conform to the adjacent area.

The Contractor shall repair or replace any roller found to be worn or defective, either before or during placement, to the satisfaction of the Authority. Rollers that produce grooved, unevenly textured or non-uniform mat will be repaired or replaced before continuing to place HMA on MTA projects.

The type of rollers to be used and their relative position in the compaction sequence shall generally be the Contractor's option, provided Specification densities are attained and with the following requirements:

a. At least one roller shall be a pneumatic-tired on base, intermediate, and variable thickness shim layers. Pneumatic-tired rollers shall be equipped with skirting to minimize the pickup of HMA materials from the paved surface. The contractor shall provide a weigh slip for the rubber tire being used.

b. Compaction with a vibratory or steel wheel roller shall precede pneumatic-tired rolling, unless otherwise authorized by the Authority.

c. Vibratory rollers shall not be operated in the vibratory mode when checking or cracking of the mat occurs, or on bridge decks.

d. Any method, which results in cracking or checking of the mat, will be discontinued and corrective action taken.

e. The use of an oscillating steel roller shall be required to compact all mixtures placed on bridge decks.

The maximum operating speed for a steel wheel or pneumatic roller shall not exceed the manufacturer's recommendations, a copy of which shall be available if requested.

401.101 Surface Tolerances

The Authority will check surface tolerance utilizing the following methods:

a. A 16 ft straightedge or string line placed directly on the surface, parallel to the centerline of pavement.

b. A 12 ft straightedge or string line placed directly on the surface, transverse to the centerline of pavement.

The allowable tolerance shall be ¼ inch in the segments as described above. This includes fresh HMA joints as well as new longitudinal HMA adjoining pavements. The tolerance shall also apply to the cross slope in a single paver width with the exception that in no case shall the pavement surface in the single paver width be inverted resulting in a depression as measured transverse to the direction of travel. The Contractor shall correct variations exceeding ¼ inch by removing defective work and replacing it with new material as directed by the Authority. The Contractor shall furnish a 12 foot straightedge for the Authority's use.

401.11 Preparation of Existing Surface

The Contractor shall thoroughly clean the surface upon which Hot Mix Asphalt Pavement is to be placed of all objectionable material. When the surface of the existing base or pavement is irregular, the Contractor shall bring it to uniform grade and cross section. All surfaces shall have a tack coat applied prior to placing any new HMA course. Tack coat shall conform to the requirements of Section 409, Bituminous Tack Coat, Section 702, Bituminous Material, and all applicable sections of the Contract.

The contractor will be permitted to be generally innovative in methods to dry existing wet or damp pavement. Any method which causes damage or burning of the existing pavement, or which causes debris to fly into traffic shall be discontinued.

Section 401.111 Layout

The contractor shall layout the site prior to any pavement course or final striping. Layout shall be achieved by physical measurements obtained every 50' along the length to be paved or striped from a fixed reference point. The contractor shall transfer the measurements to the pavement surface every 50' and apply a paint mark at each location. The marks shall then be connected by a smoothed string line and subsequent paint marks applied along the string at no greater than 10' intervals. The Resident will inspect the layout line before associated activities may begin.

401.12 Hot Mix Asphalt Documentation

The Contractor and the Authority shall agree on the amount of Hot Mix Asphalt Pavement that has been placed each day. HMA Pavement yield shall be calculated and monitored by both the resident and the paving foreman. Yield calculations shall be communicated in real time between both parties throughout the paving operations. All delivery slips shall conform to the requirements of 401.073.

401.13 Preparation of Aggregates

The Contractor shall dry and heat the aggregates for the HMA to the required temperature. The Contractor shall properly adjust flames to avoid physical damage to the aggregate and to avoid depositing soot on the aggregate.

401.14 Mixing

The Contractor shall combine the dried aggregate in the mixer in the amount of each fraction of aggregate required to meet the JMF. The Contractor shall measure the amount of PGAB and introduce it into the mixer in the amount specified by the JMF.

The Contractor shall produce the HMA at the temperature established by the JMF.

The Contractor shall dry the aggregate sufficiently so that the HMA will not flush, foam excessively, or displace excessively under the action of the rollers. The Contractor shall introduce the aggregate into the mixer at a temperature of not more than 25°F above the temperature at which the viscosity of the PGAB being used is 0.150 Pa·s (Pascal-second).

The Contractor shall store and introduce into the mixer the Performance Graded Asphalt Binder at a uniformly maintained temperature at which the viscosity of the PGAB is between 0.150 Pa·s and 0.300 Pa·s. The aggregate shall be coated completely and uniformly with a thorough distribution of the PGAB. The Contractor shall determine the wet mixing time for each plant and for each type of aggregate used.

401.15 Spreading and Finishing

On areas where irregularities or unavoidable obstacles make the use of mechanical spreading and finishing equipment impracticable, the Contractor shall spread, rake, and lute the HMA with hand tools to provide the required compacted thickness. Solvent based agents developed to strip asphalts from aggregates will not be allowed as release agents.

On roads opened to two-way traffic, the Contractor shall place each course over the full width of the traveled way section being paved that day, unless otherwise noted by the Authority in Section 403, Hot Mix Asphalt Pavement.

In addition, hot mix asphalt pavement placed on bridges shall also conform to Section 508.04 and the following requirements.

a. The bottom course shall be placed with an approved rubber mounted paver of such type and operated in such a manner that the membrane waterproofing will not be damaged in any way.

b. The top course shall not be placed until the bottom course has cooled sufficiently to provide stability.

c. The Contractor will not be required to cut sample cores from the compacted pavement on the bridge deck, unless otherwise directed by Special Provisions.

d. After the top course has been placed, the shoulder areas shall be sealed 3 ft wide with two applications of an emulsified bituminous sealer meeting the requirements of Section 612.03 – Sealing and Section 702.12 – Emulsified Bituminous Sealing Compound. The first application shall be pre-mixed with fine, sharp sand, similar to mortar sand, as needed to fill all voids in the mix in the area being sealed. The second application may be applied without sand. The sealer shall be carried to the curb at the gutter line in sufficient quantity to leave a bead or fillet of material at the face of curb. The area to be sealed shall be clean, dry and the surface shall be at ambient temperature.

e. The furnishing and applying of the required quantity of sealer for the bridge shoulder areas shall be incidental to placing the hot mix asphalt pavement. The sealer shall be applied after 30 days of cure time on the new HMA placed.

f. The atmospheric temperature for all courses placed on bridge decks shall be 50°F or higher.

g. A pneumatic tire roller shall be used on the bridge deck membrane just prior to paving.

401.16 Compaction

Immediately after the Hot Mix Asphalt Pavement has been spread, struck-off, and any surface irregularities adjusted, the Contractor shall thoroughly and uniformly compact the HMA by rolling.

The Contractor shall roll the surface when the mixture is in the proper condition and when the rolling does not cause undue displacement, cracking, or shoving. The Contractor shall prevent adhesion of the HMA to the rollers or vibrating compactors without the use of fuel oil or other petroleum based release agents. Solvents designed to strip asphalt binders from aggregates will not be permitted as release agents on equipment, tools, or pavement surfaces.

The Contractor shall immediately correct any displacement occurring as a result of the reversing of the direction of a roller or from other causes to the satisfaction of the Authority. Any operation other than placement of variable depth shim course that results in breakdown of the aggregate shall be discontinued. Any new pavement that shows obvious cracking, checking, or displacement shall be removed and replaced for the full lane width as directed by the Resident at no cost to the Authority.

Along forms, curbs, headers, walls, and other places not accessible to the rollers, the Contractor shall thoroughly compact the HMA with mechanical vibrating compactors. The Contractor shall only use hand tamping in areas inaccessible to all other compaction equipment. On depressed areas, the Contractor may use a trench roller or cleated compression strips under a roller to transmit compression to the depressed area.

Any HMA that becomes unacceptable due to cooling, cracking, checking, segregation or deformation as a result of an interruption in mix delivery shall be removed and replaced, with material that meets Contract Specifications at no cost to the Authority.

401.162 Voids

The HMA will be accepted for percent air voids on a sublot basis. Percent air voids will be determined in accordance with AASHTO T 312. Point of sampling will be from the truck at the plant. A sublot will consist of 500 tons. The number of samples per day will be computed as one for every 500 tons plus one for any additional fractional sublot that is equal to or greater than 100 tons or as directed by the Resident. There shall be a minimum of one sublot per day per JMF. One sample shall be taken and tested for each 500 tons of production or portions thereof. Full payment will be made for each 500 tons of production that meets the specified void range of 2.5 to 5.5 percent.

Payment reduction will be applied to each sublot (500 tons) that falls outside of this range. See Subsection 401.21.

Section 401.163 PGAB Content and Aggregate Gradation

The HMA will be accepted for PGAB content and Aggregate Gradation on a sublot basis. PGAB content will be determined in accordance with AASHTO T 308. Aggregate Gradation will be determined in accordance with AASHTO T 30. Point of sampling will be from the truck at the plant. A sublot will consist of 500 tons. The number of samples per day will be computed as one for every 500 tons plus one for any additional fractional sublot that is equal to or greater than 100 tons or as directed by the Resident. There shall be a minimum of one sublot per day per JMF.

Payment reduction will be applied to each sublot (500 tons) that falls outside the allowable limits. See Subsection 401.21.

401.164 Density

Pavement density will be determined by comparing the density of six-inch diameter full depth cores (for the course being laid) taken from the compacted pavement to the Theoretical Maximum Density of that core. Core locations shall be by random samples in conformance with ASTM-D979 & D3665. The Contractor shall supply a masonry saw with a 12 inch diamond wet cutting saw blade capable of cutting the six inch diameter cores. The resident shall determine if trimming is required and the core will be labeled as such.

For determination of pavement density, core samples six inches in diameter, for the full depth of the course being laid, shall be taken by the Contractor from the mixture incorporated in the work after finishing operations have been completed and the pavement has cooled to 70ºF. Ice or dry ice shall be used to reduce temperature as necessary. All core samples shall be inspected, measured, and sealed in an approved transport container by the Resident. The contractor shall deliver the sealed container to the laboratory for testing by the Authority's representative.

Vertical surface of the core area shall be coated with rubberized joint sealer prior to refilling with bituminous mixture. Cores will not be cut for shim pavement.

The joint sealer, bituminous mixture and the labor for obtaining these samples in the field and restoring the surface shall be furnished without charge by the Contractor. The joint sealant shall conform to the material requirements for Asphalt Low Modulus Joint Sealer and shall be

incidental to the pavement items. Care must be exercised to avoid excess joint material on top of the finish mat and at the bottom of the joint.

No additional course shall be constructed on a course until the density of the sample has been established and approved.

The densities of the completed pavement shall be 92.5 to 97.0 percent of the theoretical maximum density obtained.

The pavement will be accepted for density on a sublot basis. A sublot will consist of 500 tons. The number of cores per day will be computed as one for every 500 tons plus one for any portion that does not equal 500 tons or as directed by the Resident. There shall be a minimum of one sublot per day per JMF.

Each sublot will be evaluated separately and full or partial payment will be made based on the results of tests performed on the cores.

Payment reduction will be applied to each core that has a density outside of the allowable range (92.5 to 97.0). See Subsection 401.21.

401.165 Longitudinal Joint Density

When noted in Special Provision Section 403, the Authority will measure the pavement density of longitudinal joints between adjoining mainline travel lanes in both the unconfined and confined condition as determined by the days paving operation. Only joints constructed between travel lanes will be tested, joints between a travel lane and a shoulder are excluded from sampling.

Pavement joint density will be determined by comparing the density of six-inch diameter full depth cores (for the course being laid) taken from the compacted pavement to the Theoretical Maximum Density of that core. The edge of the core nearest the joint shall be a 1" offset from the visible longitudinal joint as determined by the resident. Longitudinal core locations shall be determined by random sampling in conformance with ASTM-D979 & D3665. The Contractor shall supply a masonry saw with a 12 inch diamond wet cutting saw blade capable of trimming the underside of the six inch diameter cores if necessary. The resident shall determine if trimming is required and the core will be labeled as such.

For determination of pavement joint density, core samples six inches in diameter, for the full depth of the course being laid, shall be taken by the Contractor from the mixture incorporated in the work after finishing operations have been completed and the pavement has cooled to 70^{o}F. Ice or dry ice shall be used to reduce temperature as necessary.

Vertical surface of the core area shall be coated with rubberized joint sealer prior to refilling with bituminous mixture. Cores will not be cut for shim pavement.

The joint sealer, bituminous mixture and the labor for obtaining these samples in the field and restoring the surface shall be furnished without charge by the Contractor. The joint sealant

shall conform to the material requirements for Asphalt Low Modulus Joint Sealer and shall be incidental to the pavement items. Care must be exercised to avoid excess joint material on top of the finished mat and at the bottom of the joint.

No additional course shall be constructed on a course until the density of the sample has been established and approved.

The minimum density of the completed pavement shall be 92.0 percent of the theoretical maximum density obtained. Two consecutive failing tests shall result in production shut down. Prior to resuming paving operations, the contractor quality control unit shall satisfy the Authority that the paving operation will produce joint densities in compliance with the Specifications.

The pavement will be accepted for joint density on a sublot basis. A sublot will consist of 500 tons. The number of cores per day will be computed as one for every 500 tons plus one for any portion that does not equal 500 tons or as directed by the Resident. There shall be a minimum of one sublot per day per JMF.

Each sublot will be evaluated separately and full or partial payment will be made based on the results of tests performed on the cores.

Payment reduction will be applied to each sublot that has a density lower than 92.0% as outlined below.

PERCENT COMPACTION	PERCENT PAY
92.0 or greater	100
91.9 to 90.0	95
89.9 to 88.5	90
88.4 or less	75

401.166 Balanced Mix Design Testing

When required by Special Provision 403, The contractor shall be required to collect samples, fabricate specimens, and provide to the Authority said specimens for Balanced Mix Design testing to be performed by a third-party laboratory. The sample collection and specimen fabrication shall be considered incidental to the item, and the cost of the third-party laboratory testing shall be borne by the Authority. The contractor shall also fabricate and test split samples of the material with their own equipment/subcontracted laboratory.

Balanced Mix Design testing shall include AASHTO T-324 Hamburg Wheel Tracker and ASTM D8225 Ideal CT Index. Four specimens for each test shall be required.

Sample locations will be determined randomly by the Authority at a frequency of one sample per 6000 Tons of HMA produced with a minimum of 3 samples per project. If the total HMA quantity for the item is less than 18,000 Tons the new lot size will be the total divided by three.

The data collected during this testing will not be subject to monetary disincentives but production may be halted by the Authority for failing results.

401.17 Joints

The Contractor shall construct wearing course transverse and longitudinal joints in such a manner that minimum tolerances shown in Subsection 401.101, Surface Tolerances, are met when measured with a straightedge.

The paver shall always maintain a uniform head of HMA during the joint construction.

The HMA shall be free of segregation and meet temperature requirements outlined in Subsection 401.04. Transverse joints of the wearing course shall be straight and neatly trimmed. The Contractor may form a vertical face exposing the full depth of the course by inserting a header, by breaking the bond with the underlying course, or by cutting back with hand tools.

When required by Special Provision Section 403, Mainline Longitudinal joints shall be constructed as notched-wedge joint and constructed in a manner that will best ensure joint integrity.

The installation of the longitudinal joint shall be straight and true to the direction of travel and be located within 1-1/2" of the layout line. Deviations and or crossing back and forth over the layout line shall not be permitted and any such deviations or meandering shall be corrected by saw cutting the affected area prior to placing the adjacent lane with no additional cost to the Authority. Methods or activities that prove detrimental to the construction of straight, sound longitudinal joints will be discontinued.

Extra care shall be taken to insure satisfactory vertical joints in the pavements. On the notched-wedge joints a double layer of tack shall be applied. The Contractor shall apply a coating of joint sealant immediately before paving all cold joints (temperatures less than 120^{o}F) to the vertical face of the wearing surface if they are not a notched-wedge joint unless otherwise directed by the Resident. A heavy application of tack coat shall be applied to the vertical face of all cold joints on lower lifts. The Contractor shall use an approved spray apparatus designed for covering a narrow surface. The Authority may approve application by a brush for small surfaces, or in the event of a malfunction of the spray apparatus, but for a period of not more than one (1) working day. Joint sealer shall conform to the material requirements for Asphalt Low Modulus Joint Sealer.

Where pavement under this Contract joins an existing pavement or when the Authority directs, the Contractor shall cut the existing pavement along a smooth line, producing a neat, even, vertical joint. The Authority will not permit broken or raveled edges. The cost of all work necessary for the preparation of joints is incidental to related Contract pay items.

401.18 Quality Control

The Contractor shall submit for approval and operate in accordance with the approved Quality Control Plan (QCP) to assure a product meeting the contract requirements. The QCP shall meet the requirements of Section 106.4 – Quality Control and this Section. The Contractor shall not begin paving operations until the Authority approves the QCP in writing. Prior to placing any mix, the Authority and the Contractor shall hold a Pre-paving conference to discuss the paving

schedule, source of mix, type and amount of equipment to be used, sequence of paving pattern, rate of mix supply, random sampling, project lots and sublots and traffic control.
A copy of the QC random numbers to be used on the project shall be provided to the Resident.
The Authority's random numbers for Acceptance testing shall be generated and on file with the Resident and the Project Manager. All personnel of the Authority and the Contractor who have significant information relevant to the paving items shall attend, including the responsible onsite paving supervisor for the Contractor. The Resident will prepare minutes of the conference and distribute them to all attendees. Any requests to revise the minutes must be made to the Resident within 7 days of receipt. These minutes will constitute the final record of the pre-paving conference.

The QCP shall address any items that affect the quality of the Hot Mix Asphalt Pavement including, but not limited to, the following:

a. JMF(s)

b. Hot mix asphalt plant details

c. Stockpile Management (to include provisions for a minimum 2 day stockpile). Detailing how the stockpiles will be built, labeled, and kept separated from each other. Also provide a detailed description of the aggregate consensus quality testing program including all pertinent qualities, frequency of testing, in house procedures for determining material acceptability and addressing deficient test results.

d. Make and type of paver(s)

e. Make and type of rollers including weight, weight per inch of steel wheels, and average contact pressure for pneumatic tired rollers

f. Name of QCP Administrator, and certification number

g. Name of Process Control Technician(s) and certification number(s)

h. Name of Quality Control Technician(s) and certification number(s)

i. Mixing and transportation including process for ensuring that truck bodies are clean and free of debris or contamination that could adversely affect the finished pavement

j. Testing plan

k. Laydown operations including longitudinal joint construction, procedures for avoiding paving in inclement weather, type of release agent to be used on trucks tools and rollers, compaction of shoulders, tacking of all joints, methods to ensure that segregation is minimized, procedures to determine the maximum rolling and paving speeds based on best engineering practices, and provide these results, as well as past experience in achieving the best possible smoothness of the pavement. Solvent based agents developed to strip asphalts from aggregates will not be allowed as release agents

l. Examples of Quality Control forms including a daily plant report, daily paving report, control charts, and delivery slip template for any plant to be utilized.

m. Silo management and details (can show storage for use on project of up to 36 hours)

n. Provisions for varying mix temperature due to extraordinary conditions or production limitations. If a warm-mix technology is utilized, a proposed target production range (not to exceed 50 F) will be provided for each mix design.

o. Name and responsibilities of the Responsible onsite Paving Supervisor

p. Method for calibration/verification of Density Gauge

q. A note that all testing will be done in accordance with AASHTO and the Maine DOT Policies and Procedures for HMA Sampling and Testing

r. A detailed description of RAP processing, stockpiling and introduction into the plant as well as a note detailing conditions under which the percent of RAP will vary from that specified on the JMF

s. A detailed procedure outlining when production will be halted due to QC or Acceptance testing results

t. A plan to address the change in PGAB source or supplier and the potential co-mingling of differing PGAB's.

u. Provisions for how the QCP will be communicated to the Contractor's field personnel

v. The contractor shall provide a detailed plan outlining how the number of haul units will be determined and supplied to the project to prevent the paver from stopping on mainline wearing course and bridge deck paving over membrane

The QCP shall include the following technicians together with following minimum requirements:

a. QCP Administrator – A qualified individual shall administer the QCP. The QCP Administrator must be a full-time employee of or a consultant engaged by the Contractor or paving subcontractor. The QCP Administrator shall have full Authority to institute any and all actions necessary for the successful operation of the QCP. The QCP Administrator (or its designee in the QCP Administrator's absence) shall be available to communicate with the Authority at all times. The QCP Administrator shall be certified as a Quality Assurance Technologist certified by the New England Transportation Technician Certification Program (NETTCP).

b. Process Control Technician(s) (PCT) shall utilize test results and other quality control practices to assure the quality of aggregates and other mix components and control proportioning to meet the JMF(s). The PCT shall inspect all equipment used in mixing to assure it is operating properly and that mixing conforms to the mix design(s) and other Contract requirements, and that delivery slips and plant

recordation accurately reflects the mix being produced with all required information. The QCP shall detail how these duties and responsibilities are to be accomplished and documented, and whether more than one PCT is required. The Plan shall include the criteria to be utilized by the PCT to correct or reject unsatisfactory materials. The PCT shall be certified as a Plant Technician by the NETTCP.

c. Quality Control Technician(s) (QCT) shall perform and utilize quality control tests at the job site to assure that delivered materials meet the requirements of the JMF(s). The QCT shall inspect all equipment utilized in transporting, laydown, and compacting to assure it is operating property and that all laydown and compaction conform to the Contract requirements. The QCP shall detail how these duties and responsibilities are to be accomplished and documented, and whether more than one QCT is required. The QCT shall be on site during paving operations performing quality control activities. QCT's shall not act as equipment operators, trainers or laborers. The QCP shall include the criteria utilized by the QCT to correct or reject unsatisfactory materials. The QCT shall be certified as a Paving Inspector by the NETTCP.

The QCP shall detail the coordination of the activities of the Plan Administrator, the PCT and the QCT. The Project Superintendent shall be named in the QCP, and the responsibilities for successful implementation of the QCP shall be outlined.

401.191 Inspection/Testing

Aggregates used in mainline surface mixes shall be tested at the following frequencies during mix production:

Test	Frequency	Test Method
Coarse Aggregates		
Sieve Analysis	1 per week	AASHTO T27/T11
Specific Gravity	1 per 10000 Mix Ton minimum of 1test	ASHTO T85
Micro Deval	1 per 10000 Mix Ton minimum of 1 test	AASHTO T327
Fine Aggregates		
Sieve Analysis	1 per week	AASHTO T27/T11
Specific Gravity	1 per 10000 Mix Ton minimum of 1test	ASHTO T84
Micro Deval	1 per 10000 Mix Ton minimum of 1test	ASTM D-7428

All quality control testing at the plant and paving site for bituminous concrete paving shall be provided by the Contractor and will be incidental to the various items of the Contract. Quality control testing to verify the job mix formula at the plant shall be comprised of a sample taken and tested for each 500 tons of production. The plant will be shut down for two consecutive out of Specification test results for VMA, VFB, Fbe, PGAB content, gradation, and/or voids. The consecutive failures need not be on the same property. Prior to resuming paving operations, the plant quality control unit shall satisfy the Authority that the plant production is in compliance with

the Specifications. The plant, at no additional cost to the Authority, shall assign qualified quality control staff personnel and have an on-site laboratory equipped to perform all tests.

The Contractor shall monitor plant production on each approved mix design using running average of three control charts as specified in Section 106 - Quality. Control limits shall be as noted in Table 7 below. The UCL and LCL, shall not exceed the allowable gradation control points for the mixture as outlined in Table 1 of Section 703.09.

CONTROL LIMITS	
Property	**UCL and LCL**
% Passing #4 and larger sieves	Target ± 4.0
% Passing #8 and #16 sieves	Target ± 2.5
% Passing #30, #50, and #100 sieves	Target ± 1.5
% Passing #200 sieve	Target ± 1.0
PGAB Content	Target ± 0.25
VMA N_{des}	LCL = LSL + 0.2
Voids N_{des}	Target ± 1.2
G_{mm}	Target ± 0.015

The Contractor shall submit all QC test and inspection reports and updated control charts to the Resident by email. The reports and updated control charts shall be signed by the appropriate technician and be submitted to the Resident by 1:00 P.M. / A.M. on the next working day / night.

The Contractor shall submit a list of on-site laboratory and sampling facilities, including available equipment.

Adequate and convenient sampling facilities shall be provided, allowing the Resident and the Authority's designated quality assurance personnel to obtain representative samples from the full width and depth of the discharge area of each aggregate bin. The sampling tray shall be structurally supported during the sampling operation. Access to the sampling facilities shall be provided. The use of such access shall not be more difficult than climbing a ladder leading to a secure platform with railings.

Final acceptance shall be based on quality assurance tests to assure compliance with the job mix formula as established. Samples and certified quality control reports shall be available to the Resident and the Authority's designated quality assurance personnel as often as requested. Sample locations will be random in compliance with ASTM D3665 or as directed by the Resident.

When plant inspection is maintained, the material will be considered acceptable for use when the specified tests from samples obtained at the production plant indicate conformance to the approved job mix formula.

Quality assurance testing services for bituminous concrete pavement shall be provided by the Authority. The Contractor shall provide adequate space and all lab equipment, materials and chemicals at the bituminous plant necessary to verify job mix formula (asphalt content (AASHTO T164 or T308) and gradations). Upon completion, the Contractor shall be responsible for the

proper disposal of all materials and chemicals. This work will not be measured separately for payment, but shall be incidental to the various items of the Contract.

A. Inspection. The Resident, or his authorized representative, shall have access and use of the laboratory facilities at any time and access to all parts of the plant for:

1. Inspection of the condition and operations of the plant.

2. Confirmation of the adequacy of equipment in use.

3. Verification of the character and proportions of the mixture.

4. Determination of temperatures being maintained in the preparation of the mixtures.

5. Inspection of incidental related procedures.

6. Performing quality assurance testing.

B. Plant Testing Laboratory. The Contractor shall provide a plant testing laboratory for use by the Authority's quality assurance personnel for acceptance testing functions.

The plant laboratory shall be available at the following times for use by the Authority's quality assurance personnel:

1. During periods of pavement production;

2. During periods of sampling and testing; and,

3. Whenever materials subject to the provisions of these Specifications are being supplied or tested.

The Authority's quality assurance personnel will always have priority in use of the laboratory. The laboratory shall have sufficient equipment in order for both (Authority's and Contractor's) testing representatives to operate efficiently.

The plant testing laboratory shall have a floor space area of not less than 150 square feet, with a ceiling height of not less than 7-1/2 feet. The laboratory shall be weather tight, sufficiently heated in cold weather and air-conditioned in hot weather, to maintain temperatures for testing purposes of 70°F ± 5°F.

As a minimum the plant testing laboratory shall have:

1. Adequate artificial lighting.

2. Electrical outlets sufficient in number and capacity for operating the required testing equipment and drying samples.

3. Two fire extinguishers, Underwriter's Laboratory approved.

4. Work benches for testing, minimum 2-1/2 feet by 10 feet.

5. Desk with two chairs.

6. Sanitary facilities convenient to testing laboratory.

7. Exhaust fan to outside air, minimum 12 inch blade diameter.

8. Secure High Speed Internet Access

9. File cabinet with lock for Resident.

10. Sink with running water, attached drain board and drain.

11. Metal stand for holding washing sieves.

12. Mechanical shaker and appropriate sieves (listed in 639.06) meeting the requirements of ASTM E11.

13. Superpave gyratory compactor.

14. Oven, thermostatically controlled, inside minimum one cubic foot.

15. Two volumetric specific gravity flasks, 500 CC.

16. Other necessary hand tools required for sampling and testing.

17. Library containing Contract Specification, latest ASTM Volumes 4.03 and 4.04, AASHTO Materials Parts I and II.

18. Equipment for Maximum Theoretical Density meeting the requirements of AASHTO T209 and equipment for Bulk Spec. Gravity meeting the requirements of AASHTO T166.

19. Infra-red temperature measuring device for use at both plant and Project site.

20. Necessary equipment for PGAB Content testing.

21. Diamond blade saw for trimming pavement cores.

22. Two ovens.

23. All equipment (scales, Superpave gyratory compactor, etc.) to have current calibrations and certifications.

Approval of the plant and testing laboratory by the Resident requires all the above facilities and equipment to be in good working order during pavement production, sampling and testing. Failure to provide any of the above shall be sufficient cause for disapproving the bituminous plant operations.

401.21 Method of Measurement

The Authority will measure Hot Mix Asphalt Pavement by the ton in accordance with Subsection 108.1, Measurement of Quantities for Payment.

A reduction in payment will occur when the voids, asphalt content, gradation, and density are other than the limits specified below for 100 percent payment. The payment reduction for voids and PGAB content and density will be based upon each sublot (500 tons) of production as specified in Subsections 401.162, 401.163, 401.164, and 401.165. The Contractor may request one retest for each failing sublot for core density only. The original core density and the recut core density shall be averaged together to determine payment for the sublot. No retest will be allowed for voids or asphalt content. The Contractor shall pay $250.00 for each additional core tested. Pavement restoration will not be measured separately for payment but shall be incidental to the respective pay item.

Any lot resulting in zero payment shall be removed, disposed of and replaced at no additional cost to the Authority. Replacement pavement will be paid for based on the accepted and payment criteria specified herein.

CORE DENSITY VS. CORE THEORETICAL MAXIMUM DENSITY COMPACTION (SURFACE) 92.5-97 PERCENT	
PERCENT COMPACTION	**PERCENT PAYMENT**
92.5 - 97.0	100
91.5 - 92.4, 97.1 - 97.9	95
90.5 - 91.4, 98.0 - 98.5	85
90.0 - 90.4, 98.6 - 99.0	75
<90.0, > 99.0	0
Note: Percent compaction is the percentage of the field core density as compared to the Theoretical Maximum Density (TMD) of that core.	

AIR VOIDS – 2.5 – 5.5 PERCENT	
VOIDS	**PAYMENT PERCENT**
2.5 to 5.5	100
2.0 - 2.4, 5.6 - 6.1	95
1.5 – 1.9, 6.2 – 6.6	85
1.0 - 1.4, 6.7-7.1	75
<1.0, >7.1	0
Note: Voids are based on the average of the test specimens fabricated at the plant for each sublot (500 tons).	

Payment for PGAB content shall be based on the JMF aim with an allowable production tolerance of 0.4% except that test results which fall outside of the following ranges shall not be permitted:

9.5 mm	5.7 – 7.5
12.5 mm	5.2 – 6.4

9.5 mm PGAB CONTENT	
% PGAB	**% PAYMENT**
JMF Aim ± 0.4	100
JMF Aim + 0.5 , - 0.5 , < 5.7	95
JMF Aim + 0.6 , - 0.6 , < 5.6	85
JMF Aim + 0.7 , - 0.7 , < 5.5	75
JMF Aim + 0.8 , - 0.8 , ≦ 5.4, > 7.5	50
Note: PGAB content is based on samples tested at the plant for each 500 Ton sublot	
12.5 mm PGAB CONTENT	
% PGAB	**% PAYMENT**
JMF Aim ± 0.4	100
JMF Aim + 0.5 , - 0.5 , < 5.1	95
JMF Aim + 0.6 , - 0.6 , < 5.0	85
JMF Aim + 0.7 , - 0.7 , < 4.9	75
JMF Aim + 0.8 , - 0.8 , ≦ 4.8, > 6.4	50
Note: PGAB content is based on samples tested at the plant for each 500 Ton sublot	

Gradation	
Sieve Size	**% Deduction**
% Passing #4 and larger sieves	N/A
% Passing #8 sieve	2
% Passing #16 sieve	N/A
% Passing #30 sieve	N/A
% Passing #50 sieve	1
% Passing #100 sieve	N/A
% Passing #200 sieve	3
Note: Gradation is based on samples tested at the plant for each 500 Ton sublot	

As an example of payment reduction, if a sublot of 500 tons of 12.5mm was tested and found to have 96 percent TMD compaction, 5.8 percent air voids and asphalt content of 5.19 percent, the payment reduction would be as follows:

500 tons x 1.00	= 500 tons payment	=	0 tons reduction (compaction)
500 tons x 0.95	= 475 tons payment	=	25 tons reduction (voids)
500 tons x 0.95	= 475 tons payment	=	25 tons reduction (asphalt content)

Payment = 500 tons - (0 + 25 + 25) = 450 tons.

401.22 Basis of Payment

The Authority will pay for the work, in place and accepted, in accordance with the applicable sections of this Section, for each type of HMA specified.

The Authority will pay for the work specified in Subsection 401.11, for the HMA used, except that cleaning objectionable material from the pavement and furnishing and applying bituminous material to joints and contact surfaces is incidental.

Payment for this work under the appropriate pay items shall be full compensation for all labor, equipment, materials, and incidentals necessary to meet all related Contract requirements, including design of the JMF, implementation of the QCP, obtaining core samples, transporting cores and samples, filling core holes, applying specified material to joints, and providing testing facilities and equipment.

SPECIAL PROVISION

SECTION 403

HOT MIX ASPHALT PAVEMENT

Section 403 of the Maine Turnpike Authority 2016 Supplemental Specifications modified as follows:

403.01 Description

This work shall also consist of the construction, maintenance and removal of all temporary bituminous ramps at locations as shown on the Plans or as directed by the Resident.

403.02 General

The Contractor shall compose the Hot Mix Asphalt Pavement with aggregate, Performance Graded Asphalt Binder (PGAB), and mineral filler if required. The Performance Graded Asphalt Binder (PGAB) shall be polymer modified as detailed in this special provision and shall conform to the requirements of AASHTO M 332. The PG70E-28 Binder shall be modified using Styrene-Butadiene-Styrene (SBS) polymer in a homogeneous blend. The stability of the modified binder shall be verified in accordance with ATSM D7173 using the Dynamic Shear Rheometer (DSR). The DSR G*/sin(δ) results from the top and bottom sections of the ATSM D7173 test shall not differ by more than 10%. The results of ASTM D7173 shall be included on the Certified Test Report. The Contractor shall compose the Hot Mix Asphalt Pavement with aggregate, Performance Graded Asphalt Binder (PGAB), and mineral filler if required. The Performance Graded Asphalt Binder (PGAB) shall be polymer modified as detailed in this special provision and shall conform to the requirements of AASHTO M 332. The PG70E-28 Binder shall be modified using Styrene-Butadiene-Styrene (SBS) polymer in a homogeneous blend. The stability of the modified binder shall be verified in accordance with ATSM D7173 using the Dynamic Shear Rheometer (DSR). The DSR G*/sin(δ) results from the top and bottom sections of the ATSM D7173 test shall not differ by more than 10%. The results of ASTM D7173 shall be included on the Certified Test Report

403.03 Construction

All areas which have been milled or overlaid shall have a minimum length temporary ramp constructed as determined by the Resident at the milled or overlaid limits prior to opening the roadway to traffic. Temporary ramps shall be constructed using the same material as being placed on that day or as directed by the Resident. All temporary ramps are to be constructed on a sand joint. The Contractor shall be responsible for all repairs and maintenance required for the temporary ramps.

The Contractor shall be responsible for the layout of the longitudinal centerline between the travel lanes.

The sand and loose debris adjacent to the median guardrail shall be removed and disposed of by the Contractor off of Turnpike property.

The forty-five degree pavement safety edge needed between adjacent lanes and or shoulders shall be incidental to the 202 pay items.

403.04 Method of Measurement

The construction and removal of temporary ramps on sand joints, and maintaining the ramps will not be measured separately for payment, but shall be incidental to Items 403.

The removal of sand and loose debris will not be measured separately for payment, but shall be incidental to paving items.

Hot Mix Asphalt, 12.5 mm (Polymer/Latex Modified) pavement with (up to) 15% RAP, placed as a wearing surface will be measured under Item 403.2081 Hot Mix Asphalt, 12.5 mm (Polymer/Latex Modified).

403.05 Basis of Payment

Hot Mix Asphalt, 12.5 mm (Polymer/Latex Modified) pavement, placed as a wearing surface will be paid under Item 403.2081 Hot Mix Asphalt, 12.5 mm (Polymer/Latex Modified).

The following pay items are added:

Pay Item	Pay Unit	
403.207	Hot Mix Asphalt. 19.0 mm	TON
403.2072	19.0 mm Asphalt Rich Base HMA	TON
403.208	Hot Mix Asphalt, 12.5mm, Surface	TON
403.2081	Hot Mix Asphalt, 12.5 mm (Polymer/Latex Modified)	TON
403.2084	Hot Mix Asphalt, 12.5 mm (incidentals)	TON
403.209	Hot Mix Asphalt, 9.5 mm Nominal Maximum Size (sidewalks, drives, islands & incidentals)	TON
403.210	Hot Mix Asphalt, 9.5 mm Nominal Maximum Size	TON
403.211	Hot Mix Asphalt, Shimming	TON
403.212	Hot Mix Asphalt, 4.75 mm Nominal Maximum Size (Shim)	TON
403.213	Hot Mix Asphalt, 12.5 mm (Base and Intermediate Base Course)	TON

SPECIAL PROVISION

SECTION 403

HOT MIX ASPHALT PAVEMENT

Course	HMA Grading	Item Number	Total Thickness	No. of Layers	Complimentary Notes
Ramp Reconstruction					
Wearing	**12.5 mm**	**403.2081**	**1.5”**	**1**	**A,D,E,F,G,H,I, K,L,M, N**
Intermediate	**12.5 mm**	**403.213**	**2.0”**	**1**	**C,I**
Base	**19.0 mm**	**403.207**	**2.5”**	**1**	**C,I**
Ramp Mill and Overlay					
Wearing	**12.5 mm**	**403.2081**	**1.5”**	**1**	**A,D,E,F,G,H,I, K,L,M, N**
Intermediate	**12.5 mm**	**403.213**	**2.0”**	**1**	**C,I**
Base	**19.0 mm**	**403.207**	**2.5”**	**1**	**C,I**
Base	**12.5 mm**	**403.213**	**1.5”**	**1**	**C,I**
Base	**12.5 mm**	**403.213**	**2.0”**	**1**	**C,I**
Spot Shims/Delaminated Areas/Incidentals (As Directed by the Resident)					
Shim	**9.5 mm**	**403.211**	**variable**	**1**	**C,I**

COMPLEMENTARY NOTES

A. The required PGAB for this mixture shall be **70E-28**.
B. RAP may not be used.
C. The Maine DOT will conduct the job mix verification. The aggregate qualities shall meet the design traffic level of 3 to <10 million ESALS for mix placed under this contract. Minimum and Maximum PGAB content limits from 401.21 shall not apply.
D. The MTA will conduct the job mix verification. The aggregate qualities shall meet the design traffic level of 10 to <30 million ESALS for mix placed under this contract. The design verification, Quality Control, and Acceptance tests for this mix will be performed at **75 gyrations**. (N design)
E. A material transfer vehicle (MTV) shall be used for the placement of Hot Mix Asphalt wearing surface on all roadways including acceleration and deceleration lanes and all ramps.
F. Joints shall be constructed as the “notched wedge” type in accordance with Subsection 401.17.
G. Joint density will be measured in accordance with Subsection 401.165.

H. PGAB shall conform to the provisions of 403.02 – Polymer Modified PGAB for HMA
I. The contractor shall furnish a quality control technician equipped with an approved densometer to ensure density requirements are met.
J. Hydrated Lime may be incorporated into the mixture.
K. The antistrip additive Zycotherm SP manufactured by Zydex Industries shall be incorporated into the PGAB at a rate of 0.125%.
L. Carryover mix designs will not be permitted.
M. Special Provision section 401.166 BMD testing is required.
N. Automatic grade control shall be installed on each side of the screed.

SPECIAL PROVISION

SECTION 409

BITUMINOUS TACK COAT

409.01 Description

This Subsection is deleted and replaced with the following:

This work consists of furnishing and applying one uniform application of Emulsified Asphalt RS-1 or RS-1h conforming to the specifications of AASHTO M-140. The application rate shall be 0.04 gal/yd^2.

409.05 Equipment

Add "or as determined by the Resident", after the words "gal/yd^2]" in the fourth line of the second paragraph of this Subsection.

409.06 Preparation of Surface

The following paragraph is added:

All existing pavement and shoulder areas on which bituminous concrete mixtures are to be placed shall receive a tack coat. The surface area where the tack coat is to be applied shall be dry and cleaned of all dirt, sand, and loose material. Cleaning shall be accomplished by use of revolving brooms or mechanical sweepers. Undesirable material not removed by the above means shall be cleaned by hand sweeping or scraping, or a combination of both. Small areas otherwise inaccessible may be swept with hand brooms. The tack coat shall be applied only when the existing surface is dry.

409.08 Method of Measurement

The following paragraphs are added:

Measurement will be based on delivery slips made out in duplicate by the Contractor and signed by the Resident, or his representative, at the point of delivery. One of these slips shall be retained by the Resident and one by the Contractor. Delivery slips shall be furnished by the Contractor and shall provide space for identifying the vehicle and driver, for stating the volume of material carried, the source of the material, the date, and the Resident or his representative's signature.

Material included in the delivery slips and not used or rejected shall be deducted from the amount being measured for payment. Each day's delivery slips shall be reconciled by the Contractor and the Resident within 24-hours.

Cleaning of the surface area where tack coat is to be applied shall be incidental to the 409 items. .

409.09 Basis of Payment

The following pay items are added:

Pay Item		Pay Unit
409.15	Bituminous Tack Coat RS-1 or RS1h– Applied	Gallon
409.152	Bituminous Tack Coat NTSS-1HM Trackless– Applied	Gallon

SPECIAL PROVISION

SECTION 419

SAWING AND SEALING JOINTS IN BITUMINOUS PAVEMENT

(Sawing Bituminous Pavement)

419.01 Description

This work consists of sawing bituminous concrete pavement as shown on the Plans, as specified herein or as approved by the Resident.

419.02 General

The bituminous concrete pavement to be sawed shall be accurately marked before cutting. The marking shall be in accordance with the locations as shown on the Plans or as approved by the Resident. Cutting shall be with an approved power driven saw with an abrasive blade. 0(

Unless otherwise noted or directed, the sawcut shall be vertical, a minimum of 3/8 inch wide, and extend to the depth as shown on the Plans.

Residue or debris from the sawing operation shall be removed immediately and legally disposed of by the Contractor.

419.03 Method of Measurement

Sawing Bituminous Pavement will be measured by the linear foot of pavement actually cut and accepted. No additional payment will be made for variations in the pavement thickness.

419.04 Basis of Payment

Sawing Bituminous Pavement will be paid for at the Contract unit price per linear foot which shall be full compensation for all materials, tools, equipment labor, and all incidentals necessary for the completion of the work to the satisfaction of the Resident. The disposal of sawcut residue shall be incidental to this item.

Payment will be made under:

Pay Item		Pay Unit
419.30	Sawing Bituminous Pavement	Linear Foot

SPECIAL PROVISION

SECTION 526

CONCRETE BARRIER

(Temporary Barrier Markers)

526.1 Description

The following paragraphs are added:

This work shall consist of furnishing, installing and maintaining temporary barrier markers on all temporary barrier supplied by the Contractor and the Authority.

526.2 Materials

The following paragraphs are added:

Temporary barrier markers shall be "Big Dog" barrier markers manufactured by Custom Products Corporation, or approved equal. Markers shall be bi-directional with a minimum effective reflective area of 96 square inches (48 square inches each side) as approved by the Resident. The reflectors shall meet MUTCD reflectivity requirements and shall be orange in color.

526.3 Construction Requirements

The following paragraphs are added:

Temporary barrier markers shall be mounted as follows:

1. One on every fourth barrier in tangents and one on every two barriers in tapers, including all barrier furnished by the Contractor.

2. Delineators shall be physically adhered so as to withstand the force of throw from a snow plow.

3. If more than 25% of delineators in any 50 foot section of barrier fall off for any reason, the Contractor will be responsible for reinstalling all the delineators in that run at that their own cost.

4. Contractor is required to submit the installation method for review and approval to the Resident.

526.4 Method of Measurement

The following paragraphs are added:

Temporary barrier markers shall not be measured for payment separately but shall be incidental to the temporary barrier item.

526.5 Basis of Payment

The following paragraphs are added:

Temporary barrier markers shall not be paid for separately but shall be incidental to the temporary barrier item.

SPECIAL PROVISION

SECTION 526

CONCRETE BARRIER

(Temporary Concrete Barrier Type I - Supplied by Authority)

526.01 Description

The following paragraphs are added:

This work shall consist of loading, transporting, setting, resetting, removing, transporting and stacking Temporary Concrete Barrier Type I – Supplied by Authority. The barrier shall have attachments allowing individual sections to be connected into a continuous barrier.

The work also includes supplying connecting pins and furnishing and mounting retro-reflective delineators, per Subsection 526.02 and 526.03.

Concrete barriers supplied by Authority shall be available at the following location(s):

Maintenance Area	Linear Feet of Barrier
Kennebunk Maintenance Area MM 25.3 Northbound	1040 LF

Upon substantial completion of work, the Contractor shall remove and transport the barrier back to its maintenance area of origin. All barrier shall be returned, sorted and stacked according to type in locations directed by the project Resident or maintenance area foreman.

526.02 Materials

The following paragraphs are added:

e. Delineators shall be bi-directional with a minimum effective reflective area of eight square inches as approved by the Resident. The reflectors shall be methyl methacrylate and the housing of acrylonitrile butadiene styrene. Color shall be in accordance with the MUTCD.

526.021 Acceptance

The Resident shall have the authority to accept or reject all Temporary Concrete Barrier Type I – Supplied by Authority used on the Project that does not meet the requirements of this specification

526.03 Construction Requirements

The following paragraphs are added:

The Contractor shall notify the Resident prior to the scheduled pick-up and delivery of concrete barrier. No barrier shall be removed from or stacked at the Turnpike Maintenance Area without approval of the Resident.

The Contractor shall move and place barrier-utilizing methods that will not damage the barrier. Barrier that is damaged by the Contractor by failing to use proper methods shall be replaced by the Contractor at no additional cost to the Maine Turnpike Authority.

Concrete barrier supplied by the Authority consists of several different styles. Not all barriers may be compatible. The Contractor shall utilize caution when setting barrier to use identical barrier types as adjacent barrier. Non-compatible barrier that cannot be attached together shall be overlapped by a minimum of 10 feet with the blunt end on the non-traffic side of the barrier. This work will not be measured separately for payment, but shall be incidental to the concrete barrier.

Concrete barrier placed at roadway low points shall be shimmed on 1" by 2" by 2' long wood planks to allow drainage to pass under the barrier. In addition, the Resident may direct the Contractor to shim the concrete barrier at other locations to provide for proper roadway drainage. All labor, material, and equipment necessary to shim the barrier will not be measured separately for payment, but shall be incidental to the Concrete Barrier.

The removal of concrete barrier from adjacent to the travel lane may be conducted without a lane closure if it is accomplished in accordance with the following requirements:

1. Barrier is removed from the trailing end and the workmen and equipment involved in the operation are always behind the barrier. No workmen or equipment shall enter the travel lane.
2. Barrier shall be dragged away from the travel lane to at least a 30-degree angle by the use of a cable.
3. Barrier shall be lifted no more than six inches while within 10 feet of the travel lane.

Retro-Reflective Delineators shall be mounted as follows:

4. One on top of each barrier.
5. One on the traffic side of every barrier used in a taper.
6. One on the traffic side of every other barrier at regularly spaced intervals and locations.
7. Delineators shall be installed on both sides of the barrier if barrier is used to separate opposing traffic.
8. Delineators shall be physically adhered so as to withstand the force of throw from a snow plow.
9. If more than 25% of delineators in any 50 foot section of barrier fall off for any reason, the Contractor will be responsible for reinstalling all the delineators in that run at that their own cost.
10. Contractor is required to submit the installation method for review and approval to the Resident.

526.04 Method of Measurement

The following paragraphs are added:

Temporary Concrete Barrier Type I – Supplied by Authority shall be measured for payment by the lump sum.

The loading, transporting, setting, resetting, removing, transporting, sorting and stacking of the barrier, the furnishing, installation and maintenance of the barrier delineators, and furnishing and installing connector pins will not be measured separately for payment, but shall be incidental to the cost of the Barrier. Temporary storage of Concrete Barrier between construction phases, if required, will not be measured separately for payment, but shall be incidental to the cost of the Barrier. All equipment required to load, unload, transport and stack Concrete Barrier shall be supplied by the Contractor.

Any Barrier lost or damaged by the Contractor shall be replaced by the Contractor at no additional cost to the Authority.

526.05 Basis of Payment

The fifth paragraph is deleted and not replaced.

The following paragraphs are added:

Temporary Concrete Barrier Type I – Supplied by Authority will be paid for at the Contract lump sum price, complete in place. Such payment shall be full compensation for loading, transporting, setting, resetting, temporary storage, removing, transporting and stacking at the area designated, furnishing all materials, and all other incidentals necessary to complete the work. Temporary Concrete Barrier Type I – Supplied by Authority and all connecting pins shall remain the property of the Authority, and shall be returned to the Turnpike Maintenance Area as designated in Subsection 526.01.

Payment of Concrete Barrier shall be based on a percentage of the work accomplished during that pay period.

Payment will be made under:

Pay Item		Pay Unit
526.306	Temporary Concrete Barrier, Type I – Supplied by Authority	Lump Sum

SPECIAL PROVISION

SECTION 527

ENERGY ABSORBING UNIT

(Work Zone Crash Cushion)
(Resetting Existing Work Zone Crash Cushions)

527.01 Description

The first paragraph is deleted in its entirety and replaced with the following:

The Contractor shall furnish and install, or reset work zone crash cushions where shown on the Plans, as specified herein, in Special Provision 652, or as approved by the Resident. Work zone crash cushions are required at each exposed end of temporary concrete barrier or guardrail.

The exposed end of the concrete barrier within 30 feet of the mainline travel lane shall be protected at all times. Barrier shall not be reset until after the work zone crash cushion(s) has been set to protect the exposed end of the barrier.

527.02 Materials

The following paragraph is added:

Work zone crash cushions fabricated prior to December 31, 2019 in serviceable condition shall meet the requirements of NCHRP 350 TL-3 crash test requirements and work zone crash cushions fabricated after December 31, 2019 shall meet the MASH TL-3 crash test requirements for use on the turnpike and local roadways with posted speeds of 45 MPH or greater. Work zone crash cushions fabricated prior to December 31, 2019 shall meet in serviceable condition shall meet the requirements of NCHRP 350 TL-2 crash test requirements and work zone crash cushions fabricated after December 31, 2019 shall meet the MASH TL-2 crash test requirements for use on local roadways with posted speeds of 40 MPH or less. The Contractor shall provide the Resident with documentation of the proposed work zone crash cushion's MASH Crash Test Results prior to installation at the jobsite.

527.03 Construction Requirements

The following is added to the end of the first paragraph:

The design speeds for work zone crash cushions shall be 45 mph for local road and 70 mph for turnpike roadways unless otherwise noted on the Plans.

527.04 Method of Measurement

Work Zone Crash Cushions used to protect exposed ends of guardrail for steel girder erection will not be measured separately for payment but shall be included under the Maintenance of Traffic for Steel Girder Erection item.

Replacement barrels, after collisions, will be paid for as a percentage of the individual barrels damaged to the total barrels in the complete system. The removal of impacted barrels and debris will be considered incidental to the replacement barrels. Barrels on hand, but unused will not be paid for directly.

Resetting Existing Work Zone Crash Cushion will be measured by the Unit, complete in place and accepted.

527.05 Basis of Payment

Resetting Existing Work Zone Crash Cushion will be measured by the Unit, complete in place and accepted.

Payment will be made under:

Pay Item		Pay Unit
527.341	Work Zone Crash Cushions – TL-3	Unit
527.342	Work Zone Crash Cushions – TL-2	Unit
527.343	Resetting Existing Work Zone Crash Cushion	Unit

SPECIAL PROVISION

SECTION 603

PIPE CULVERTS AND STORM DRAINS

(Reinforced Concrete Pipe)
(Concrete Collar)
(Corrugated Polyethylene Pipe)

603.01 Description

The following paragraphs are added:

This work shall also consist of furnishing and installing Class III or Class V reinforced concrete pipe at the locations as shown on the Plans or as approved by the Resident.

This work also consists of furnishing and installing a concrete collar to join existing concrete pipe to the proposed concrete or Corrugated High Density Polyethylene (HDPE) pipe in accordance with the details as shown on the Plans. The Contractor shall note that the concrete pipe ends may be of different sizes and may not fit snugly together.

This work shall also consist of furnishing and installing various sizes of corrugated HDPE pipe, including a dual wall adaptor fitting by Hancor or an approved equal as shown on the plans. No other pipe types within the Option III alternatives will be accepted.

603.02 Materials

All Corrugated High Density Polyethylene (HDPE) pipe for storm water and drainage systems shall meet the requirements of Subsection 706.06.

603.11 Method of Measurement

The following paragraph is added:

The Concrete Collar shall be measured by each unit installed, complete in place and accepted. This shall be full compensation for furnishing labor and materials to construct a Concrete Collar to connect the existing and proposed pipe ends in a working like manner.

Dual Wall Adapter Fitting shall be included for payment as three additional linear feet of the largest pipe involved.

603.12 Basis of Payment

Concrete Collars will be paid for at the Contract unit price each regardless of the size of the existing and proposed pipes.

Corrugated HDPE pipe will be paid for under the appropriate sized Culvert Pipe Option III pay items

Payment will be made under:

Pay Item		Pay Unit
603.155	12 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.165	15 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.1653	15 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.175	18 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.1753	18 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.195	24 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.1953	24 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.205	30 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2053	30 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.215	36 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2153	36 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.225	42 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2253	42 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.235	48 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2353	48 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.245	54 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2453	54 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.255	60 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2553	60 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.265	66 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2653	66 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.275	72 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2753	72 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.155	12 Inch Reinforced Concrete Pipe – Class III	Linear Foot
603.28	Concrete Collar	Each

SPECIAL PROVISION

SECTION 606

GUARDRAIL

(31” W-Beam Guardrail – Mid-way Splice (7’ Steel Posts, 8” Offset Blocks, Single Faced)
(31” W-Beam Guardrail – Mid-way Splice (8’ Steel Posts, 8” Offset Blocks, Single Faced)
(31” W-Beam Guardrail – Mid-way Splice (7’ Steel Posts, 8” Offset Blocks, Double Faced)

606.01 Description

The section is amended by the addition of the following:

This work shall consist of furnishing and installing guardrail components the required locations in accordance with the Specifications and in reasonably close conformity with the lines and grades shown on the Plans. The types of guardrail are designated as follows:

31” W-Beam Guardrail – Mid-way Splice (7’ Steel Posts, 8” Offset Blocks)
31” W-Beam Guardrail – Mid-way Splice (8’ Steel Posts, 8” Offset Blocks)

606.02 Materials

The section is amended by the addition of the following:

Steel posts shall be 7 feet or 8 feet long as specified in the plans.

The guardrail elements shall be per the Components’ List found on Sheet No. 2 of 2 of draft Drawing SGR47 – 31” W-Beam Guardrail with Standard 8” Offset Block in the Task Force 13 Report noted above and/or as noted in the Contract Documents unless noted otherwise.

606.04 Rails

The section is amended by the addition of the following:

Height of top of rail shall be 31” measured from final grade. Height transition from 31” W-Beam, mid-spliced guardrail to existing guardrail shall occur over a 25’ length.

606.08 Method of Measurement

The section is amended by the addition of the following:

31” W-Beam Guardrail – Mid-way Splice (7’ Steel Posts, 8” Offset Blocks) and 31” W-Beam Guardrail – Mid-way Splice (8’ Steel Posts, 8” Offset Blocks) will be paid for at the contract unit price per linear foot of rail satisfactorily installed and accepted.

606.09 Basis of Payment

The section is amended by the addition of the following:

The accepted quantity of 31" W-Beam Guardrail – Mid-way Splice (7' Steel Posts, 8" Offset Blocks) and 31" W-Beam Guardrail – Mid-way Splice (8' Steel Posts, 8" Offset Blocks) will be paid for at the contract unit price per linear foot of rail and shall be full compensation for furnishing all labor, equipment and materials necessary to complete the work.

Payment will be made under:

Pay Item		Pay Unit
606.13	31" W-Beam Guardrail – Mid-way Splice (7' Steel Posts, 8" Offset Blocks, Single Faced)	Linear Foot
606.131	31" W-Beam Guardrail – Mid-way Splice (8' Steel Posts, 8" Offset Blocks, Single Faced)	Linear Foot
606.132	31" W-Beam Guardrail – Mid-way Splice (7' Steel Posts, 8" Offset Blocks, Double Faced)	Linear Foot

SPECIAL PROVISION

SECTION 606

GUARDRAIL

(31" W-Beam Guardrail – Mid-way Splice Tangent Terminal)

606.01 Description

The following sentences are added:

This work shall consist of furnishing and installing a MFLEAT (MASH-compliant Flared Energy Absorbing Terminal) for use with the 31" W-Beam Guardrail – Mid-way Splice (7' Steel Posts, 8" Offset Blocks, Single Faced) as manufactured by Road Systems, Inc., 3616 Old Howard County Airport Road, Big Spring, Texas 79720, (432) 263-2435, and retroreflective adhesive sheeting in accordance with these Specifications and the manufacturer's installation instructions, and in reasonably close conformity with the lines and grades as shown on the Plans or as approved by the Resident.

606.02 Materials

The following sentence is added:

31" W-Beam Guardrail – Mid-way Splice Flared Terminal components shall be comprised of those shown in the manufacturers installation instructions. 8" blocks shall be used.

Reflective sheeting shall meet the requirements of Subsection 719.01, Reflective Sheeting – minimum ASTM Type XI; 3M™ Diamond Grade™ DG³ Reflective Sheeting Series 4000 or approved equal. The color for the reflective sheeting shall be silver (white) when installed on the right shoulder and shall be black chevron on yellow background only when installed on the left shoulder.

The following Subsections are added:

606.045 Offset Blocks

8" Non-wood offset blocks shall be used.

606.035 Construction Requirements

The Contractor shall submit a set of installation drawings to the Resident for approval. The system shall be installed in accordance with the manufacturer's recommendation and the installation drawings.

A reflective adhesive sheeting shall be applied to the nose of the MFLEAT System after installation.

606.041 Reflective Sheeting

The color for the reflective sheeting shall be silver (white) when installed on the right shoulder and shall be black chevron on yellow background only when installed on the left shoulder.

606.08 Method of Measurement

The second paragraph is amended by the addition of: "31" W-Beam Guardrail – Mid-way Splice Flared Terminal, " after the words "Terminal section, ".

606.09 Basis of Payment

The first paragraph is amended by the addition of: "31" W-Beam Guardrail – Mid-way Splice Flared Terminal, " after the words "Terminal section, ".

The second paragraph is amended by the addition of: ", 31" W-Beam Guardrail – Mid-way Splice Flared Terminal, " after the words "NCHRP 350 end treatments ".

The retroreflective sheeting will not be measured separately for payment but shall be incidental to the 31" W-Beam Guardrail – Mid-way Splice Tangent Terminal item.

Payment will be made under:

Pay Item		Pay Unit
606.1307	31" W-Beam Guardrail – Mid-way Splice Flared Terminal	Each

SPECIAL PROVISION

SECTION 606

GUARDRAIL

(Reflectorized Beam Guardrail Delineator)

606.01 Description

The following paragraphs are added:

Reflectorized beam guardrail delineators shall be installed on existing guardrail to remain in place, guardrail noted to be removed, modified and reset (single and/or double rail) or new guardrail, at the locations noted on Maintenance of Traffic plans or as approved by the Resident. The delineators shall be installed prior to traffic being shifted closer to the identified guardrail run. The color for the reflective sheeting shall be silver (white) when installed on the outside shoulder and yellow when installed on the inside shoulder.

Reflectorized beam guardrail delineators shall be mounted as follows:

1. Delineators on guardrail adjacent to a shifted detour should be spaced every other guardrail post and located at the bolt in the valley of the guardrail beam.

2. On existing steel bridge rail, the delineators shall be mechanically attached towards the top, every 10 feet, and bottom, every 20 feet. Delineators shall also be mechanically attached in a similar pattern to concrete endposts that are 10 feet or longer.

3. If more than 25% of delineators in any 50 feet of guardrail, bridge rail, or endposts fall off for any reason, the Contractor will be responsible for reinstalling all delineators in that run at that their own cost.

4. In no instance shall delineators be installed on guardrail which deviates substantially from the alignment (horizontal or vertical) of the roadway or which is located more than eight feet from the edge of pavement.

5. On Tangents, mount delineators every 62.5-feet or every 10^{th} post.

6. On Curves, mount delineators every 31.25-feet or every 5^{th} post.

Exceptions and/or modifications will only be made with the approval of the Resident.

Contractor is required to submit installation method for review and approval to the Resident.

606.02 Materials

The fourth paragraph is deleted and replaced with the following:

The reflectorized beam guardrail delineators shall be fabricated from galvanized steel.

Reflective sheeting shall meet the requirements of Subsection 719.01, Reflective Sheeting – minimum ASTM Type XI; 3M™ Diamond Grade™ DG³ Reflective Sheeting Series 4000 or approved equal.

606.08 Method of Measurement

The following paragraph is added:

Reflectorized Beam Guardrail Delineators will be measured by each unit of the kind specified and installed. Maintenance and replacement of delineators will not be measured separately for payment unless otherwise approved by the Resident.

606.09 Basis of Payment

The second and third sentences in the first paragraph are deleted and replaced with the following:

Reflectorized Beam Guardrail Delineators will be paid for at the Contract unit price each when installed on existing guardrail, complete in place, which price shall be full payment for furnishing and installing all components and for all incidentals necessary to complete the installation. Reflectorized Beam Guardrail Delineators will not be paid for on new guardrail.

Payment will be made under:

Pay Item		Pay Unit
606.352	Reflectorized Beam Guardrail Delineator	Each

SPECIAL PROVISION

SECTION 606

GUARDRAIL

(Guardrail – Remove, Modify and Reset, Single Rail)
(Guardrail – Remove, Modify and Reset, Double Rail)
(Guardrail - Remove and Stack)
(Guardrail Adjust – Single Rail)
(Guardrail Adjust – Double Rail)

606.01 Description

The following paragraphs are added:

This work shall also consist of adjusting the height of the existing single and double rail guardrail in locations where the existing height of rail is not 30 inches. The guardrail shall be adjusted to a height of 30 inches. Existing MASH compliant guardrail shall be adjusted to a height of 31 inches. Existing single and double rail shall also be adjusted for lean.

The guardrail adjustment shall take place at all necessary locations; approximate locations are listed in the schedule of guardrail limits both median and outside shoulder. Exact locations for adjustment shall be determined by the Resident. If, during the course of the work, the contractor finds additional rail to be adjusted, then he shall notify the Resident, and the Resident determine if the rail is to be adjusted.

This work shall also consist of removing, stockpiling and stacking of existing single and double guardrail elements, component parts and hardware suitable for replacement as approved by the Resident. At the completion of the Contract, any unused guardrail elements, posts, component parts and hardware suitable for reuse shall remain the property of the Authority. Any guardrail elements, posts, component parts and hardware unsuitable for reuse shall become property of the Contractor.

Stockpiled materials, suitable for reuse, shall be utilized on Remove, Modify and Reset items prior to new materials being paid for.

Guardrail materials may be temporarily stockpiled at the Kennebunk Maintenance Facility at MM 25.3 Northbound.

This work shall consist of removing, disposing of existing guardrail elements, component parts and hardware, as directed by the Resident. All materials shall become the property of the Contractor and shall be removed from the site at the completion of the Project. The Contractor shall provide the Resident with an affidavit stating the final location of all disposed material and that the material was disposed of in accordance with the Maine Department of Environmental Protection Solid Waste Regulations.

606.02 Materials

The following paragraph is added at the end of the subsection:

New non-wood offset blocks conforming to NCHRP 350 Test Level 3 shall be installed on all guardrail being reset. The existing steel offset brackets and backup plates shall become the property of the contractor.

The following Subsection is added:

606.021 General

All existing guardrail to be raised or lowered shall be completed prior to new guardrail or end treatments being attached.

606.036 Adjusting Existing Guardrail

Any materials or galvanizing damaged by the Contractor's operations shall be replaced or touched-up at no additional cost to the Authority.

Guardrail posts shall be raised to a minimum of five inches above final elevation prior to driving post to final elevation; this applies to both raising and lowering rail.

Any given length of guardrail to be adjusted shall be done in such a way that top of rail elevations do not vary drastically between each section of guardrail. Rail height tolerance shall be 30 inches, plus 0 inches, minus 1/2 inch. The 30 inches shall be measured from the edge of pavement to the top of rail beam when within 2 feet of the edge of pavement.

Rail shall be adjusted for lean where needed. All posts shall be plumb after adjusting for lean.

When the rail tapers from one bound to the other the rail shall be adjusted to the correct height on the farthest ends and shall be adjusted towards the center of the median to create a smooth line.

Earth around each adjusted or reset post shall be raked and compacted with a minimum 8 pound hand tamper or an approved device. Holes created due to adjusting or resetting a post shall be filled with a similar surrounding material and compacted.

606.08 Method of Measurement

The following paragraphs are added:

Adjusting of both single and double rail guardrail shall be measured by the linear foot of Guardrail adjusted and accepted.

Raking and compacting the earth around each reset post with a minimum 8 pound hand tamper or an approved device, and infilling and compacting holes created due to resetting posts with

a similar surrounding material wil not be paid separately, but shall be incidental to the Guardrail - Remove, Modify and Reset Pay or Guardrail - Adjust pay items.

Guardrail Remove and Stack will be measured on a linear foot basis of guardrail satisfactorily removed and stockpiled whether single rail or double rail. Single and double twisted end sections will be measured for payment on a linear foot basis as 25 feet of guardrail removed.

Guardrail removed and not reset or stacked shall be incidental to Contract Items and include all removal, disposal, equipment and labor necessary to satisfactorily complete the work.

Steel posts to replace damaged posts shall come from the stockpile of guardrail components to be disposed of, from this Contract and will not be measured separately for payment. If, in the opinion of the Resident, there are no suitable steel posts in the stockpile then steel posts will be measured for payment.

W-beam rail elements to replace damaged rail elements shall come from the stockpile of guardrail from the Remove and Stack or the guardrail to be disposed of from this Contract and will not be measured separately for payment. If, in the opinion of the Resident, there are no suitable W-beam rail elements in the stockpile then the W-beam rail elements will be measured for payment.

606.09 Basis of Payment

The following paragraphs are added:

Adjusting of single and double rail guardrail will be paid for at the Contract unit price per linear foot and shall be full compensation for furnishing all labor, equipment and materials necessary to complete the work. Guardrail Adjust will not be measured for payment until all compaction has been completed.

The accepted quantity of guardrail removal will be paid for at the Contract unit price bid, which price shall be full compensation for removing, transporting and stacking all guardrail elements, component parts and hardware, equipment, labor and all incidentals necessary to complete the work. No additional payment will be made for double rail.

Payment will be made under:

Pay Item		Pay Unit
606.3605	Guardrail – Remove, Modify, and Reset Single Rail	Linear Foot
606.3606	Guardrail – Remove, Modify, and Reset Double Rail	Linear Foot
606.369	Guardrail - Remove and Stack	Linear Foot
606.3621	Guardrail Adjust, Single Rail	Linear Foot
606.3622	Guardrail Adjust, Double Rail	Linear Foot

SPECIAL PROVISION

SECTION 610

STONE FILL, RIPRAP, STONE BLANKET AND STONE DITCH PROTECTION

(Temporary Stone Check Dams)

610.01 Description

Paragraph (g) is added as follows:

(g) Stone Check Dams – Machine placed stone, including the placement, removal and storage of the stone used for temporary stone check dams.

610.032.e. Stone Check Dams

The following paragraph is added:

Stone check dams shall be constructed in accordance with the details as shown on the Plans, detailed in the MaineDOT's latest Best Management Practices, or as approved by the Resident. The stone shall be placed in one operation without special handling or handwork except to create a low point along the top gradient above the ditch flow lines.

The following Subsection is added:

610.033 Removing Stone

The stone for temporary stone check dams shall be removed after vegetation has been established in the ditches as approved by the Resident.

Any damage to the slopes and ditches caused by the removal of the stone check dams shall be repaired by the Contractor at his own expense.

The area directly under the temporary stone check dams shall be loamed, seeded and mulched immediately after the removal of the stone check dams. The loam, seed and mulch will be measured for payment under the appropriate pay items.

Stone used for temporary stone check dams shall be removed and stored and shall become the property of the Contractor at the completion of the Project.

The following Subsection is added:

610.034 Maintenance

Stone check dams shall be maintained by the Contractor. Sediment deposits behind check dams shall be removed when the depth of sediment reaches 50 percent of the check dam height.

610.05 Method of Measurement

The following paragraphs are added:

Stone for Temporary Stone Check Dams will be measured by the cubic yard complete in place. The removal and storage of the stone will not be measured separately for payment, but shall be incidental to the Temporary Stone Check Dam item. This shall include the transporting and unloading of the stone. If this stone is reused on the Project, it will be measured separately for payment under the appropriate pay item.

The removal and disposal of sediment from behind the Temporary Stone Check Dams will not be measured separately for payment, but shall be incidental to the Temporary Stone Check Dam pay item.

610.06 Basis of Payment

The following sentences are added:

The accepted quantities of stone for Temporary Stone Check Dams will be paid for at the Contract unit price per cubic yard.

Payment will be made under:

Pay Item		Pay Unit
610.181	Temporary Stone Check Dam	Cubic Yard

SPECIAL PROVISION

SECTION 613

EROSION CONTROL BLANKET

613.01 Description

This work shall also include seeding, mulching and watering the median swale and/or longitudinal flow line to the limits and width as shown on the Plans or as directed by the Resident.

613.02 Materials

The following sentences are added:

Seeding shall meet the requirements of Section 618, Seeding, Method Number 2.

Mulch shall meet the requirements of Section 619.

The following Subsection is added:

613.041 Maintenance and Acceptance

See Section 618.10 for maintenance and acceptance of seeding.

613.042 Mulch

All mulch shall be placed after the area has been seeded and prior to the installation of the Erosion Control Blanket.

613.09 Basis of Payment

The following "and mulch" is added after the words "initial seeding" in the second sentence.

SPECIAL PROVISION

SECTION 619

MULCH

(Mulch – Plan Quantity)
(Temporary Mulch)

619.01 Description

The first paragraph is modified by the addition of the following:

"as a temporary or permanent erosion control measure" after the word "mulch".

Add the following sentence at the end of the first paragraph:

Refer to Section 656 Temporary Soil and Water Pollution Control, for more information on Temporary Mulch.

619.03 General

The first paragraph is deleted and replaced with the following:

Cellulose fiber mulch shall not be used within 200 feet of a wetland or stream. The limits shall be 200 feet up station and down station of the wetland or streams as well as the slopes adjacent to the stream. The application of hay or straw mulch with an approved binder shall be used at these locations to prevent erosion.

The use of cellulose fiber mulch will only be allowed at other areas with the approval of the Resident. The Contractor may be required to demonstrate that the material may be applied in a manner that will prevent erosion and will aid in the establishment of permanent vegetation. The Resident reserves the right to require the use of hay or straw mulch at all locations if he determines that the cellulose mulch is ineffective. Cellulose fiber mulch is not acceptable for winter stabilization.

610.06 Method of Measurement

The following sentence is added:

Temporary Mulch will be paid for by the lump sum.

656.10 Basis of Payment

Temporary Mulch will be paid for at the Contract price per lump sum which shall be full compensation for furnishing and spreading the Temporary Mulch as many times as necessary as determined by the Contractor's operations and staging. The price shall also include the additional mulch netting and snow removal necessary during the winter months.

Payment will be made under:

Pay Item		Pay Unit
619.1201	Mulch – Plan Quantity	Unit
619.1202	Temporary Mulch	Lump Sum

SPECIAL PROVISION

SECTION 626

FOUNDATIONS, CONDUIT, AND JUNCTION BOXES FOR HIGHWAY SIGNING, LIGHTING, AND SIGNALS

626.031 Conduit

The third paragraph shall be deleted and replaced with:

All junction or pull boxes shall be vehicle rated with a minimum design load of 22,000lbs and installed as shown on the plans. Junction boxes for the traffic signal and communication conduit associated with the project shall be polymer concrete as manufactured by QUAZITE® a division of Hubbell Power Systems, or an approved equal. The boxes shall be 36" x 24" and 21" deep. The words TRAFFIC SIGNAL or COMMUNICATION shall be stamped on the cover as noted in the Plans or directed by the Resident. All existing junction boxes in useable condition shall be removed and stacked as directed by the Resident Engineer.

Junction boxes for the electrical associated with highway lighting shall be polymer concrete as manufactured by QUAZITE® a division of Hubbell Power Systems or an approved equal. The boxes shall be 18" x 11" and 18" deep. New boxes shall have the word LIGHTING stamped on the cover as noted in the Plans or directed by the Resident. The boxes shall have a 15,000-lb. load rating.

The fourth paragraph shall be deleted and replaced with:

Where conduits enter exposed junction boxes, they shall be sloped to drain towards the conduit entrance holes, unless otherwise directed. All conduit ends in exposed junction boxes or in concrete foundations shall be fitted with bell ends. Weep holes of ¼ inch diameter shall be placed in all pull boxes, junction boxes, and fuse boxes. A 3-inch PVC drain pipe shall be installed projecting 3" into the gravel bedding and extend until daylight at a minimum of 0.5% slope draining away from the junction box.

626.033 Polyvinylchloride Conduit Installation

The following paragraph shall be added:

Exposed conduit shall be rigidly and securely fastened with acceptable fasteners or supports, as indicated on the plans or approved. Fasteners or supports shall not be placed more than 6 feet apart on centers, except as otherwise authorized. Conduits shall generally be supported by an approved spacer at the point of support, so that there is an air space between the conduit and the supporting surface. Ends of conduit runs terminating in any box without a threaded hub shall be provided with a metallic locknut and insulated bushings on the inside of the box.

626.034 Concrete Foundations

The following paragraphs shall be added after the 10th paragraph:

The above grade portion of concrete foundation surfaces shall receive an application of Type 1C penetrating silane concrete sealer from the MaineDOT Qualified Products List. The application rate and method of application shall be in accordance with manufacturer's published recommendations.

On surfaces to be treated, all voids shall be filled with mortar and the entire surface shall be dressed by dry rubbing to remove marks and blemishes to present a neat appearance. The silane application shall not be done until 14 days minimum after casting. Surfaces shall be free from laitance, oil, dirt, grease, dust, curing compound or any other deleterious material. The temperature of the concrete shall be above 40 degrees F and below 90 degrees F at the time of application or per manufacturer's published recommendations.

Any concrete foundation that is damaged during placement or doesn't meet design requirements will be replaced. No repairs to the foundations will be allowed.

All precast foundations in satisfactory condition as determined by the Resident shall be stacked at the MTA Crosby Maintenance Area. All cast in place foundations, and precast foundation in unsatisfactory condition shall become property of the contractor and disposed of by the Contractor off the turnpike right-of-way.

626.04 Method of Measurement

The following sentence is added:

Quazite junction box shall be measured by each unit in place and accepted existing or new and shall include 3-inch pvc drain pipe as shown in the plans.

Precast junction box shall be measured by each unit in place and accepted existing or new plans.

626.05 Basis of Payment

The following sentence shall be added to the third paragraph:

Payment of non-metallic conduit shall also include furnishing, installation, routing, termination, splices and connection of the wire per the plans and specifications.

The words, "polymer concrete" shall be added after the words, "precast concrete" in the second sentence of the second paragraph.

Payment will be made under:

Pay Item		Pay Unit
626.121	Quazite Junction Box (36X24)	Each
626.122	Quazite Junction Box (18X11)	Each

SPECIAL PROVISION

SECTION 627

PAVEMENT MARKINGS

(Temporary 6 Inch Pavement Marking Tape)
(Temporary 6 Inch Black Pavement Marking Tape)

627.01 Description

The following sentence is added:

This work shall also consist of furnishing, placing, maintaining and removing temporary pavement marking tape at locations shown on the Plans or as directed by the Resident, including covering conflicting existing pavement marking paint with black temporary pavement marking tape.

627.02 Materials

The following paragraph is added:

Temporary pavement marking tape shall be one of the following as Manufactured by 3M of St. Paul, Minnesota or an approved equal:

Stamark Wet Retroreflective Removable Tape Series 710IR, White
Stamark Wet Retroreflective Removable Tape Series 711IR, Yellow
Stamark Removable Tape Series 715IR, Black

627.04 General

The following paragraphs are added:

Work under this item shall be in accordance with the manufacturer's recommendations. A factory representative from 3M shall be present for the first application of all temporary pavement marking tape to insure proper application and product performance.

The pavement markings shall be applied mechanically to clean dry pavement as recommended by the manufacturer and approved by the Resident.

Temporary pavement markings shall consist of applying six inch solid white, six inch broken white, and six inch yellow reflectorized pavement marking tape for traffic maintenance during construction as shown on the Plans or as directed by the Resident.

Temporary pavement marking tape that loses reflectivity, becomes broken, dislodged or missing during the life of the Contract shall be replaced by the Contractor at no additional cost to the Authority.

627.06 Application

The following paragraphs are added:

For application of the tape, when the pavement temperature is below 50ºF, heat shall be applied to the pavement surface, if deemed necessary by the factory representative or as directed by the Resident, at no additional cost to the Authority. Proper primer for the temperatures shall be used as directed by the manufacturer.

The pavement mark tape shall be rolled over with a vehicle once application is complete and then scored every 20 feet when placed in long runs to prevent full length unraveling.

627.08 Removing Lines and Markings

The following sentence is added:

Removal of temporary pavement marking tape shall be accomplished without the use of heat, solvents, grinding or sandblasting and in such a manner that no damage to the pavement results.

627.09 Method of Measurement

The following paragraph is added:

Temporary pavement marking tape will be measured for payment by the linear foot. The measurement of broken lines will not include the gaps.

627.10 Basis of Payment

The following paragraphs are added:

Payment for temporary pavement marking tape will be made at the Contract bid price per linear foot, which price shall include furnishing, installing, maintaining and removing the temporary tape and all materials, labor, equipment and incidentals necessary to accomplish the work. Replacement of temporary pavement marking tape, as described above, will be incidental and no separate payment will be made.

Payment will be made under:

Pay Item		Pay Unit
627.73	Temporary 6 Inch Pavement Marking Tape	Linear Foot
627.731	Temporary 6 Inch Black Pavement Marking Tape	Linear Foot

SPECIAL PROVISION

SECTION 627

PAVEMENT MARKINGS

(White or Yellow Pavement Marking Line)

627.01 Description

The following sentences are added:

This work shall consist of furnishing and placing the final pavement markings at locations as shown on the Plans or as directed by the Resident.

The following sentence is added:

This work shall consist of furnishing and placing pavement marking paint and temporary pavement marking paint at locations as shown on the Plans or as directed by the Resident.

627.02 Materials

The following is added before the last paragraph:

The paint for pavement markings shall be 100% acrylic waterbase paint.

627.04 General

The following is added to the third paragraph:

Dotted white lines (DWL) shall consist of alternate 3 foot painted line segments and 9 foot gaps.

Permanent pavement marking paint shall be applied at the end of each work week prior to opening the work area to traffic or as approved by the Resident.

Temporary pavement marking paint and temporary pavement markers shall be applied daily prior to opening the work area to traffic during non-work hours or as approved by the Resident.

627.08 Removing Lines and Markings

The last sentence is deleted and is not replaced.

627.09 Method of Measurement

The second and third sentences in the second paragraph are deleted and replaced with the following:

The measurement of broken white lines, both permanent and temporary and dotted white lines, will include the gaps when painted. Temporary painted pavement marking lines will be measured for payment by the linear foot.

627.10 Basis of Payment

This Subsection is deleted and replaced with the following:

The accepted quantity of white or yellow pavement marking lines will be paid at the Contract price per linear foot. This price shall include all labor and materials to furnish, and install the paint line.

The accepted quantity of broken and dotted white pavement marking lines will be paid at the Contract price per linear foot. This price shall include all labor and materials to furnish and install the paint line.

The accepted quantity of temporary white or yellow pavement marking lines will be paid at the Contract price per linear foot. This price shall include all labor and materials to furnish, install and maintain the paint marking.

Payment will be made under:

Pay Item		Pay Unit
627.712	White or Yellow Pavement Marking Line	Linear Foot

SPECIAL PROVISION

SECTION 645

HIGHWAY SIGNING

(Protection of Signs with Type XI Sheeting)

645.04 Fabrication of Type I Guide Signs

The following paragraphs are added after the second paragraph in part b. Reflective Sheeting:

The Contractor and Sign Fabricator shall exercise all due caution to avoid any creases, bends, tears, punctures, or other damage to any Type XI sign sheeting, perceptible or not. Sign sheeting shall be protected at all times following application to the extruded aluminum surface. Any defect which becomes perceptible either under direct, indirect or no light conditions shall be cause for rejection of the sign panel.

Following the application of the sign legend and borders, the sign panel shall be protected from all hazards that may cause a defect to the sign sheeting (either background, legend or borders) in accordance with the manufacturer's recommendations. Fabricated signs shall not be stacked during storage, transport, or erection such that concentrated pressure is placed on one area of the sign face that is not uniform across the full sign face.

645.08 Method of Measurement

The fifth (5th) paragraph is deleted and replaced by the following paragraph:

The area of roadside guide signs, regulatory, warning, confirmation and route marker assembly signs of the respective types, will be measured by the area in square feet, computed to the nearest hundredth of a square foot (0.01 SF), as determined by the overall height multiplied by the overall width. Any defect in the surface area of the sign that becomes perceptible under direct, indirect, or no light conditions shall be cause for rejection of the whole sign panel.

SPECIAL PROVISION

SECTION 652

MAINTENANCE OF TRAFFIC
(October 5, 2023)

MaineDOT Standard Specification 2014 Edition Section 652 – Maintenance of Traffic and the Maine Turnpike Authority 2016 Supplemental Specification Section 652 – Maintenance of Traffic are deleted in their entirety and replaced with the following:

652.1 Description

This work shall consist of furnishing, installing, maintaining and removing traffic control devices necessary to provide reasonable protection for motorists, pedestrians and construction workers in accordance with these Specifications, the applicable provisions of Section 105.4.5 - Special Detours, and the plans.

Traffic control devices include signs, signals, lighting devices, markings, barricades, channelizing, and hand signaling devices, portable light towers, truck mounted impact attenuators, portable rumble strips, portable speed trailers, sequential warning lights, traffic officers, and flaggers.

652.2 Materials

All maintenance of traffic control devices shall conform to the requirements of the latest edition of the MUTCD, NCHRP 350 guidelines and all Traffic control devices shall meet Manual for Assessing Safety Hardware (MASH) 16 guidelines if date of manufacture was after December 31, 2019.

All signs shall be fabricated with high intensity fluorescent retroreflective sheeting conforming to ASTM D 4956 - Type VIII, or Type IX (prismatic). All barricades, drums, and vertical panel markers shall be fabricated with high intensity orange and white fluorescent retroreflective sheeting conforming ASTM D 4956 - Type VII, Type VIII, or Type IX (prismatic).

Construction signs shall be fabricated from materials that are flat, free from defects, retroreflectorized, and of sufficient strength to withstand deflections using a wind speed of 80 miles/hr.

652.2.2 Signs

Only signs with symbol messages conforming to the design of the Manual of Uniform Traffic Control Devices (MUTCD) shall be used unless the Resident approves the substitution of word messages.

Any proposed use of temporary plaques to cover text or to change text shall be approved by the resident. All signs or proposed plaques shall have a uniform face and be constructed from similar sheeting.

All signs shall be new, or in like new condition and maintained in like new condition throughout the project duration. Signs shall be cleaned just prior to installation and throughout the project utilizing a method that will not damage the reflective sign sheeting.

652.2.3 Flashing Arrow Board

Flashing Arrow Boards must be of a type that has been submitted to AASHTO's National Transportation Product Evaluation Program (NTPEP) for evaluation and placed on the Maine Department of Transportations' Approved Products List of Portable Changeable Message Signs & Flashing Arrow Boards.

Flashing Arrow Boards units shall meet requirements of the current Manual on Uniform Traffic Control Devices (MUTCD) for Type "C" panels as described in Section 6F.56 - Temporary Traffic Control Devices. Flashing Arrow Boards shall have matrix of a minimum of 15 low-glare, sealed beam, Par 46 elements capable of either flashing or sequential displays as well as the various operating modes as described in the MUTCD, Chapter 6-F. If a Flashing Arrow Board consisting of a bulb matrix is used, each element should be recess-mounted or equipped with an upper hood of not less than 180 degrees. The color presented by the elements shall be yellow.

Flashing Arrow Board elements shall be capable of at least a 50 percent dimming from full brilliance. Full brilliance should be used for daytime operation and the dimmed mode shall be used for nighttime operation. Flashing Arrow Board shall be at least 96 inches x 48 inches and finished in non-reflective black. The Flashing Arrow Board shall be interpretable for a distance not less than 1 mile.

Operating modes shall include, flashing arrow, sequential arrow, sequential chevron, flashing double arrow, and flashing caution. In the three arrow signals, the second light from the arrow point shall not operate.

The minimum element on-time shall be 50 percent for the flashing mode, with equal intervals of 25 percent for each sequential phase. The flashing rate shall be not less than 25 nor more than 40 flashes per minute. All on-board circuitry shall be solid state.

Primary power source shall be 12 volt solar with a battery back-up to provide continuous operation when failure of the primary power source occurs, up to 30 days with fully charged batteries. Batteries must be capable of being charged from an onboard 110 volt AC power source and the unit shall be equipped with a cable for this purpose.

Controller and battery compartments shall be enclosed in lockable, weather-tight boxes.

The Flashing Arrow Board shall be mounted on a pneumatic-tired trailer or other suitable support for hauling to various locations, as directed. The minimum mounting height of an arrow panel should be 7 feet from the roadway to the bottom of the panel.

The face of the trailer shall be delineated on a permanent basis by affixing retro-reflective material, known as conspicuity material, in a continuous line as seen by oncoming drivers.

A portable changeable message sign may be used to simulate an arrow panel display.

652.2.4 Other Devices

Vertical panel markers shall be orange and white striped, 8 inches wide by 24 inches high. On the Interstate System, vertical panel markers shall be orange and white striped, 12 inches wide by 36 inches high.

Cones shall be orange in color, a minimum of 28 inches high, and retro-reflectorized. Retro- reflection shall be provided by a white bands of retro-reflective sheeting conforming to the MUTCD. All cones utilized on the project shall be new or in like new condition and shall have a consistent design/appearance.

Drums shall be of plastic or other yielding material and shall be a minimum of 36 inches high and a minimum of 18 inches in diameter. There shall be at least two retro-reflectorized orange and at least two retro-reflectorized white stripes a minimum of 4 inches wide on each drum. All drums utilized on the project shall be new or in like new condition and shall have a consistent design/appearance.

Flaggers shall use a STOP / SLOW handheld paddle as the primary and preferred hand signaling device. Flags shall only be limited to emergencies. STOP / SLOW paddles shall have high intensity prismatic retro reflective sheeting, have an octagonal shape on a rigid handle and shall be at least 18 inches wide with letters at least 6 inches high and shall be constructed from light semi-rigid material. The STOP (R1-1) face shall have white letters and a white border on a red background. The SLOW (W20-8) face shall have black letters and a black border on an orange background.

STOP / SLOW paddles shall also incorporate either white or red flashing lights on the STOP face and white or yellow flashing lights on the SLOW face of the paddle and always be in use.

Paddles must conform to one of the following patterns:

A. Two white or red lights (colors shall be all white or all red), one centered vertically above and one centered vertically below the STOP legend; and/or two white or yellow lights (colors shall be all white or all yellow), one centered vertically above and one centered vertically below the SLOW legend.

B. Two white or red lights (colors shall be all white or all red), one centered horizontally on each side of the STOP legend; and/or two white or yellow lights (colors shall be all white or all yellow), one centered horizontally on each side of the SLOW legend.

C. One white or red light centered below the STOP legend; and/or one white or yellow light centered below the SLOW legend.

D. A series of eight or more small all white or all red lights no larger than 1/4 inch in diameter along the outer edge of the paddle, arranged in an octagonal pattern at the eight corners of the border of the STOP face; and/or a series of eight or more small all white or all yellow lights no larger than 1/4 inch in diameter along the outer edge of the paddle, arranged in a diamond pattern along the border of the SLOW face; or

E. A series of white lights forming the shapes of the letters in the legend. Flashing light patterns shall be compliant with Section 6E.03 Hand Signaling Devices in the most current version of the Manual on Uniform Traffic Control Devices.

All flashing light patterns on the STOP / SLOW paddle shall be visible from a minimum distance of 1000 feet.

Type I barricades shall be 2 feet minimum, 8 feet maximum in length with an 8 inch wide rail mounted 3 feet minimum above the ground. Type II barricades shall be 2 feet in length with two 8 inch wide rails, and the top rail shall be mounted 3 feet minimum above the roadway. Type III barricades shall be 8 feet in length with three 8 inch wide rails, and the top rail shall be mounted 5 feet minimum above the roadway. The cross members of all barricades shall be of ½ or ⅝ inch thick plywood or other lightweight rigid material such as plastic, fiberglass or fiber wood as approved by the Resident. The predominant color for supports and other barricade components shall be white, except that unpainted galvanized metal or aluminum components may be used.

652.2.5 Portable Changeable Message Sign

Portable-Changeable Message Signs (PCMS) will be furnished by the Contractor and shall be Ver-Mac PCMS-1210 or an approved equal. The face of the PCMS trailer shall be delineated on a permanent basis by affixing retro-reflective material, known as conspicuity material, in a continuous line as seen by oncoming drivers. PCMS's shall be located and relocated to locations approved by the Resident within the Project limits for the duration of the Project.

Features to the Ver-Mac PCMS shall include:

- An all-LED display.
- Be legible from a distance of 1,000 feet.
- Have three (3) lines available for messages.
- Be NTCIP compliant (NTCIP 1203 & 1204).
- Be capable of being programmed by a remote computer via a data (IP over Cell) cellular modem connection.
- Have GPS location capability by adding on a GPS device capable of providing GPS location remotely to the MTA Communications' Center.

- Be programmable by Vanguard Software by Daktronics.

The Contractor shall complete and/or provide the following:

- Submit a catalog cut shop drawing to the Resident of all proposed equipment for review and approval.

- Establish and pay for a data cellular account so that PCMS may be remotely programmed and operated from the MTA Communications' Center.

- Provide to the Authority technical support from the PCMS manufacturer that may be necessary to integrate the PCMS into the MTA software platform (Vanguard Software by Daktronics).

- Provide the manufacturer's software necessary to change the PCMS messages remotely from the MTA Communications' Center and the Resident's computer if necessary or requested.

- Provide training on the operation of the PCMS to the Resident and the MTA Communications' Center representative.

- Make all PCMS on the Project work site available to the MTA for any/all emergency situations as defined by the MTA. This shall include the preemption of any messages running at the time of need as approved by the MTA and the Resident.

The Contractor shall also:

- Furnish, operate, relocate and maintain the PCMS as approved or requested by the Resident.

- Be responsible for the day-to-day programming and operation of the PCMS for Project purposes.

The PCMS(s) shall be on-site, with data cellular account established, GPS location capable, and all training required complete within one month after mobilization or seven days prior to implementing traffic shifts, detours or stoppages, whichever is sooner. Implementation of traffic shifts, detours, or stoppages of traffic will not be allowed without PCMS boards on-site with the specified MTA Communications' Center Software Platform integration and training.

652.2.5 Truck Mounted Attenuator

The truck mounted attenuator system shall conform to the following requirements:

- Truck and attached attenuator shall conform to the NCHRP Report 350, Test Level 3 criteria or MASH if manufactured after 2019.
- Amber, Green, white or any variation of those colors strobe lights with 360-degree visibility.

- An arrow light bar fixed to the vehicle.
- The attenuator shall be mounted to a vehicle with a minimum weight of 24,000 lbs. unless otherwise specified.

Installation: **The TMA shall be located in the closed lane adjacent to active traffic; for double lane closures, only the outer closed lane requires the TMA**. If a buffer zone is required the TMA shall not be located in the buffer zone. The shadow vehicle shall have its front wheels turned away from the work area and from traffic, have parking brake set, and be put in park if an automatic transmission; or if a manual transmission it shall have its front wheels turned away from the work area and from traffic, have parking brake set and should be placed in gear and shut off if possible while still maintaining warning lights. If length of time or weather are a concern for the battery since the warning lights must be maintained the engine should be started and run periodically for battery recharging. No other vehicles or equipment shall park in front of the shadow vehicle or within the buffer space behind the shadow vehicle. For placement details, reference the Manual on Uniform Traffic Control Devices (MUTCD).

A Truck Mounted Attenuator **shall** be utilized in all lane closures, and shoulder closures, where workers are not protected by other positive means (i.e., closures that do not include temporary concrete barrier). If work is being completed behind guardrail a TMA shall be required for all work that is being completed within the deflection zone of the guardrail (minimum of four feet behind the guardrail post).

The placement and positioning of the vehicle shall be in accordance with the Manual on Uniform Traffic Control Devices and the manufacturer's recommendation. TMAs used on the Turnpike mainline shall have a minimum weight of 24,000 lbs and shall provide a 200 foot shadow distance from vehicles or the work zone. **For lane and shoulder closures in excess of 3,000 feet containing multiple work zones a TMA shall be used at each work zone.**

If a Truck Mounted Attenuator is not used as described above, then it will be considered a Traffic Control Plan violation and result in a reduction of payment as outlined in Section 652.

652.2.6 Sequential Flashing Warning Lights

When included in contracts as a bid item Sequential Flashing Warning Lights on drums used for merging tapers and shifting tapers during nighttime operation for project use. The purpose of these lights is to assist the motorist in determining which direction to merge or shift and to reduce the number of late merges resulting in devices being struck and having to be reset to maintain positive guidance at the merge point. The successive flashing of the lights shall occur from the upstream end of the taper to the downstream end of the taper in order to identify the desired vehicle path.

The Sequential Flashing Warning Lights shall meet all of the requirements for warning lights within the current edition of the MUTCD. Each light unit shall be capable of operating fully and continuously for a minimum of 500 hours when equipped with a standard battery set. Each light in sequence shall be flashed at a rate of not less than 55 times per minutes and not more than 75 times per minute. The flash rate and flash duration shall be consistent throughout the sequence.

Sequential Flashing Warning Lights shall be "Pi-Lit" Sequential Barricade Warning Lamps or an approved equal.

Sequential Flashing Warning lights are to be used for merging and shifting tapers that are in place during the nighttime hours (12-hours when ambient light is dimmed). These lights shall flash sequentially beginning with the first light and continuing until the final light at the beginning of a tangent section.

The Sequential Flashing Warning Lights shall automatically flash in sequence when placed on the drums that form the merging or shifting tapers.

The number of lights used in the drum taper shall equal one half the number of drums used in the taper.

Drums are the only channelizing device permitted for mounting the Sequential Flashing Warning Lights.

The Sequential Flashing Warning Lights shall be weather independent and visual obstruction shall not interfere with the operation of the lights.

The Sequential Flashing Warning Lights shall automatically sequence when placed in line in an open area with a distance between lights of 25 to 150 feet. A 10-foot stagger in the line of lights shall have no adverse effect on the operation of the lights.

If one light fails, the flashing sequence shall continue. Non-sequential flashing is prohibited.

652.2.7 Automated Trailer Mounted Speed Sign

The Contract will furnish, operate, and maintain Automated Trailer Mounted Speed Limit Sign(s) for project use. The automated speed sign shall be required when there is a Work Zone Speed Limit in place. The Contractor shall furnish, operate, and maintain the Automated Trailer Mounted Radar Speed Limit Signs during the project operations

Trailer mounted speed limit signs shall be self-contained units including sign assembly, flashing lights, directional radar to measure speed limits, a regulatory speed limit sign, and power supply specifically constructed to operate as a trailer-mounted sign. The preferred color of the unit shall be "construction orange".

Base material for the regulatory speed limit signs shall be weatherproof, rigid substrate specifically manufactured for highway signing and meet the retro-reflective sheeting application requirements of the sheeting manufacturer.

Sign text shall consist of the letters, digits and symbols either applied by stick-on or silk screen, to conform to the dimensions and designs indicated in the Contract, MUTCD and/or FHWA Standard Highway Signs. The materials and methods shall be in accordance with standard commercial processes.

"Work Zone" construction signs shall be mounted on the trailer unit above the regulatory speed limit sign. (see attached graphic details).

Signs and secondary signs shall follow the MUTCD for minimum mounting heights.

The power supply shall be either full battery power with solar panel charging (capable of maintaining a charged battery level) and 135 amperes, 12-volt deep cycle batteries, or diesel powered generator with a fuel capacity sufficient for 10 hours of continuous operation.

Each unit shall be equipped with two mono-directional flashing lights, placed in accordance with the MUTCD, with amber lenses and reflectors, which are visible through a range of 120 degrees when viewed facing the sign. The lights shall be a minimum of 8-inch diameter, either LED, halogen, or incandescent lamps, and shall be visible for a minimum distance of one mile under daylight conditions and shall have a minimum flash rate of 40 flashes per minute. An "On" indicator light shall be mounted on the back of the signs, which is visible for at least 500 feet to provide confirmation that the flashing lights are operating.

The directional radar shall monitor approaching traffic only. The radar shall be capable of measuring speeds from 5 to 70 MPH at a distance of up to 1500 feet and shall have a high speed cut off thresh hold. Speed data shall be recorded and stored on the sign and must be made available to the Authority as requested.

All existing speed limit signs, which conflict with the construction zone trailer mounted speed limit signs shall be covered completely when the work zone speed limit is in place.

Automated Trailer Mounted Speed Limit Signs shall only be used when a work zone speed limit is in place **and shall be required when the work zone speed limit is active**. The Contractor shall manage the utilization and operation of the Automated Trailer Mounted Speed Limit Signs and if at least one is not used when work zone speed limits are in place then it will be considered a Traffic Control Plan violation and result in a reduction of payment as outlined in Section 652.

The Resident will record the actual time and location for the signs on a daily basis when the Automated Trailer Mounted Speed Limit Signs are in use.

The Automated Trailer Mounted Radar Speed Limit Sign may be placed as shown on the plans, or may replace the posted regulatory speed limit signs, or may be placed at a location within the closed lane that has a reduced speed limit.

Automated Trailer Mounted Speed Limit Signs shall be delineated with retro-reflective temporary traffic control devices while in use and shall also be delineated by affixing a retro-reflective material directly on the trailer.

Upon delivery of the Automated Trailer Mounted Speed Limit Sign and before acceptance by the Authority, the Contractor shall have a representative of the manufacturer review the condition and notify the Resident in writing, of all deficiencies noted.

The Contractor shall arrange to have all necessary repairs performed at no cost to the Authority.

To avoid impairing driver vision, the Contractor shall dim the lighted speed limit readings by 50 percent during nighttime use and restore full power lighting during daytime operation.

652.2.8 Temporary Portable Rumble Strips

If a pay item is included in the contract or the Contract desires to utilize Temporary Portable Rumble Strips this work consists of furnishing and placing temporary portable rumble strips RoadQuake 2F TPRS or an approved equal. Furnishing a temporary portable rumble strip system includes a method to transport and move these to on-site locations where they will be used. The Contractor shall submit for approval, literature and all necessary certifications to the Maine Turnpike prior to procurement of the product.

If used, Temporary Portable Rumble Strips may not be practicable in areas where the roadway has more than two travel lanes, where volume windows do not allow for breaks in traffic to set up and monitor and adjust, or during nighttime lane closures.

Provide rumble strips where the plans show or as directed by the Resident as follows:

Prior to placing rumble strips, clean the roadway of sand and other materials, that may cause slippage.

Place one end of the rumble strips 6 inches from the roadway centerline. Extend the strips perpendicular to the direction of travel. Ensure strips lay flat on the roadway surface.

Only one series of rumble strips, placed before the first work zone, is required per direction of travel for multiple work zones spaced 1 mile or less apart. Work zones spaced greater than 1 mile apart require a separate series of rumble strips. Each lane shall use one group of temporary rumble strips.

Bracketed “Rumble Strip Ahead” and “Bump” signs shall be utilized and will be paid for under the respective construction sign pay items.

Maintain rumble strips as follows:

If rumble strips slide, become out of alignment, or are no longer in the wheel path of approaching vehicles during the work period, thoroughly clean both sides of the rumble strips and reset on a clean roadway.

Repair or replace damaged rumble strips immediately.

652.3.1 Responsibility of the Authority

The Authority will provide Project specific traffic control requirements and traffic control plans for use by the Contractor. The specific traffic control requirements for the Project are identified in Special Provision Section 652, Maintenance of Traffic (Specific Project Maintenance

of Traffic Requirements). No revisions to these requirements or Plans will be permitted unless the Contractor can thoroughly demonstrate an overall benefit to the public and a Contract Modification is approved.

The Maine Turnpike Authority may erect lane closures on the mainline within the Project area to collect survey, provide layout, and for any other reasons deemed necessary by the Authority.

652.3.2 Responsibility of the Contractor

The Contractor shall provide continuous and effective traffic control and management for the Project that is appropriate to the construction means, methods, and sequencing allowed by the Contract and selected by the Contractor:

The Contractor shall ensure all jobsite personnel shall wear a safety vest labeled as ANSI 107-2004 standard performance for Class 3 risk exposures at all times. This requirement also applies to truck drivers and equipment operators when out of an enclosed cab.

652.3.3 Submittal of Traffic Control Plan

The Contractor shall provide continuous and effective traffic control and management for the Project that is appropriate to the means, methods and sequencing allowed by the Contract; and consistent with the Traffic Control Plans and Maintenance of Traffic Specifications. The Contractor is responsible for ensuring a safe environment for the Contract workforce, local road users, and turnpike users; and maintaining the safe efficient flow of traffic through the construction zone at all times during the Contract. The protocols and requirements outlined in the Contract shall be strictly enforced. The Contractor shall submit, at or before the Preconstruction Meeting, a Traffic Control Plan (TCP) that provides the following information to the Authority:

a. The name, telephone number, and other contact numbers (cellular phone, pager, if any) of the Contractor's Traffic Control Supervisor (TCS). The TCS is the person with overall responsibility for ensuring the contractor follows the TCP, and who has received Work Zone Traffic Control Training commensurate with the level of responsibility shown in the requirements of the Contract, and who is empowered to immediately resolve any work zone traffic control deficiencies or issues. Provide documentation that the Traffic Control Supervisor has completed a Work Zone Traffic Control Training Course (AGC, ATSSA, or other industry- recognized training), and a Supervisory refresher training every 5 years thereafter. Submit training certificates or attendance roster that includes the course name, training entity, and date of training. **State how the traffic control devices will be maintained including a frequency of inspection for both temporary and permanent traffic control devices.**

Traffic Control Training Course curriculum must be based on the standards and guidelines of the MUTCD and must include, at a minimum, the following:

1. Parts of Temporary Traffic Control Zone

2. Appropriate use and spacing of signs

3. Use and spacing of channelizing devices

4. Flagging basics

5. Typical examples and applications

The Traffic Control Supervisor, or designee directly overseeing physical installation, adjustment, and dismantling of work zone traffic control, will ensure all personnel performing those activities are trained to execute the work in a safe and proper manner, in accordance with their level of decision-making and responsibility. The emergency contact list shall contain a listing of individuals who may be contacted during non-work hours and shall adequately respond to the request.

b. Proposed revisions to the construction phasing or sequencing that reasonably minimizes traffic impacts.

c. A written narrative and/or plan explaining how traffic and pedestrians will be moved through the Project Limits, including transitions during the change from one phase of construction to the next, as applicable.

d. Temporary traffic control treatments at all intersections with roads, rail crossings, businesses, parking lots, pedestrian ways, bike paths, trails, residences, garages, farms, and other access points, as applicable.

e. A list of all Contractor or Subcontractor certified flaggers to be used on the Project, together with the number of flaggers which will be used for each type of operation that flagging is needed. If the Contractor is using a flagging Subcontractor, then the name and address of the Subcontractor may be provided instead of a list of flaggers.

f. A procedure for notifying the Resident of the need to change the traffic control plan or the need to remove a lane restriction.

g. A description of any special detours including provisions for constructing, maintaining, signing, and removing the detour or detours, including all temporary bridges and accessory features and complete restoration of the impacted land.

h. The maximum length of requested contiguous lane closure. The Contractor shall not close excessive lengths of traffic lane to avoid moving traffic control devices.

i. The proposed temporary roadway surface conditions and treatments. The Contractor shall provide an adequate roadway surface at all times; taking into account traffic speed, volume, and duration.

j. The coordination of appropriate temporary items (drainage, concrete barriers, barrier end treatments, impact attenuators, and traffic signals) with the TCP.

k. The plan for unexpected nighttime work, the contractor shall provide a list of emergency nighttime lighting equipment and safety personnel available on-site or have the ability to have them on site within an hour of the time of need.

l. The plan for meeting any project specific requirements contained in special provision 105 and/or 107, and/or Section 656

m. The lighting plan if night work is anticipated.

The Authority will review the TCP for completeness and conformity with Contract provisions, the current edition of the MUTCD, and Authority policy and procedures. The Authority will review and provide comments to the Contractor within 14 days of receipt of the TCP. No review or comment by the Authority, or any failure to review or comment, shall operate to absolve the contractor of its responsibility to design and implement the plan in accordance with the Contract, or to shift any responsibility to the Authority. If the TCP is determined by the Authority to be operationally ineffective, the Contractor shall submit modifications of the TCP to the Authority for review and shall implement these changes at no additional cost to the Contract. Nothing in this Section shall negate the Contractor's obligations set forth in Section 110 - Indemnification, Bonding, and Insurance. The creation and modification of the TCP will be considered incidental to the related 652 items.

652.3.4 General

Prior to starting any work on any part of the project adjacent to or being used by the traveling public, the Contractor shall install the appropriate traffic control devices in accordance with the plans, specifications and the latest edition of Manual of Uniform Traffic Control Devices, Part VI. The Contractor shall continuously maintain the traffic control devices in their proper position, and they shall be kept clean, legible and in good repair throughout the duration of the work. If notified that the traffic control devices are not in place or not properly maintained, the Contractor may be ordered to immediately suspend work until all deficiencies are corrected.

No equipment or vehicles of the Contractor, their subcontractors, or employees engaged in work on this contract shall be parked or stopped on lanes carrying traffic, or on lanes or shoulders adjacent to lanes carrying traffic, at any time, except as required by ongoing work operations. Contractor equipment or vehicles shall never be used to stop, block, or channelize traffic.

Vehicles parked on the shoulder shall be located so all portions of the vehicle(s) are a minimum of one foot from the traveled way. No operation shall be conducted on or near the traveled lanes or shoulders without first setting up the proper lane closure and traffic control devices. These precautions shall be maintained at all times while this Work is being performed. The Contractor shall keep all paved areas of the highway as clear as possible at all times. No materials shall be stored on any paved area of the highway or within 30 feet of the traveled way (unless protected by concrete barriers and specifically approved by the Resident). Private vehicles owned by Contractor's employees shall be parked close together in a group no closer than 30 feet from the traveled way in pre-approved areas.

Channelization devices shall include Vertical Panel Markers, Barricades, Cones, and Drums shall be in accordance with the MUTCD. These devices shall be installed and maintained at the spacing determined by the MUTCD through the work area.

The Contractor shall maintain existing guardrails and/or barriers until removal is necessary for construction. The Contractor shall use a temporary barrier or appropriate channelizing devices, as approved by the Resident, while the guardrails and/or barriers are absent. Permanent guardrails and barriers shall be installed as soon as possible to minimize risk to the public.

When Contractor operations or shoulder grading leave a continuous 3 inch or less exposed vertical face at the edge of the traveled way, including the shoulder, or when traffic is shifted into the shoulder adjacent to the edge of pavement where an existing 3 inch or less exposed vertical face creates a safety hazard, channelization devices should be placed 2 feet outside the edge of the pavement at intervals not exceeding 600 feet and, depending on type and location of the exposed vertical face, a 48 inch by 48 inch W8-9 Low Shoulder, or W8-11 Uneven Lane, and/or a W8-17P Shoulder Drop-Off sign should be placed at a maximum spacing of ½ mile. When Contractor operations or shoulder grading leave greater than a 3-inch exposed continuous vertical face at the edge of the traveled way, including the shoulder, or when an existing condition of an exposed vertical face of 3 inches or more is adjacent to active traffic shifted into shoulder, the Contractor shall place shoulder material at a slope not exceeding 3 horizontal to 1 vertical to meet the pavement grade, before the lane is opened to traffic.

Special Detours and temporary structures, if used, shall meet applicable AASHTO standards, including curve radii and grade.

Maine Turnpike Traffic Control Requirements

This Section outlines the minimum requirements that shall be maintained for working on, over, or adjacent to the Maine Turnpike roadway.

General

Two travel lanes in each direction (each direction being 24 feet wide including/excluding shoulder) in the two lane portion of the turnpike, and three travel lanes in each direction (each direction being 36 feet wide including/excluding shoulder) in the three lane portion of the turnpike (Mile 0.0 to mile 44.3) shall be maintained at all times except while performing work in a designated lane, directly over or adjacent to traffic, and during the placement and removal of traffic control devices.

Unless otherwise specified in the contract documents the minimum main line width for a single travel lane shall be 14 ft and minimum ramp widths of 16 ft which must be maintained at all times, from ½ hour before sunrise and ½ hour after sunset as indicated on the Sunrise/Sunset Table at: http://www.sunrisesunset.com/usa/Maine.asp . If the Project town is not listed, the closest town on the list will be used as agreed at the Preconstruction Meeting.

Shoulder closures, lane closures, and lane shifts meeting the MUTCD guidelines, other than those shown in the plans, must be submitted for approval from the MTA prior to use in the construction operations.

No lane closures will be allowed during non-working hours, weekends and/or holiday periods unless included in the Contract as long-term traffic control requirement as outlined in Section 652 – Specific Project Maintenance of Traffic Requirements **unless written permission is obtained from the Authority.**

Any special signs, barricades or other devices deemed necessary by the Resident shall be furnished and maintained by the Contractor. Extra care shall be taken so that the traffic flow will not be disturbed. The use of construction signs and warning devices not shown on the Plans or in the MUTCD is prohibited unless approved by the Resident

The Contractor's personnel and equipment shall avoid crossing traffic whenever possible. No Contractor's vehicle may slow down or stop in a traffic lane unless said lane has previously been made safe with signs and barricades as required by the Resident.

No vehicle will move onto the traveled way at such a time or in such a manner so as to cause undue concern or danger to traffic approaching from either direction. The Contractor or his employees are not empowered to stop traffic.

The Contractor shall take necessary care at all times, in all operations and use of his equipment, to protect and facilitate traffic. During periods of idleness, the equipment shall not be left in a way to obstruct the traffic artery or to interfere with traffic.

The Contractor shall furnish approved signs reading “Construction Vehicle - Keep Back” to be used on trucks hauling to the Project. The signs shall be a minimum of 30-inch by 60-inch, Black and Orange, and meet construction sign retro reflectivity requirements

All vehicles used on the Project shall be equipped with amber flashing lights, by means of a single or multiple, flashing LED or strobe lights mounted so as to be visible 360 degrees. **In addition, vehicles operating under direction of the Maine Turnpike Authority may be equipped with auxiliary lights that are green, white or amber or any combination of green, white or amber.** Auxiliary lighting shall have sufficient intensity to be visible at 500 feet in normal daylight and a flash rate between 1Hz and 4Hz. The vehicle flashing system shall be in continuous operation while the vehicle is on any part of the project and positioned or mounted in such a way to not be obstructed by vehicle mounted or other equipment. Dump trucks, **concrete trucks** and utility trucks **at a minimum** shall have a strobe light mounted on each side of the vehicle. **The use of motorcycles is not permitted within a construction site or as a means to arrive at or leave a work zone**.

Where space is available pavement striping for all tapers shall create a minimum buffer of 250 feet to the point where the temporary concrete barrier taper ends and becomes parallel to the travelway. Temporary concrete barrier shall be tapered at a minimum 8:1 unless space is available and then it should be tapered at 15:1 or 100 feet whichever is longest.

Milling and paving of interchange ramps shall be done between 9:00 p.m. and 5:00 AM, unless otherwise shown on the Maintenance of Traffic Phasing Plans or as directed by the MTA. Only a single ramp at an interchange may be closed at once. Ramp closures will not be permitted the day before or after holidays, on holidays, or on Saturdays or Sundays. The Contractor shall request approval from the Resident/Authority two weeks prior for all ramp closures. Portable changeable message signs shall be used to provide advance notice and warning of the ramp closure. PCMS's shall be operational a minimum of 1 week prior to ramp closure to notify Patrons. The contractor shall coordinate PCMS locations with the Resident and the MTA.

Access to, and egress from, the construction area shall be with the direction of travel without crossing traffic. Construction vehicles are prohibited from merging with mainline traffic during the AM and PM peak traffic hours unless approved in writing from the MTA. The contractor shall develop work zone access/egress with acceleration and deacceleration areas and should utilize interchange ramp areas whenever feasible.

Temporary Mainline Lane Closures

A lane closure may be required whenever personnel will be actively working within four feet of a travel lane.

Loading/unloading trucks shall not be closer than six feet from an open travel lane. Temporary lane closures will only be allowed at the times outlined in Special Provision, Section 652, Specific Project Maintenance of Traffic Requirements. These hours may be adjusted based on the traffic volume each day by the Resident.

A lane closure is required when a danger to the traveling public may exist. The following is a partial list of activities requiring lane closures. Lane closures may be required for other activities as well:

- Milling and Paving Operations
- Bridge work
- Drainage Installation and/or Adjustment
- Clear Zone Improvements
- Pavement Markings Layout and Placement

Work directly over traffic within six feet of a travel lane as measured from the painted pavement marking line or traffic control device will require a lane closure. This work includes but is not limited to the following:

1. **Unbolting structural steel**
2. **Removing structural steel**
3. **Erecting structural steel**
4. **Erecting or moving sign panels on bridges or sign structures**

5. **Bolting structural steel**
6. **Loading and unloading trucks**
7. **Light pole removal or installation**
8. **Snow fence installation**

Lane closures shall be removed if work requiring the lane closure is not ongoing unless included in the Contract as a long-term traffic control requirement or approved by the Resident.

During adverse weather condition when the speed limit on the Maine Turnpike has been reduced to 45 MPH, or during fog or when there is less than ½ mile of visibility, **shoulder/lane closures cannot be set up and any currently in place shall be removed. Only work on the turnpike mainline that is behind temporary concrete barrier will be allowed when speed is reduced to 45 MPH or fog/visibility conditions exist.**

Daytime lane closures shall be a maximum of three (3) miles. Only one daytime lane closure will be permitted per direction. Nighttime lane closures may extend through the entire length of the Project.

Temporary single lane closures are allowed upon approval of the Resident. **Lane and/or ramp** closure setup may not begin until the beginning time specified. Closures that are setup early or that remain in place outside of the approved time period shall be subject to a lane rental fee of **$1,000** per five minutes for every five minutes outside of the approved time. The installation of the construction signs will be considered setting up the lane closure. Removal of the last construction sign will be considered removal of the closure. Construction signs shall be installed immediately prior to the start of the closure and shall be promptly removed when no longer required. The installation and removal of a closure, including signs, channelizing devices, and arrow boards shall be a continuous operation. The Authority reserves the right to order the removal of an approved closure.

The Authority desires to minimize the number of daytime lane closures and the number of times that a complete stoppage of traffic is required. The Contractor is encouraged to schedule work so that the interference with the flow of traffic will be minimized. Lane closures will not be allowed until traffic associated with complete stoppages of traffic has cleared. Complete stoppages of traffic or lane closures may not be allowed on a particular day if another complete stoppage of traffic has been previously approved for another project.

The Resident is required to receive approval from the Maine Turnpike Authority for all lane closures. **The Resident is required to submit a request for lane closures by noon on Thursday for any lane closures needed for the following week.** The Contractor shall plan the work accordingly.

Temporary Mainline Shoulder Closures

Shoulder closures are anticipated at locations where Contractor access to the mainline is required.

Shoulder closures with plastic drums shall be removed at the end of the workday. Temporary shoulder closures with plastic drums will not be allowed during periods of inclement weather as determined by the Authority.

The location (limits) of shoulder closures with concrete barrier are shown on the Plans. The barrier must be placed prior to the start of the work requiring concrete barrier and shall remain in place until the work activity is complete.

Equipment Moves

The complete stoppage of traffic for an equipment move (including delivery of materials to the median) will be considered for approval if the action cannot reasonably be completed with the erection of a lane closure. Contractor shall be responsible for the installation of Signs CS-3, "Expect Stopped Traffic" and Signs W3-4 "Be Prepared to Stop", in accordance with the Single Lane Closure Detail immediately prior to the equipment move. **Signs will be required on any adjacent ramps within proximity to the stoppage**. These signs shall be covered when not applicable.

State Police will be used to stop traffic. Cost for State Police will be the responsibility of the Authority. The times requested for trooper assisted equipment moves by on-duty troopers cannot be guaranteed. The MTA will not be held responsible for any delays or costs associated with the delay, postponement or cancellation of an on-duty trooper assisted equipment move.

The maximum time for which traffic may be stopped and held for an equipment move across mainline or ramp at any single time shall be five (5) minutes. The duration shall be measured as the time betweenthe time the last car passes the Resident until the time the Resident determines that all travel lanes are clear. The traffic shall only be stopped for the minimum period of time required to complete the approved activity. The Contractor shall reimburse the Authority at a rate of $500 per minute for each minute in excess of the five-minute allowance.

Unapproved movement of equipment or materials across the travel lanes shall be considered a violation of the Maintenance of Traffic Requirements and is subject to a minimum fine of $500 per occurrence with an additional $500 per minute thereafter.

Request for Complete Stoppage of Traffic

A request for a complete stoppage of traffic must be submitted to the Resident for approval. The Resident is required to receive approval from the Maine Turnpike Authority for all stoppages. The request shall be submitted to the Authority by the Resident at least five (5) working days prior to the day of the requested stoppage of traffic and two (2) days for a stoppage less than five minutes. All requests must be received by 12:00 p.m. noon to be considered as received on that day. Requests received after 12:00 p.m. shall be considered as received the following day. The Contractor shall plan the work accordingly.

During the erection or removal of overhead structures or signs traffic shall be stopped and may be held for periods of up to 25 minutes during these operations. Before the roadway is reopened, all materials shall be secured so they will not endanger traffic passing underneath. The Contractor will reimburse the Authority at the rate of $2,500.00 per five-minute period for each

roadway not reopened (northbound and southbound), in excess of the 25-minute limit. Total penalty shall be deducted from the next pay estimate.

Blasting of Ledge, The maximum time for which traffic may be stopped at any single time shall be six (6) minutes. This duration shall be measured as the time between the time that the last car passes the Resident, until the time the Resident determines that all travel lanes are cleared of blast debris. The Contractor shall reduce the size of the blast, change the design and method of the blast, use more mats, or otherwise alter the blasting so that the traffic is not stopped for more than six minutes. If, due to the throw of rock onto the highway or other blasting related activities, traffic is stopped for more than six minutes, the Contractor shall pay a penalty of $1,000.00 per minute for every minute traffic is stopped in excess of the six-minute limit. The penalty shall be measured separately on the northbound and southbound roadway (or eastbound and westbound roadway). Total penalties will be deducted from the next pay estimate. Whenever the volume of traffic is excessive such that a six-minute interruption would cause objectionable congestion, in the opinion of the Authority, the hours during which blasting may occur may be further restricted. A detailed blasting plan shall be submitted as required in Supplemental Specific or Special Provision Sections 105 or 107.

652.3.5 Installation of Traffic Control Devices

All traffic control devices shall be in conformance with NCHRP 350 requirements and MASH 16 requirements if manufactured after December 31, 2019 and installed as per manufactures recommendations.

Portable signs shall be erected on temporary sign supports approved crashworthy devices so that the bottom of the sign is either 1) 12 inches or 2) greater than 5 feet above the traveled way. The bottom of all regulatory signs and ramp exit signs shall be a minimum of 5 feet above the traveled way. The contractor is responsible for maintaining the temporary sign structures so that the sign face remains in a vertical position. Temporary signs supports shall not be used for signs that will remain in place at a single location for more than one month.

No signs on easels shall be placed on 4 foot shoulders with guardrail, signs required at these location shall be placed on taller easels on the median side of the guardrail.

Post-mounted signs shall be erected so the bottom of the sign is no less than 5 feet above the traveled way, and 7 feet above the traveled way in business, commercial, and residential areas. Post-mounted signs must be erected so that the sign face is in a true vertical position. All signs shall be placed so that they are not obstructed in any manner and immediately modified to ensure proper visibility if obstructed.

The bottom of mainline and ramp traffic control signs intending to remain longer than 3 days, except as provided in 2009 MUTCD Section 6F.03 paragraph 12, shall be mounted 5 feet or greater above the edge of pavement on posts or portable sign supports.

The Resident will verify the exact locations of the construction signs in the field.

Construction signs behind guardrail shall be mounted high enough to be visible to traffic.

Vertical panel markers shall be mounted with the top at least 4 feet above the traveled way.

Drums placed along the Turnpike mainline shall have a minimum of one drum weight. Drums that will remain in the same location for more than three days shall have double drum weights. (i.e. a minimum of 40 lbs of drum tire rings). Drums shall not be weighted on the top. Drain holes shall be provided to prevent water from accumulating in the drums During winter periods, drums shall be placed on the grass shoulder or removed from the roadway so winter maintenance operations will not be impacted. This requires the placement of drums behind the median guardrail. Drums shall not be placed on snowbanks.

The Contractor shall operate and maintain the flashing arrow board unit and for dependable service during the life of the contract. The units shall remain in continuous night and day service at locations designated until the Resident designates a new location or discontinuance of service.

The Contractor shall maintain the devices in proper position and clean them as necessary. Maintenance shall include the covering and uncovering of all signs when no longer applicable (even if for a very short duration). The sign shall be considered adequately covered when no part of the sign face is visible either around or through the covering.

The Contractor shall replace damaged traffic control devices with devices of acceptable quality, as directed by the Resident.

The Contractor is required to cover all existing signs, including regulatory and warning signs, within the Work zone which may conflict with the proposed construction signs. The Contractor is also required to cover all permanent construction signs when they conflict with a daily traffic control setup. The method of covering existing signs must be approved by the Resident. The use of adhesives on the sign face is prohibited.

Work Zone Speed Limits

Work Zone Speed (Fines Doubled) is a regulatory speed limit that indicates the maximum legal speed through a work zone which is lower than the normal posted speed. The speed limit shall be displayed by black on white speed limit signs in conjunction with a black on orange "Work Zone" plate. Speed limit signs shall be installed at each mile within the work zone. Any existing regulatory speed limit signs within the reduced speed zone shall be covered once the reduced speed signs have been erected.

Two orange fluorescent flags shall be attached to all speed limit signs that are uncovered for a period of time exceeding one week. This work shall be incidental. Signs that are covered and uncovered on a regular basis are not required to have the supplemental flags.

The reduced speed limit signs shall be used when workers are adjacent to traffic, when travel lane(s) are closed, when indicated on Maintenance of Traffic Control Plans provided or other times as approved by the Resident:

The signs shall be covered or removed when not applicable. The covering and uncovering of signs shall be included for payment under Maintenance of Traffic. Signs relating to reduced speed shall be installed in accordance with the details. The Contractor shall note that all signs including those behind concrete barrier or guardrail are required to be clearly visible to all drivers at all times.

Lane Closure Installation and Removal Procedure

The Contractor will follow the following procedures when closing any travel lanes on the turnpike roadways:

1. The sign package shall be erected starting with the first sign and proceeding to the start of the taper. The sign crew shall erect signs with the vehicle within the outside shoulder.

2. Position the arrow board with the proper arrow at the beginning of the taper; and,

3. When arrow board is in place, continue with the drums/cones to secure the work area.

To dismantle the lane closure, start with last drums/cone placed and work in reverse order until all the drums are removed. The arrow board which was installed first shall be the final traffic control device removed, excluding the sign package. The remaining sign package shall be picked-up starting with the first sign placed and continuing in the direction of traffic and with the vehicle in the outside shoulder.

Trucking Plan

The Contractor shall submit a trucking plan to the Resident within 10 working days of the award of the Contract. The trucking plan shall consist of at least the following:

- Date of anticipated start of work per each location.
- Haul routes from plant/pit to work area and return.
- Haul routes from work area to disposal area and return.
- Entering / exiting the work area.
- Vehicle safety equipment and Vehicle inspection.
- Personal safety equipment.
- Communications equipment and plan.

The trucking plan will not be paid for separately but shall be incidental to the Contract.

652.3.6 Traffic Control

The existing travel way width shall be maintained to the maximum extent practical.

Vertical panel markers, drums, cones, or striping shall be used to clearly delineate the roadway through the construction area. Two-way traffic operation shall be provided at all times that the Contractor is not working on the project. One- way traffic shall be controlled through work areas by flaggers, utilizing radios, field telephones, or other means of direct communication.

The traffic control devices shall be moved or removed as the work progresses to assure compatibility between the uses of the traffic control devices and the traffic flow.

Pavement markings shall be altered as required to conform to the existing traffic flow pattern. Repainting of pavement marking lines, if required to maintain the effectiveness of the line, shall be considered **incidental to the** maintenance of traffic control devices, no separate payment will be made. Inappropriate pavement markings shall be removed whenever traffic is rerouted, and temporary construction pavement markings shall be placed. Removal of non-applicable markings and **initial** placement of temporary construction pavement markings will be paid for under the appropriate Contract items. Traffic changes shall not be made unless there is sufficient time, equipment, materials, and personnel available to complete the change properly before the end of the workday. This provision will not be required when traffic is rerouted for brief periods and the route can be clearly defined by channelizing devices, or flaggers, or both.

All vehicles used during the installation and removal of traffic control devices, including lane closures, shall be equipped with a vehicle-mounted lighted arrow board **or high intensity LED full width light bar** acceptable to the Resident. The arrow board **or full width light bar** shall be capable of displaying a left arrow, right arrow, double arrow, and light bar **patterns**.

652.4 Flaggers

The Contractor shall furnish flaggers as required by contract documents or as otherwise specified by the Resident. **Flaggers shall not stop traffic on Turnpike mainline or interchange ramps. Only State Police are allowed to stop traffic on mainline or interchange ramps.**

All flaggers must have successfully completed a flagger test approved by the Maine Department of Transportation and administered by a Maine Department of Transportation approved Flagger-Certifier. All flaggers must carry an official certification card with them at all times while flagging.

For daytime conditions, flaggers shall wear a top (vest, shirt or jacket) that is orange, yellow, yellow-green, or fluorescent versions of these colors meeting ANSI 107-2004, Class 3, along with a hat with 360 ˚ retro-reflectivity.

For nighttime conditions, flaggers shall wear all Class 3 apparel, meeting ANSI 107-2004, including a Class 3 top (vest, shirt or jacket) and a Class E bottom (pants or coveralls), shall be worn along with a hardhat with 360 ˚ retro-reflectivity and shall be visible at a minimum distance

of 1000 ft. Flagger stations must be illuminated in nighttime conditions to assure visibility and will be specifically addressed in detail in the Contractor's TCP.

Flagger stations shall be located far enough in advance of the workspace so that approaching road users will have sufficient distance to stop at the intended stopping point. While flagging, the flagger should stand either on the shoulder adjacent to the traffic being controlled, or in the closed lane. At a spot obstruction with adequate sight distance, the flagger may stand on the shoulder opposite the closed sections to operate effectively. Under no circumstances shall the flagger stand in the lane being used by moving traffic or have their back to oncoming traffic. The flagger should be clearly visible to approaching traffic at all times and should have a clear escape route.

When conditions do not allow for proper approach sight distance of a flagger or storage space for waiting vehicles, additional flaggers shall be used at the rear of the backlogged traffic or at a point where approaching vehicles have adequate stopping sight distance to the rear of the backlogged traffic. All flagger stations shall be signed, even when in close proximity. The signs shall be removed or covered when flagger operations are not in place, even if it is for a very short duration.

Flaggers shall be provided as a minimum, a 10-minute break, every 2 hours and a 30 minute or longer lunch period away from the workstation. Flaggers may only receive 1 unpaid break per day; all other breaks must be paid. Sufficient certified flaggers shall be available onsite to provide for continuous flagging operations during break periods. If the flaggers are receiving the appropriate breaks, breaker flagger(s) shall be paid starting 2 hours after the work begins and ending 2 hours before the work ends. A maximum of 1 breaker per 6 flaggers will be paid. (1 breaker flagger for 2 to 6 flaggers, 2 breaker flaggers for 7 to 12 flaggers, etc.). If a flagger station is manned for 10 hours or more, then ½ hour for lunch will be deducted from billable breaker flagger hours.

652.41 Traffic Officers

Local road traffic officers, if required, shall be uniformed police officers. State Police officers and vehicles shall be used to warn and stop traffic on the Maine Turnpike. All State Police shall be scheduled through the Maine Turnpike Authority. The Authority will make payment for the State Police officers and vehicles directly to the State Police.

The Contractor will not be entitled to additional compensation if scheduled Work is not completed due to the unavailability of State Police.

652.5.1 Rumble Strip Crossing

When lane shifts or lane closures require traffic to cross a permanent longitudinal rumble strip for 7 calendar days or less, the Contractor shall install warning signs that read "RUMBLE STRIP CROSSING" with a supplemental Motorcycle Plaque, (W8-15P).

When lane shifts or lane closures require traffic to cross a permanent longitudinal rumble strip for more than 7 calendar days, the Contractor shall pave in the rumble strips in the area that

traffic will cross, unless otherwise directed by the Resident. Rumble strips shall be replaced prior to the end of the project, when it is no longer necessary to cross them.

652.6.1 Daylight Work Times

Unless otherwise described in the Contract, the Contractor is allowed to commence work and end work daily according to the Sunrise/Sunset Table at: http://www.sunrisesunset.com/usa/Maine.asp . If the Project town is not listed, the closest town on the list will be used as agreed at the Preconstruction Meeting. Any work conducted before sunrise or after sunset will be considered Night Work.

652.6.2 Night work

When Night Work occurs (either scheduled or unscheduled), the Contractor shall provide and maintain lighting on all equipment, at all workstations, and all flagger stations.

The lighting facilities shall be capable of providing light of sufficient intensity to permit good workmanship, safety, and proper inspection at all times. The lighting shall be cut off and arranged on stanchions at a height that will provide perimeter lighting for each piece of equipment and will not interfere with traffic, including commercial vehicles, approaching the work site from either direction.

The Contractor shall have available portable floodlights for special areas.

The Contractor shall utilize padding, shielding or other insulation of mechanical and electrical equipment, if necessary, to minimize noise, and shall provide sufficient fuel, spare lamps, generators, etc. to maintain lighting of the work site.

The Contractor shall submit a lighting plan prior to any night work for review showing the type and location of lights to be used for night work. The Resident may require modifications be made to the lighting set up in actual field conditions.

Prior to beginning any Night Work, the Contractor shall furnish a light meter for the Residents use that is capable of measuring the range of light levels from 5 to 20 foot-candles.

Horizontal illumination, for activities on the ground, shall be measured with the photometer parallel to the road surface. For purposes of roadway lighting, the photometer is placed on the pavement. Vertical illumination, for overhead activities, shall be measured with the photometer perpendicular to the road surface. Measurements shall be taken at the height and location of the overhead activity.

Night Work lighting requirements:

Mobile Operations: For mobile-type operations, each piece of equipment (paver, roller, milling machine, etc.) will carry indirect (i.e. balloon type) lights capable of producing at least 10 foot- candles of lighting around the work area of the equipment.

Fixed Operations: For fixed-type operations (flaggers, curb, bridge, pipes, etc.), direct (i.e. tower) lighting will be utilized capable of illuminating the work area with at least 10 foot- candles of light.

Hybrid Operations: For hybrid-type operations (guardrail, sweeping, In-slope excavation, etc.), either direct or indirect lighting may be utilized. The chosen lights must be capable of producing at least 10 foot-candles of light around the work area of the equipment

Inspection Operations: Areas required to be inspected by the Authority will require a minimum of 5 foot-candles of lighting. This may be accomplished through direct or indirect means.

The Contractor shall apply 2- inch wide retro-reflective tape, with alternating red and white segments, to outline the front back and sides of construction vehicles and equipment, to define their shape and size to the extent practicable. Pickup trucks and personal vehicles are exempt from this requirement.

The Resident or any other representative of the Authority reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Authority shall not be held responsible for any delay in the work due to any suspension under this item.

Failure to follow the approved Lighting Plan will result in a Traffic Control violation.

Payment for lighting, vehicle mounted signs and other costs accrued because of night work will not be made directly but will be considered incidental to the related contract items.

652.6.3 Traffic Coordinator and Personnel

The Contractor shall submit to the Resident for approval a list of traffic control personnel assigned to the Project including qualifications, certifications and experience.

The Traffic Coordinator duties shall include, but are not necessarily limited to:

a. Developing, in conjunction with the Resident and Project superintendent, a traffic control program for the days' work activities which will facilitate traffic in a safe and efficient manner.

b. Ensure that all traffic control implements (signs, arrow boards, barrels, etc.) are on-site so the traffic program can be implemented effectively.

c. Ensure a safe and effective setup or take-down of all signing implements to least impact the traveling motorist; and,

d. Working knowledge of construction signing/traffic control requirements in conformance with the latest issued Manual on Uniform Traffic Control Devices.

e. The Contractor shall supplement the traffic control plan with a daily plan, which includes schedules for utilizing traffic coordinators and flaggers. This plan

shall be submitted daily and agreed upon cooperatively with the Resident.

652.7 Method of Measurement

Signs, signs supplied by the Authority, and panel markers will be measured by the square foot for all signs authorized and installed. Flashing arrow boards, portable-changeable message signs, and flashing and steady burn lights, will be measured by each unit authorized and installed on the project. Barricades and cones will be measured by each unit authorized. Drums will be measured by each or as a lump sum authorized and installed, as indicated on the plans and specifications. No additional payment will be made for devices that require replacement due to poor condition or inadequate retroreflectivity.

Flaggers or traffic officers used during the Contract, for the convenience of the Contractor, will not be measured separately for payment, but shall be incidental to the various pay items. **This includes use of Flaggers for the delivery of materials and equipment to the project or other Flagger use that is for the Contractor's convenience, as determined by the Resident Engineer. If flaggers are required to maintain traffic and there is not a pay item in the contractor for flaggers, then flaggers shall be incidental to the other Section 652 contract items and no separate payment shall be made.**

The accepted quantity of traffic officer and flagger time will be the number of hours the designated station is occupied. The number of hours authorized for payment, **if any**, will be measured to the nearest ¼ hour.

The Authority will make payment for the State Police officers and vehicles directly to the State Police when utilized for mainline traffic control activities. State Police escorts, if required to move oversize material or equipment loads to the jobsite, will not be paid separately, but shall be incidental to the various pay items.

Maintenance of traffic control devices, including Automated trailer mounted speed limit signs required for the project will be measured by the calendar day or as one lump sum, as indicated in the plans and specifications, for all authorized and installed traffic control devices. Traffic control devices will only be measured for payment the first time used. Subsequent uses shall be incidental to the associated Maintenance of Traffic Control Devices item.

The vehicle mounted arrow board, mounted on trucks used for installation and removal of lane closures, will not be measured separately for payment, but shall be incidental to the associated Maintenance of Traffic Control Devices item.

The traffic coordinator(s) will not be measured separately for payment but shall be incidental to the associated Maintenance of Traffic Control Devices item.

Portable light towers, lighting on equipment and lighting plan will not be measured separately for payment but shall be incidental to the associated Maintenance of Traffic Control Devices item.

Truck mounted attenuator shall be measured for payment by the week for each week that the unit is used on a travel lane or shoulder on the project or by each unit for each unit that it used on the project for the full duration of the project, as approved by the Resident.

Sequential Flashing Warning Lights shall be measured for payment by the maximum number of sequential flashing warning lights satisfactorily installed and properly functioning at any one time during the life of the project. Payment shall include all materials and labor to install, maintain and remove all Sequential Flashing Warning Lights.

Automated Trailer Mounted Speed Limit Sign shall incidental to the Maintenance of Traffic Control device item. Payment shall include the Trailer, Radar Speed Limit Sign, flashing beacon amber lights, regulatory speed limit sign, fuel, necessary maintenance, and all checking of Radar Speed Limit Signs by manufacturer and all project moves including the transporting and delivery of the unit.

The accepted quantity of temporary portable rumble strips shall be measured by the unit complete in place, per lane closure application. A unit shall consist of 1 group of 3 full-lane width of rumble strips. As shown in the plans, a maximum of 3 units may be used at each lane closure. A unit shall be measured for each group of rumble strips, each time they are used for a lane closure.

652.8 Basis of Payment

The accepted quantity of signs, signs supplied by the Authority, and panel markers will be paid for at the contract unit price per square foot. Such payment will be full compensation for furnishing (or retrieving from the Authority) and installing all signs, sign supports, and all incidentals necessary to complete the installation of the signs.

The accepted quantity of flashing arrow boards, barricades, battery operated flashing and steady burn lights, and cones will be paid for at the contract unit price each for the actual number of devices authorized, furnished, and installed. Such payment shall be full compensation for all incidentals necessary to install and maintain the respective devices.

The Sequential Flashing Warning Lights will be paid for at the Contract unit price per each. This price shall include all costs associated with furnishing, installing, operating, maintaining, relocating, and removing the Sequential Flashing Warning Lights.

The Truck Mounted Attenuator(s) will be paid for at the Contract unit price each for the number of units for the actual number of units authorized for use for the duration of the project and per week for the each week or partial week that additional units are authorized and used on the project, as indicated in the plans and specifications. This price shall include all costs associated with the use of the vehicle. Payment shall include operator, fuel, truck, maintenance, flashing lights, arrow board and all other incidentals necessary to operate the vehicle.

Failure by the contractor to reinstall cones, barrels, signs, covered/uncovered signs, and similar traffic control devices within an hour of them being displaced, moved, knocked over, un-covered and etc. will result in a $150 fine per traffic control device if the issues is not resolved within 1 hour of notification by the resident. An additional $150 will be assessed for

each additional hour that the device has not been corrected. If the traffic control device is critical to the maintenance of traffic creating an actual or potential safety issue with traffic and is not corrected immediately then it will result in a violation letter as described below.

Failure by the contractor to follow the Contracts 652 Supplemental Specifications, Special Provisions and Standard Specification and/or the Manual on Uniform Traffic Control Devices (MUTCD) and/or the Contractors own Traffic Control Plan, or failure to correct a violation, will result in a violation letter and result in a reduction in payment as shown in the schedule below. The Resident or any other representative of the Authority reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Authority shall not be held responsible for any delay in the work due to any suspension under this item. Any reduction in payment under this Special Provision will be in addition to forfeiting payment of maintenance of traffic control devices for that day.

Amount of Penalty Damages per Violation		
1st	2nd	3rd & Subsequent
$500	$1,000	$2,500

652.8.1 Maintenance of Traffic Control Devices

Maintenance of Traffic Control Devices will be paid at the contract unit price per calendar day or lump sum price, as indicated in the plans and specifications. Such payment will be full compensation for all days that the Contractor maintains traffic as specified herein, and for moving devices as many times as necessary; for replacing devices damaged, lost, or stolen; and for cleaning, maintaining, and removing all devices used for traffic control, including replacing temporary pavement marking lines.

The contract price for Maintenance of Traffic Control Devices shall be full compensation for all days for such maintenance, encompassing all areas of the contract, regardless of whether or not the work areas or projects are geographically separated.

652.8.2 Other Items

The accepted quantities of flagger hours will be paid for at the contract unit price per hour for each flagging station occupied excluding lunch breaks, and for each approved breaker flagger. Overtime hours, as reported on the certified payrolls, will be paid an additional 30% of the bid price for 652.38. The computation and additional payment for overtime hours will occur during the project close-out process and will be paid as additional hours of 652.38 to the nearest ¼ hour. The contract unit price shall be full compensation for hiring, transporting, equipping, supervising, and the payment of flaggers and all overhead and incidentals necessary to complete the work.

There will be no payment made under any 652 pay items after the expiration of the adjusted total contract time.

The accepted quantities of traffic officer hours will be paid for at the contract unit price per ¼ hour for each station occupied, with no additional payment for overtime. This price shall be full compensation for supplying uniformed officers with police cruisers, and all incidentals necessary to complete the work, including transportation, equipment, and supervision.

Payment for temporary pavement marking lines and pavement marking removal will be made under the respective pay item in Section 627 - Pavement Markings.

Payment for temporary traffic signals will be made under Section 643 - Traffic Signals.

The accepted quantity of Portable Changeable Message Signs will be paid for at the Contract unit price each. This price shall be full compensation for furnishing, relocating, maintaining and removing the PCMS. The price also includes all costs associated with setting-up and paying for a data cellular account, technical support, training and any costs associated with the GPS location device.

Progress payment of each PCMS shall be pro-rated over the duration of the Contract. Contract duration shall be from the specified Contract start date to substantial completion or Contract completion, whichever is sooner.

For a PCMS that fails to operate when required, the Contractor will be given 24-hours to repair or replace the PCMS. For periods longer than 24-hours, payment will be reduced based on the pro-rated time that the PCMS is out of service.

Drums will be paid for at the contract unit price each, or at the Contract lump sum price, as designated in the Plans and specifications. Such payment shall be full compensation for all drums as shown on the Plans or required to complete the work.

The accepted quantity of temporary portable rumble strips will be paid for at the contract unit price per unit which shall include the transport device. Payment is full compensation for providing, relocating, maintaining or replacing, and removing temporary portable rumble strips. If the pay item is not included in the contract quantities, then the Authority does not anticipate the use of this item on the contract. If contractor wishes to utilize temporary portable rumble strips and the item is not in the contract, then the contractor may propose use of them to the Authority for consideration.

Payment will be made under:

Pay Item		Pay Unit
652.30	Flashing Arrow Board	Each
652.31	Type I Barricade	Each
652.311	Type II Barricade	Each
652.312	Type III Barricades	Each
652.32	Battery Operated Light	Each
652.33	Drum	Each
652.331	Drum	Lump Sum
652.34	Cone	Each
652.35	Construction Signs	Square Foot
652.351	Construction Signs-Supplied by Authority	Square Foot
652.36	Maintenance of Traffic Control Devices	Calendar Day
652.361	Maintenance of Traffic Control Devices	Lump Sum
652.38	Flaggers	Hour

652.381	Traffic Officers	Hour
652.41	Portable-Changeable Message Sign	Each
652.4502	**Truck Mounted Attenuator**	**Each**
652.4503	**Truck Mounted Attenuator**	**Week**
652.46	**Temporary Portable Rumble Strips**	**Unit**
652.47	**Sequential Flashing Warning Lights**	**Each**

SPECIAL PROVISION

SECTION 652

MAINTENANCE OF TRAFFIC

(Specific Project Maintenance of Traffic Requirements)

This Specification describes the specific project maintenance of traffic requirements for this Project.

The following minimum traffic requirements shall be maintained. These requirements may be adjusted based on the traffic volume when authorized by the Authority.

Local Road Traffic Control Requirements

No local road closures are anticipated. Contractor shall coordinate a MOT plan with the MTA Resident prior to any set up of a local road closure or detour.

Maine Turnpike Traffic Control Requirements

This Section outlines the minimum requirements that shall be maintained for work on, over, or adjacent to the Maine Turnpike roadway.

a) Traffic Counts will be conducted by the MTA Resident to adjust the start and end times of allowable closures to provide the Contractor with maximum duration work windows.

b) Weekend work requires approval from the Authority.

c) Work zones that span multiple zone shall have the most restrictive times govern.

d) Temporary Shoulder Closures are allowed at all times.

e) Equipment Moves are allowed during low traffic periods as approved by the Authority.

f) Operations for the travel lane closures are allowed as outlined in the following tables. Turnpike Lane Closures shall be removed if construction is not ongoing. Unattended lane closures are not allowed.

Mainline 32-35 Southbound (3 Lane Section)	
	Single Lane Closures (2 Lanes Open)
Before June 20, 2026	
Sunday PM through Monday AM	6 PM to 2 PM (next day)
Monday AM through Friday AM	6 PM to 2 PM (next day) 6 PM to 11 AM Fri
June 21, 2026 to September 5, 2026	
Sunday PM through Monday AM	7 PM to 9 AM
Monday PM through Friday AM	6 PM to 9 AM (next day)
September 6, 2026 to December 31, 2026	
Sunday PM through Monday AM	6 PM to 2 PM (next day)
Monday PM through Friday AM	6 PM to 2 PM (next day) 6 PM to 11 AM Fri

SPECIAL PROVISION

SECTION 661

TOLL STIPEND

661.01 Description:

When this item is listed as a Pay Item in the bid, it shall consist of the tolls accrued by the Contractor during the execution of the Contract.

All vehicles, other than those of the project superintendent and supporting traffic control staff that have been issued cards or transponders as described in Special Provision 105.5.1, shall be required to pay all applicable tolls. This includes Contractor employees, subcontractors, equipment delivery, and material delivery.

661.02 Basis of Payment:

Payment for this item will be made in equal monthly installments based on the anticipated duration of the project shown on the original schedule submitted by the Contractor.

The total sum of payments under this item shall not exceed the original Contract amount bid regardless of the fact that the Contractor may shut down their work on the Project or move equipment away from the Project and then back again. All actual tolls incurred by the Contractor shall be incidental to the item and shall include Contractor employees, subcontractors, equipment delivery, material delivery and all other construction-related traffic except as defined above.

Payment will be made under:

Pay Item	Pay Unit
661.10 Toll Stipend	Lump Sum

SECTION 719

SIGNING MATERIAL

Section 719.01 Reflective Sheeting

This Subsection is deleted in its entirety and replaced with the following:

Retroreflective sheeting for signs shall meet at a minimum the requirements for ASTM 4956 – Type XI (Prismatic) manufactured by 3M Company, for all signs.

Reflective sheeting, used in sign construction, shall have been manufactured within the six months immediately prior to the fabrication of each sign. Upon delivery at the job site of each shipment of signs, a letter of certification shall be provided that the reflective sheeting conforms to the requirements.

For Type 1 Guide Signs, all reflective sheeting shall be color matched on each sign unit.

All warning signs shall be fluorescent yellow except for Ramp Advisory Speed signs which shall be yellow.

All Construction Series signs that use orange backgrounds shall be fluorescent orange.

All Pedestrian Signs shall be fluorescent yellow-green.

EZ-PASS Purple shall conform to the FHWA Purple color box.

719.02 Demountable High Intensity Reflectorized Letters, Numerals, Symbols, and Borders

This Subsection, including the title, is deleted in its entirety and replaced with the following:

719.02 Letters, Numerals, Symbols, and Borders

All signs shall be manufactured utilizing Direct Applied letters, numerals, symbols and borders or be Digitally Printed meeting all sign sheeting manufacturer's (3M) requirements to ensure that the manufacturer's warranty will be in full effect.

All Type 1 overhead signs, Type 1 interchange signs and any other Type 1 signs over 100 square feet shall utilize Direct Applied letters, numerals, symbols and borders.

Direct Applied

Direct reflectorized applied letters, numerals, symbols and borders shall consist of cut out sheeting that shall meet at a minimum the requirements for ASTM 4956 – Type XI (Prismatic) sheeting. The sheeting material used for the direct applied legend shall be the same type as used for the background.

Digitally Printed

Digital printing methods may be used to produce the sign copy and borders on retroreflective sheeting. Retroreflective sheeting complying with ASTM D 4956 Type XI and designated by the manufacturer as suitable for digital printing traffic signs along with associated ink and premium overlay film. Digitally Printed signs shall meet all sign sheeting manufacturer's (3M) requirements to ensure that the manufacturer's warranty will be in full effect

Transparent and opaque durable inks used in digital printed sign copy and borders shall be as recommended by the sheeting manufacturer (3M). Digital printed traffic colors shall be properly applied and shall have a warranty life of the base retroreflective sign sheeting. Digitally printed signs shall present a flat surface, free from foreign material, and all copy and borders shall be clear and sharp. Digital printed signs shall conform to 70% of the retroreflective minimum values established for its type and color (applicable to traffic colors only), as required by ASTM D 4956. Digital printed signs shall meet the daytime color and luminance, and nighttime color requirements of ASTM D 4956. Printed traffic colors shall meet the accelerated weathering and colorfastness requirements of ASTM D 4956. Digitally printed black shall remain sufficiently opaque for its intended use for the warranty period of the base sheeting. No variations in color or overlapping of colors will be permitted.

Digitally printed traffic signs shall have an integrated engineered match component clear UV- premium protective overlay recommended by the sheeting manufacturer applied to the entire face of the sign.

All digitally printed traffic signs shall utilize an integrated engineered match component system for materials and printing process and equipment. The integrated engineered match component system shall consist of retroreflective sheeting, durable ink(s), and clear protective overlay film, as specified by the sheeting manufacturer, applied to aluminum substrate.

The sign fabricator shall use an integrated engineered match component system digital printer approved by the sheeting manufacturer. Each approved digital printer shall only use the compatible retroreflective sign sheeting manufacturer's engineered match component system products. The sign fabricator shall maintain their digital printer's color calibration according to the sheeting manufacturer's requirements to help ensure digitally printed signs meet the manufacturer's specifications. The fabricator shall be trained by the sheeting manufacturer to produce digitally printed traffic signs that qualify for the sheeting manufacturer's warranty.

General

Type 1 Guide Signs shall have two-inch-tall, series C text that indicates the sign size, and the sign install date (MM/YY) located two inches above the bottom border of the sign.

MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

PART III – APPENDICES

LIST OF APPENDICES

APPENDIX A

U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT 14 LINEAR TRANSPORTATION PROJECTS

14. Linear Transportation Projects.
Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, driveways, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to preconstruction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge of dredged or fill material in a special aquatic site, including wetlands. (See general condition 32.) (Authorities: Sections 10 and 404)

Note 1: For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with 33 CFR 330.6(d).

Note 2: Some discharges of dredged or fill material for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

Note 3: For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army

authorization but do not require pre-construction notification (see paragraph (b)(4) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

NAE Note 1 (Maine): A joint pre-application consultation with the Corps and state resource agencies is strongly advised for all activities that involve new or replacement tidal crossings.

NAE Note 2 (Maine): Activities conducted under NWPs involving the replacement or installation of new tidal crossings should comply with the state of Maine's CoastWise Approach. See state website for additional information: http://www.maine.gov/dmr/sites/maine.gov.dmr/files/inline-files/CoastWiseManualJuly2023_updated.pdf

Table of Contents:

2026 Nationwide Permits General Conditions

1. Navigation

a) No activity may cause more than a minimal adverse effect on navigation.

b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

NAE Note: *Compliance with this condition can be achieved by ensuring no unreasonable interference with navigation by the existence or use of any activity authorized by any Nationwide Permit (NWP), and no attempt made by a permittee to prevent the full and free use by the public of all navigable waters at or adjacent to any activity authorized by any NWP.*

2. Aquatic Life Movements

No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

NAE Note: *Compliance with this condition may be achieved by ensuring that during in-stream work, the low flow channel/thalweg remains unobstructed during periods of low flow, except when it is necessary to perform the authorized work. Additionally, for work in tidal waters, in-stream controls should be installed in such a manner that do not obstruct fish passage.*

3. Spawning Areas

Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (*e.g.,* through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas
Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds
No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

Maine Note: *Contact the Maine Department of Marine Resource (ME DMR) for further conservation measures if a proposed activity would result in excess turbidity (i.e., dredging) and is located within 100 feet of ME DMR shellfish areas. Reference material can be found at: https://dmr-maine.opendata.arcgis.com/datasets/mainedmr-molluscan-shellfish-2010/explore?location=43.733484%2C-69.767928%2C10.43 and https://mgs-maine.opendata.arcgis.com/datasets/maine-coastal-marine-geologic-environments/explore.*

6. Suitable Material
No activity may use unsuitable material (*e.g.,* trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes
No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects from Impoundments
If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows
To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows, including tidal flows. The activity must not restrict or impede the passage of normal or high flows including tidal flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (*e.g.,* stream restoration or relocation activities).

10. Fills Within 100-year Floodplains
The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

Massachusetts Note: *For activities located within the Commonwealth of Massachusetts, activities may be required to comply with the Bordering Lands Subject to Flooding provisions of the Commonwealth's Wetland Protection Act. Applicants should contact Massachusetts Department of Environmental Protection to determine whether this provision applies to their proposed activity/ies.*

11. Equipment
Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

If mats are used to minimize soil disturbance, the affected areas must be returned to pre-construction elevations, and revegetated as appropriate. In circumstances where the use of mats has caused significant soil compaction efforts using techniques (*e.g.,* soil reaeration techniques) to break up the compaction should be employed to return the soil to a pre-construction state prior to returning to pre-construction elevations.

NAE Notes: *(1) Compliance with this condition may be achieved through the implementation of best management practices outline in NAE's "Construction Mat Best Management Practices" document available at https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Permit-Resources/.*

(2) Compliance with this condition may be achieved by ensuring that construction equipment such as barges in tidal waters always provide adequate clearance above the substrate to avoid impacts to SAS during all tides.

(3) Compliance with this condition may be achieved by ensuring that construction equipment that would cross or access streams utilizes temporary bridges, spans, construction mats, culverts, or cofferdams to minimize disturbance to the waterway.

12. Soil Erosion and Sediment Controls
Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

NAE Note: *Compliance with this condition may be achieved by ensuring that all discharge points back into waters of the U.S., including wetlands use appropriate energy dissipaters and erosion and sedimentation control BMPs. Controls that are biodegradable can be left in place, but should be removed if they are not biodegradable.*

Temporary controls should be removed upon completion of work, but not before all exposed soil and other fills and any work waterward of the OHWM are permanently stabilized. Once permanently stabilized, temporary controls should be removed as soon as possible. Sediment and debris collected by these controls should be removed and placed at an upland location and in a manner that will prevent its later erosion into a waterway or wetland.

Massachusetts Note: *In Massachusetts, compliance with this condition may be achieved by ensuring, as applicable, that all activities are compliant with the State of Massachusetts' Stormwater Management Standards at 314 CMR 9.06(6)(a)-(f) and the State of Massachusetts' Stormwater Handbook.*

13. Removal of Temporary Structures and Fills
Temporary structures must be removed to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

NAE Note: *Compliance with this general condition may be achieved by underlying temporary fills with geotextile fabric which may help to facilitate the restoration to pre-construction elevations.*

14. Proper Maintenance
Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

NAE Note: *Compliance with this general condition may be achieved by the complete removal, cutting, and/or driving to three feet below the substrate of* d*erelict, degraded, or abandoned piles and sheet piles located in navigable waters of the U.S., except for those inside existing work footprints for piers to prevent interference with navigation. Existing creosote piles that are affected by project activities may be completely removed if practicable. In areas of fine-grained substrates, piles may be removed by the direct, vibratory or clamshell pull method to minimize sedimentation, and turbidity impacts and prevent interference with navigation from cut piles. Removed piles should be disposed of in an upland location landward of MHW or OHW and not in wetlands, tidal wetlands, their substrate, or mudflats.*

15. Single and Complete Project
The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers
a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the

appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or Study River (*e.g.*, National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

NAE Note: *See also: Regional Condition C, Additional PCN Requirement (Wild and Scenic Rivers).*

17. Tribal Rights
No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species
a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation.

b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective Federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs.

e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (*e.g.*, an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal permittee should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this

general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their web pages at http://www.fws.gov/ or http:// www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/esa/ respectively.

NAE Note: *For information on how to comply with General Condition 18, please visit our website at https://www.nae.usace.army.mil/missions/regulatory/endangered-species-act/.*

Maine Note: *Federal agencies should refer to "Multiple Federal Agency & Lead Federal Agency Best Practices" when a Corps permit is required, which can be found on the Corps' webpage at: www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit. (This is a pending document and will be published on our website when completed.)*

19. Migratory Birds and Bald and Golden Eagles

The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties

a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district

engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective Federal agency is responsible for fulfilling its obligation to comply with section 106.

c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

d) Where the non-federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and so notified the Corps, the non-federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects on historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

NAE Note: *The following link to the Corps' website provides SHPO and THPO contact information and additional procedures to expedite Corps regulatory review regarding the NHPA. Please contact the appropriate SHPO and/or THPO based on the geographic location of the regulated activity: https://www.nae.usace.army.mil/Missions/Regulatory/Historic-and-Tribal-Resources/.*

21. Discovery of Previously Unknown Remains and Artifacts
Permittees that discover any previously unknown historic, cultural or archaeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters
Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57, and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation

The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (*i.e.*, on site).

b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (*e.g.*, conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (*e.g.*, riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the

NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another Federal agency holds an easement, the district engineer will coordinate with that Federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

6) Compensatory mitigation requirements (*e.g.*, resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or

scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

NAE Note: *Applicants are encouraged to utilize the Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) in order to determine which in-lieu fee programs and/or mitigation banks have a sufficient amount of appropriate and available credits which they may propose to use to offset their proposed activity's unavoidable impacts to waters of the U.S., including wetlands. RIBITS is available at https://ribits.ops.usace.army.mil/ords/f?p=107:2::::::. See also: Regional Condition I, Compensatory Mitigation.*

24. Safety of Impoundment Structures

To ensure that all impoundment structures are safely designed, the district engineer may require non-federal applicants to demonstrate that the structures comply with established state or Federal dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality

a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed activity which may result in any discharge from a point source into waters of the United States must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed activity which may result in any discharge from a point source into waters of the United States in order for the activity to be authorized by an NWP.

b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed activity which may result in any discharge from a point source into waters of the United States is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge into waters of the United States, the permittee must submit a copy of the certification to the district engineer. The discharge into waters of the United States is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied (*i.e.,* by the issuance of a water quality certification or a waiver and completion of the Section 401(a)(2) process).

c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

NAE Note: *For information concerning how to apply to EPA for a Water Quality Certification for activities located within Tribal lands or within lands of exclusive Federal jurisdiction, please see: https://www.epa.gov/cwa-401/resources-when-epa-acts-certifying-authority-under-section-401 and/or contact: R1CWA401@epa.gov.*

Connecticut Note: *For information concerning how to apply to CTDEEP for a Water Quality Certification, please see: https://portal.ct.gov/deep/permits-and-licenses/factsheets-inland-water/401-water-quality-certification-fact-sheet.*

Maine Note: *For information concerning how to apply to LUPC or MEDEP for a Water Quality Certification, please see: https://www.maine.gov/dep/water/wd/wqc/.*

Massachusetts Note: *For information concerning how to apply to MassDEP for a Water Quality Certification, please see: https://www.mass.gov/lists/wetlands-permitting-forms.*

New Hampshire Note: *For information concerning how to apply to NHDES for a Water Quality Certification, please see: https://www.des.nh.gov/water/rivers-and-lakes/water-quality-certification.*

Rhode Island Note: *For information concerning how to apply to RIDEM for a Water Quality Certification, please see: https://dem.ri.gov/sites/g/files/xkgbur861/files/2025-06/wqcheck.pdf.*

Vermont Note: *For information concerning how to apply to VTDEC for a Water Quality Certification, please see: https://dec.vermont.gov/act250/watershed/business-support/water-quality-certification-section-401.*

26. Coastal Zone Management

In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

NAE Note: *If an individual state coastal zone management consistency concurrence is required, applicants should submit a consistency certification to the state (see 15 CFR 930.31(d)) at the same time as the PCN is submitted to the Corps, or shortly thereafter.*

Connecticut Note: *For information concerning how to apply to CTDEEP for a coastal zone management consistency certification, please see: https://portal.ct.gov/deep/coastal-resources/coastal-permitting/coastal-consistency.*

Maine Note: *For information concerning how to apply to the Maine Office of Community Affairs for a coastal zone management consistency certification, please see: https://www.maine.gov/dmr/programs/maine-coastal-program/federal-consistency-review.*

Massachusetts Note: *For information concerning how to apply to Mass CZM for a coastal zone management consistency certification, please see: https://www.mass.gov/federal-consistency-review-program.*

New Hampshire Note: *For information concerning how to apply to NHDES for a coastal zone management consistency certification, please see: https://www.des.nh.gov/water/coastal-waters/federal-consistency.*

Rhode Island Note: *For information concerning how to apply to CRMC for projects within the coastal zone, please see: https://www.crmc.ri.gov/applicationforms.html and https://www.crmc.ri.gov/regulations/fed_consistency.pdf.*

27. Regional and Case-by-Case Conditions
The activity must comply with any regional conditions that may have been added by the division engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits
The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

a) The total acreage of loss of waters of the United States for a single and complete project cannot exceed the acreage limit of the NWP with the highest specified acreage limit when multiple NWPs are used to authorize an activity.

b) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States for that single and complete project cannot exceed that specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14 (which has an acreage limit of 1/3-acre in tidal waters), with associated bank stabilization authorized by NWP 13 (which does not have a specified acreage limit), the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

c) If two or more of the NWPs used to authorize the single and complete project have specified acreage limits, the acreage loss of waters of the United States authorized by each of those NWPs cannot exceed the specified acreage limits of each of those NWPs. For example, if a commercial development is constructed under NWP 39 (which has a 1/2-acre limit), and the single and complete project

includes the filling of a ditch authorized by NWP 46 (which has a 1-acre limit), the maximum acreage loss of waters of the United States for the construction of the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States caused by the combination of the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications

If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

_____

(Transferee)

_____

(Date)

30. Compliance Certification

Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The successful completion of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States
If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

NAE Note: *Refer to the New England District's Section 408 Program webpage that can be found at: https://www.nae.usace.army.mil/Missions/Section-408/. See also: Regional Condition B, Additional PCN Requirement (Federal Projects).*

32. Pre-Construction Notification
a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential

to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

b) Contents of the Pre-Construction Notification: The PCN must be in writing and include the following information:

1) Name, address and telephone numbers of the prospective permittee;

2) Location of the proposed activity;

3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (*e.g.,* a conceptual plan), but do not need to be detailed engineering plans);

5) The PCN must include a delineation of waters, wetlands, and other special aquatic sites on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate. For NWP 27 activities that require PCNs because of other general conditions or regional conditions imposed by division engineers, see Note 2 of that NWP;

NAE Note: *To comply with the above GC 32(5), the following methodologies should be utilized:*

(a) Wetlands should be delineated in accordance with the Corps Wetlands Delineation Manual and the most recent Northcentral/Northeast Regional Supplement. Wetland delineation and jurisdiction information can be found at: www.nae.usace.army.mil/missions/regulatory/jurisdiction-and-wetlands and https://www.usace.army.mil/Media/Announcements/Article/4262089/1-august-2025-us-army-corps-of-engineers-enhances-aquatic-resource-delineation/*.*

(b) Refer to the "Best Practices for Jurisdictional Determinations and Wetland Delineations," which can be found on the Corps webpage at: https://www.nae.usace.army.mil/missions/regulatory/state-general-permits/maine-general-permit/. (This is a pending document and will be published on our website when completed.)

(c) The ordinary high water mark should be delineated (on both sides) when streams, rivers, non-tidal open waters are present on the project site. Ordinary high water mark guidance can be found in RGL 05-05 (https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll9/id/1253). For complex, atypical, or problematic sites see: https://www.erdc.usace.army.mil/Media/Fact-Sheets/Fact-Sheet-Article-View/Article/486085/ordinary-high-water-mark-ohwm-research-development-and-training/.

(d) Vegetated shallows should be delineated when present on the project site. Vegetated shallow survey guidance and maps can be found on the Corps webpage at: https://www.nae.usace.army.mil/Missions/Regulatory/Jurisdiction-and-Wetlands/.

(e) All Essential Fish Habitat should be delineated when present on the project site. EFH survey guidance can be found in the current EFH programmatic, which can be found on the Corps webpage at https://www.nae.usace.army.mil/Missions/Regulatory/Essential-Fish-Habitat/.

6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the compensatory mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river” (see general condition 16); and

10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

c) Form of Pre-Construction Notification: The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

d) Agency Coordination:

(1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for:

(i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States;

(ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and

(iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

Maine Note: *The Corps will additionally coordinate with the State of Maine on all activities that require a waiver.*

(3) When agency coordination is required, the district engineer will immediately provide (*e.g.,* via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or email that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

2026 Nationwide Permits - New England District Regional Conditions

The U.S. Army Corps of Engineers (Corps) New England District Regulatory Division issues the following Regional Conditions (RCs) to ensure that activities authorized by the 2026 Nationwide Permits (NWPs) in the New England states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont will not cause more than minimal adverse environmental impacts, both individually and cumulatively. Before the New England District will verify an activity under one or more NWPs, the activity must be demonstrated to comply with the applicable NWP terms and all applicable NWP General Conditions (GCs) and RCs. Prior to commencement of a "non-notifying" activity (i.e., activities authorized by NWPs which do not require submission of a pre-construction notification [PCN]), the proponent (i.e., the person and/or the entity performing the work) is responsible for ensuring the activity meets all applicable:

- Terms of the NWP
- GCs
- RCs
- State Water Quality Certification, if applicable
- State Coastal Zone Consistency, if applicable

PCN Summary Table. The following activities may require a PCN regardless of the terms of the applicable NWP. Please read the applicable RCs to determine if a PCN is required.

Applicable to All New England States	
Exceedance of loss thresholds within streams, tidal/non-tidal wetlands, tidal submerged aquatic vegetation, mudflats, and intertidal areas	See RC A
Located within, or within the vicinity of a Federal Project	See RC B
Located within, or within the vicinity of a Wild and Scenic River	See RC C
Involving discharges of temporary fill material	See RC D
Involving slip lining	See RC E
Involving stream crossings	See RC F
Located within Essential Fish Habitat	See RC J
Applicable to Specific New England States	
Activities within Time-of-Year Restrictions	See RCs N, O, S, U, V, W
Located within the Saint John and Saint Croix River basins (Maine)	See RC P
Authorized by NWP 48, Commercial Shellfish Mariculture Activities and within the State of Maine > 5 acres	See RC Q
Located within Important or Rare Resources within the State of Maine	See RC R
Discharges of fill >10 cubic yards in Lake Champlain and Lake Memphremagog and/or their adjacent wetlands (Vermont)	See RC X

Regional Conditions

The following RCs apply to all applicable NWPs in **all New England States** (unless otherwise specified):

A. Additional PCN Requirement (Specific Resources): A PCN is required for any proposed activities that would result in the loss of waters of the U.S. that exceed the listed thresholds to the following aquatic resources if a PCN is not already required by the NWP.

Aquatic Resource	**Threshold**
Non-tidal Wetlands	4,356 square feet (1/10-acre)
Tidal and Non-Tidal Stream	200 linear feet or 3/100-acre (whichever is less)
Tidal Wetland	500 square feet
Tidal Submerged Aquatic Vegetation (SAV)	25 square feet
Mudflat	1,000 square feet
Intertidal	1,000 square feet

B. Additional PCN Requirement (Federal Projects): A PCN is required for any proposed activities that would involve the temporary or permanent occupation of, or alteration of, a federal project (including, but not limited to, a levee, dike, floodwall, channel, anchorage, breakwater, seawall, bulkhead, jetty, wharf, pier, or other work built or maintained but not necessarily owned by the United States). This includes all structures and work in, over, or under a Corps' federal navigation project (FNP) or in the FNP's buffer zone. The buffer zone is an area that extends from the horizontal limits of the FNP to a distance three times the FNP's authorized depth.

The activity may also require review and approval by the Corps pursuant to 33 USC 408 (Section 408 Permission). The applicant may reach out to the points of contact listed here: https://www.nae.usace.army.mil/Missions/Section-408/ and https://www.nan.usace.army.mil/Missions/Regulatory/Section-408/ (for activities located within the Lake Champlain watershed) and consult the National Channel Framework mapper: https://experience.arcgis.com/experience/b413139f18c046009ebcf62abea941dd/page/Map/. For activities which require a Section 408 permission, verification under an NWP will not be issued prior to the decision the Section 408 permission requires. Any structure or work constructed in an FNP, or its buffer zone shall be subject to removal at the owner's expense prior to any future Corps dredging or hydrographic surveys.

Applicants should contact the Corps Real Estate Division (https://www.nae.usace.army.mil/Missions/Real-Estate-Division/) at (978) 318-8585 for work that would occur on or would potentially affect a Corps property (or properties) and/or Corps-controlled easements. Work may not commence on Corps properties and/or Corps-controlled easements until they have received any required

Corps real estate documents demonstrating site-specific permission to perform work.

A PCN is not required if an applicant has previously obtained a Section 408 permission for their proposed activities, or a determination from the Corps that a Section 408 permission is not required for their proposed activities, and the proposed activities qualify for a non-notifying NWP.

C. Additional PCN Requirement (Wild and Scenic Rivers): A PCN is required under NWP GC 16, Wild and Scenic Rivers, and for: 1) any proposed activities that would be located in and within 1/4-mile up- or downstream of a Wild and Scenic River (WSR) segment, or in tributaries within 1/4-mile of a WSR segment; 2) any proposed activities that would be located in wetlands within 1/4-mile of a WSR segment; and 3) any proposed activities that have the potential to alter free-flowing characteristics in a WSR segment. Applicants should utilize http://www.rivers.gov/ for the most up-to-date WSR designations.

   Note: Applicants may coordinate with the Federal agency that has direct management responsibility of the WSR segment or tributary their proposed activity would be within 1/4-mile of prior to submitting a PCN to the Corps. This regional condition does not require a PCN to be submitted if that Federal agency determines that the proposed activity would not adversely affect the subject WSR.

D. Additional PCN Requirement (Temporary Fills): A PCN is required for any proposed activities that would involve the discharge of temporary fill (33 CFR 323.2(e) and (f)) greater than 1/10-acre to be left in place in non-tidal wetlands for more than one growing season. The growing season is generally defined as April 1 to September 30 (See the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* for more information about determining growing season. https://www.nae.usace.army.mil/Missions/Regulatory/Jurisdiction-and-Wetlands/Wetland-Delineation-Manual/).

   Note 1: The Corps will determine on a case-by-case basis, after evaluating site-specific and activity-specific circumstances whether temporary construction mats proposed for use are considered as temporary fill.

   Note 2: For linear projects, crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization (33 CFR 330.2(i)). Therefore, each crossing of a water of the U.S., including wetlands could have up to 1/10-acre of temporary fill without requiring the submittal of a PCN. *Applicants should be aware that the definition of what constitutes a single and complete project per state regulations may differ from the Corps' definition. Applicants should consult with the state in order to determine state requirements. *

E. Additional PCN Requirement (Slip Lining): A PCN is required for any proposed activity that involves slip lining a stream crossing that is not currently meeting the stream crossing BMPs found in Regional Condition F (e.g., slip lining and invert-lining).

F. Additional PCN Requirement (Stream Crossing Standards): A PCN is required for any proposed stream crossing activities that cannot comply with the below "Stream Crossing Best Management Practices (BMPs)" unless the district engineer provides the applicant written verification removing the below requirements.

1. The width of the crossing shall be greater than or equal to 1.2 times the bank full width.
2. The crossing shall be embedded greater than or equal to 2 feet and/or at least 25 percent of the conveyance's height.
3. The crossing shall be constructed with a natural bottom substrate, as applicable.
4. The crossing shall match the gradient (i.e., slope) of the natural stream channel profile.
5. The crossing shall meet an openness ratio of greater than 0.82 feet.

Regardless of whether a proposed crossing can implement the above BMPs, the applicant should first coordinate with the appropriate state office to obtain required or recommended alternate stream crossing BMPs, prior to submitting a PCN to the Corps. If a stream crossing is designed to meet the standards required or recommended by the appropriate state agency for which the proposed activity is located within, those standards can serve in-lieu of these BMPs and submittal of a PCN is not required.

Note: Below are links to the stream crossing standards/guidelines for those New England states that have published such standards/guidelines. Applicants are highly encouraged to contact their state for additional information regarding those requirements and/or recommendations, as state requirements may be more stringent than the above listed BMPs.

Connecticut: CTDEEP Inland Fisheries Division Habitat Conservation and Enhancement Program's Stream Crossing Guidelines (https://portal.ct.gov/-/media/DEEP/fishing/restoration/StreamCrossingGuidelinespdf.pdf)

Maine: Maine Interagency Stream Crossing Guidelines: (https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit/) and CoastWise (https://www.maine.gov/dmr/sites/maine.gov.dmr/files/inline-files/CoastWiseManualJuly2023_updated.pdf)

Massachusetts: Massachusetts River and Stream Crossing Standards as implemented through 314 CMR 9.06(2)(b).

(https://www.mass.gov/doc/massachusetts-river-and-stream-crossing-standards/download)

New Hampshire: New Hampshire RSA 482-A (https://www.gc.nh.gov/rsa/html/L/482-A/482-A-mrg.htm)

Rhode Island: Regardless of whether a proposed crossing can meet the above BMP's, all wetland and watercourse crossings in Rhode Island are evaluated on a site-by-site basis that account for on-site environmental characteristics by the state. For freshwater crossings, please contact them using the following link: https://dem.ri.gov/environmental-protection-bureau/customer-and-technical-assistance/pre-application-meetings. If a proposed crossing is within the coastal zone and under the jurisdiction of CRMC, please contact them using the following link: https://www.crmc.ri.gov/contact.html.

Vermont: *Vermont Stream Alteration Rule and General Permit* available at https://dec.vermont.gov/watershed/rivers/river-management#rules.

G. Aquaculture: Applicants proposing new aquaculture operations or modifications of existing aquaculture operations are required to coordinate with the appropriate U.S. Coast Guard (USCG) Sector for siting review, Navigation Risk Assessment (NRA), and navigation risk mitigation needs.

1. Coordination with the USCG can be completed by contacting via email:

   Sector Northern New England: (Maine, New Hampshire, Vermont, and Northeastern New York, Lake Champlain) D01-SMB-SecNNE-Waterways@uscg.mil

   Sector Boston: (New Hampshire border southward to Plymouth, Massachusetts) D01-SMB-SECBOSWaterways@uscg.mil

   Sector Southeastern New England: (Rhode Island and Southeastern Massachusetts, Cape Cod, and Islands) SENEWWM@uscg.mil

   Sector Long Island Sound: (New York to Connecticut border at Port Chester, Connecticut to Rhode Island border at Watch Hill) SECLISSPWMarineEvent@uscg.mil

   Sector New York: (Sandy Hook, New Jersey north through Port of New York/New Jersey, Hudson River to Whitehall, NY (south of Lake Champlain) D01-SMB-SecNY-Waterways@uscg.mil

   The applicant shall provide the following information to facilitate completion of the NRA: applicant name/company affiliation, license/lease type (commercial, research, shellfish, kelp, new or modified), nautical chart, detailed drawing with

dimensions, time of year, potential lighting/marking, types/materials of structures in water, planned anchoring, cultivation techniques (number of weekly/monthly visits, vessel tending/type), and any other significant information.

If the applicant receives a medium or high-risk assessment, they shall coordinate with the Corps and apply safety risk mitigations. The USCG will refer the project to the Corps unless the Corps makes the determination that it may proceed.

Any safety lights and signals prescribed by the USCG, through regulations or otherwise, must be installed and maintained at the permittee's expense. For required permitting, the applicant shall contact USCG First District Private Aid Program Manager through D01-SMB-D01PrivateAtoN@uscg.mil. Only actual AtoNs are permitted; floats, balls, markers, mooring balls and 'highflier flags' are not considered Aids to Navigation (AtoN). See: http://www.usharbormaster.com.

Applicants shall notify NOAA's National Ocean Service (NOS) Nautical Data Branch Office of Coast Survey to initiate chart and Coast Pilot corrections. See: https://nauticalcharts.noaa.gov/. Applicants must also notify NOAA on removal. See Note 2.

2. For marine safety information during construction or other significant periods, applicants may use the First District's Marine Safety Information form and email to: D01-SMB-LNM@uscg.mil.

Note 1: If a PCN is required, applicants shall include documentation of all required coordination with their PCN.

Note 2: For nautical chart and coast pilot updates, activities owners should use the status report form at https://nauticalcharts.noaa.gov/charts/docs/charts-updates/USACE+Permit+Status+Report.pdf. For aquaculture activities owners should use: https://nauticalcharts.noaa.gov/charts/docs/charts-updates/Artificial+Reef+Aquaculture+Status+Report.pdf to notify the Office of Coast Survey of the project completion. The form should be emailed to ocs.ndb@noaa.gov and should include a copy of as-built drawings.

H. Hydrology: Permanent wetland crossings shall be constructed in such a manner as to prevent excessive ponding or drying on either side of the authorized crossing after completion of the work. Measures shall be taken to maintain the existing hydrology. Such measures may include road cross drains such as culverts that are appropriately sized and placed at intervals to maintain the existing hydrology of the contiguous wetland.

I. Compensatory Mitigation: In addition to the requirements of NWP GC 23, Mitigation, compensatory mitigation requirements for unavoidable impacts to waters of the U.S. will be evaluated in accordance with the latest version of the *New England District Compensatory Mitigation Standard Operating Procedures* (https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/).

J. Essential Fish Habitat: Essential Fish Habitat (EFH) is defined as those waters and substrates necessary to fish for spawning, breeding, feeding or growth to maturity (16 U.S.C. 1802).

The following NWPs have been determined to result in no more than minimal adverse effects, provided the permittee complies with all terms and conditions of the NWP as applicable to the activity, including all activity thresholds and activity-specific Conservation Recommendations (CRs) identified in the current EFH and Fish and Wildlife Coordination Act (FWCA) Programmatic Consultation (https://www.nae.usace.army.mil/Missions/Regulatory/Essential-Fish-Habitat/). The National Marine Fisheries Service (NMFS) has granted General Concurrence (50 CFR 600.920(g)) for the below listed NWPs, and these activities do not require activity-specific EFH consultation.

Nationwide Permit	Authorized Activities with General Concurrence
NWPs: 1, 4, 5, 6, 9, 10, 11, 15, 16, 19, 20, 27, 28, 32, 35, & 41	All authorized activities
NWP 3	Parts (a) and (c) (i.e., non-notifying)
NWP 12	Section 404 only activities that do not result in the loss of greater than 1/10-acre and is not a new pipeline greater than 250 miles (i.e., non-notifying)
NWP 13	Activities less than 500 linear feet in length with a discharge of less than one (1) cubic yard per running foot below the ordinary high water mark or high tide line, and no discharges into special aquatic sites (i.e., non-notifying)
NWP 14	Activities less than 1/10-acre with no discharges into special aquatic sites (i.e., non-notifying)
NWP 18	Activities that discharge less than ten (10) cubic yards of fill material below the plane of the ordinary high water mark or high tide line with no discharges into special aquatic sites (i.e., non-notifying)
NWP 22	Activities associated with vessels that are not listed or eligible for listing on the National Register of Historic Places and not located within special aquatic sites (i.e., non-notifying)
NWP 23	Activities not identified as notifying within Regulatory Guidance Letter 05-07 (i.e., non-notifying)
NWP 33	Section 404 only activities (i.e., non-notifying)
NWP 36	Activities that discharge less than 50 cubic yards of fill material and are less than 20 feet wide (i.e., non-notifying)

NWP 43	Activities that do not involve the expansion or construction of a new stormwater management facility (i.e., non-notifying)
NWP 48	Activities that are not the installation of a new operation and do not directly affect greater than 1/2-acre of submerged aquatic vegetation (i.e., non-notifying)
NWPs: 51 & 60	Activities that do not result in the loss of greater than 1/10-acre (i.e., non-notifying)
NWP 54	Maintenance activities (i.e., non-notifying)
NWPs: 57 & 58	Section 404 only activities that do not result in the loss of greater than 1/10-acre (i.e., non-notifying)

For non-federal applicants whose proposed activities would be located within EFH and that do not require a PCN per the language of the NWP or per any other general or regional condition (i.e., non-notifying), the applicant shall review the current EFH and FWCA Programmatic Consultation (https://www.nae.usace.army.mil/Missions/Regulatory/Essential-Fish-Habitat/) to ensure their proposed activity complies with all applicable CRs.

1. A PCN is required for any proposed project that would exceed the activity thresholds that are included within the current EFH and FWCA Programmatic Consultation. Any proposed project that exceeds an activity threshold requires preliminary coordination/project-specific consultation.

2. For all activities that do not exceed the activity-based thresholds included within the current EFH and FWCA Programmatic Consultation, the project proponent shall implement the activity-specific applicable CRs. If the applicable CRs cannot be implemented, a PCN must be submitted to the Corps, and work may not commence until the Corps verifies the project under the applicable NWP(s).

Federal applicants should follow their own procedures for compliance with the Magnuson-Stevens Fishery Conservation and Management Act and Fish and Wildlife Coordination Act.

Note 1: For activities proposed for authorization by an NWP that requires the submittal of a PCN, applicants are encouraged to review the current EFH and FWCA Programmatic Consultation and design their proposed activities with the activity-based thresholds and incorporate applicable CRs.

Note 2: Applicants can utilize the NMFS EFH mapper to determine if their proposed activities are located within EFH: https://www.habitat.noaa.gov/apps/efhmapper/. Applicants can also utilize the current EFH and FWCA Programmatic Consultation (https://www.nae.usace.army.mil/Missions/Regulatory/Essential-Fish-Habitat/) for guidance on non-tidal waterbodies with diadromous fish.

K. Invasive Species: The introduction, spread, or the increased risk of invasion of invasive plant or animal species on the project site, into new or disturbed areas, or into areas adjacent to the project site caused by the site work shall be avoided. Native, non-invasive vegetation must be used unless otherwise authorized by the Corps, and shall not contain any species listed in Appendix K ("Invasive and Other Unacceptable Plant Species") of the current *New England District Compensatory Mitigation Standard Operating Procedures* located at: https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/. Equipment shall be thoroughly cleaned before and after project construction to prevent the spread of invasive species. This includes, but is not limited to, tire treads and construction mats. Information about how to avoid the spread of invasive species can be found at: https://www.nae.usace.army.mil/Missions/Regulatory/Invasive-Species.

L. NWP Documentation On-Site: The permittee shall ensure that a copy of their verification letter (for notifying NWPs only) and applicable NWP with all applicable GCs and RCs are at the worksite whenever work is being performed, and that all personnel performing work are fully aware of its terms and conditions.

M. Abandonment: If the permittee decides to abandon the activity authorized by an NWP, unless such abandonment is merely the transfer of property to another party, the permittee may be required to restore the area to the satisfaction of the Corps.

State-Specific Regional Conditions

The following RCs apply to all applicable NWPs in the **State of Connecticut**:

N. Regional Condition N is reserved for the State of Connecticut.

The following RCs apply to all applicable NWPs in the **State of Maine**:

O. Additional PCN Requirement and Time-of-Year Windows and Restrictions: In-water work (including physical alterations) within non-tidal and tidal waters, shall be conducted during the following time-of-year (TOY) work windows (see below table). Approval to work outside the TOY work windows must be obtained from the Maine Department of Inland Fisheries and Wildlife (IFW) using the form located at: https://www.maine.gov/dep/land/permits/pbr/index.html for work in non-tidal waters or from the Maine Department of Marine Resources (DMR): https://www.maine.gov/dep/land/permits/pbr/index.html for work in tidal waters. If in-water work cannot be completed during the TOY work window or approval to work outside the TOY work window from IFW or DMR is not obtained, then the project requires a PCN and written verification removing the below requirements. If a PCN is required, due to NWP thresholds and/or other general and/or regional conditions, then the state's approval for working outside the TOY restriction shall be submitted with the PCN.

	TOY Work Restriction	TOY Work Window
Non-Tidal Waters	October 2 to July 14	July 15 to October 1
Tidal Waters	April 16 to November 14	November 15 to April 15

Any proposed activity located in waters of the U.S. (excluding wetlands) shall be completed entirely "in-the-dry" or be isolated from active flows/the water column using temporary measures (i.e., cofferdams, sandbags, flume pipes, etc.) to the maximum extent practicable. The term "in-the-dry" means work that is done under dry conditions, e.g., work behind cofferdams or when the stream or tide is waterward of the work.

P. Additional PCN Requirement (Saint John and Saint Croix River basins): A PCN is required for any proposed work within the Saint John and Saint Croix River basins that requires approval of the International Joint Commission. In addition, a PCN is required if any temporary or permanent use, obstruction, or diversion of international boundary waters could affect the natural flow or levels of waters on the Canadian side of the boundary; or if any construction or maintenance of remedial works, protective works, dams, or other obstructions in waters downstream from boundary waters could raise the natural level of water on the Canadian side of the boundary.

Q. Additional PCN Requirement (NWP 48, Commercial Shellfish Mariculture Activities): A PCN is required for any activities proposed under NWP 48 that would install gear for a commercial shellfish operation within a site greater than 5 acres in size.

R. Additional PCN Requirement (Important or Rare Resources): A PCN is required for any proposed discharges of dredged or fill material within any of the following aquatic resources or resource types identified as specifically important or rare within the State of Maine which warrant additional protections:

1. Lakes and tributaries that support arctic char and lake whitefish; or
2. Bogs and fens

The following RCs apply to all applicable NWPs in the **Commonwealth of Massachusetts**:

S. Regional Condition S is reserved for the Commonwealth of Massachusetts.
T. Regional Condition T is reserved for the Commonwealth of Massachusetts.

The following RCs apply to all applicable NWPs in the **State of New Hampshire**:

U. Regional Condition U is reserved for the State of New Hampshire.

The following Regional Conditions apply to all applicable NWPs in the **State of Rhode Island**:

V. Regional Condition V is reserved for the State of Rhode Island.

The following Regional Conditions apply to all applicable NWPs in the **State of Vermont**:

W. Regional Condition W is reserved for the State of Vermont.
X. Regional Condition X is reserved for the State of Vermont.

STATE OF MAINE

MELANIE LOYZIM
COMMISSIONER
DEPT. OF ENVIRONMENTAL PROTECTION

AMANDA E. BEAL
COMMISSIONER
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DIRECTOR
MAINE OFFICE OF COMMUNITY AFFAIRS

December 18, 2025

Tammy Turley
Chief, Regulatory Division
U.S. Army Corps of Engineers
New England District
696 Virginia Rd
Concord, MA 01742

RE: WQC and CZM Decision on Proposed 2026-2031 Nationwide Permits

Dear Ms. Turley,

This letter is in response to the Clean Water Act Section 401 Water Quality Certification (WQC) requests received by the Maine Department of Environmental Protection (DEP) and Land Use Planning Commission (LUPC) on June 18, 2025 as well as the Coastal Zone Management Act ("CZM") consistency determination received by Maine Coastal Program (MCP) on June 24, 2025 for the proposed U.S. Army Corps of Engineers (USACE) nationwide permits (NWPs) that would replace the existing NWPs set to expire on March 14, 2026. Public notice of this proposed action was published in the Portland Press Herald on July 2, 2025 with a comment period through July 21, 2025 as well as on November 9, 2025 with a comment period through November 29, 2025.

The New England District of the USACE proposes to implement NWPs, a type of general permit issued on a nationwide basis to streamline the authorization of activities under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 that result in no more than minimal individual and cumulative adverse environmental effects, for a five-year period beginning March 15, 2026. Of the existing NWPs numbered 1 through 59 and proposed NWP A, the New England District is not proposing to implement NWPs 2, 21, 24, 25, 30, 49, or 50. Further, in the opinion of the USACE, NWPs 1, 9, 10, 11, 28, 35, and 55 could not reasonably be expected to result in a discharge into waters of the U.S. and the Corps does not deem certification to be necessary. However, the final decision of whether certification is needed for those NWPs rests with the certifying authority. Additionally, NWP 8 only authorizes activities seaward of the territorial seas and therefore does not require WQC.

Under Section 401 of the Clean Water Act, any activity authorized by a federal permit that may result in a discharge to waters of the U.S. must obtain a WQC or waiver from the appropriate certifying authority. DEP and LUPC are both certifying authorities in the State of Maine. The LUPC serves as the planning, zoning, and permitting authority for the 10.4 million acres of unorganized and deorganized areas of the State, including townships, some plantations, and a few small towns. Additionally, pursuant to Section 307 of the Coastal Zone Management Act of 1972, federal activities affecting a state's coastal zone must be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of MCP. Maine's federally approved coastal zone extends from the inland boundary of coastal municipalities or unorganized townships or plantations that contain tidal waters seaward to the outer limit of the State's territorial ownership, three nautical miles from the baseline from which the territorial sea is measured.

Maine's Natural Resources Protection Act (NRPA), 38 M.R.S. §§480-A – 480-KK, finds and declares the state's rivers and streams, great ponds, fragile mountain areas, freshwater wetlands, significant wildlife habitat, coastal wetlands, and coastal sand dune systems to be resources of state significance. A state permit is required when an activity would be located in, on, or over any of the above protected natural

resources, as well as other cases where an activity would be adjacent to those natural resources, unless the activity is otherwise exempt. The DEP issues permits pursuant to NRPA and LUPC issues permits pursuant to 38 M.R.S. § 480-E-1 and Chapter 10 of the Commission's Rules and Regulations, having delegation of permit-granting authority under NRPA for projects wholly within its jurisdiction. The MCP incorporates NRPA, Chapter 10, and other state laws and regulations as enforceable policies of the coastal program, and federal actions must be carried out in a manner consistent with those policies.

A decision table is provided on page 4 to summarize the information below.

CONDITIONAL WQC CERTIFICATION AND CONDITIONAL CZM CONCURRENCE – GENERAL

DEP, LUPC, and MCP have coordinated on the review of the proposed NWPs and have decided that NWPs 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 27, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 48, 50, 51, 52, 53, 54, 56, 57, 58, 59, and A would conditionally comply with state water quality requirements and MCP enforceable policies and therefore conditionally certify and conditionally concur, provided that the applicant obtains all applicable state approvals pursuant to 38 M.R.S. §§480-A through -KK and 06-096 C.M.R. ch. 305 and ch. 310 and 01-672 C.M.R. ch. 10.

The DEP and LUPC have robust programs, standards, and criteria to review applications for the activities identified in each NWP. The NWPs themselves provide insufficient information to determine if discharges from the regulated activities would comply with Maine's Water Quality Standards and MCP enforceable policies within 38 M.R.S. §§480-A – 480-KK. By conditioning WQC and CZM on applicants going through applicable state review process(es), necessary data and information can be obtained and evaluated to ensure there would be no negative impacts to water quality or other protected natural resources. The DEP also has its own standards for activities that have been determined to not significantly affect the environment if carried out in accordance with the standards and conditions under 06-096 C.M.R. Chapter 305 Permit by Rule. DEP and LUPC have additionally identified activities not requiring a permit by applicable state standards which also do not need WQC, as stated in the "WQC waived" section below.

CONDITIONAL WQC CERTIFICATION AND CONDITIONAL CZM CONCURRENCE – NWP 36

36. Boat Ramps conditions

- WQC and CZM are only given for public, community, and commercial boat ramps, where commercial means that the ramp is privately owned and operated but open to all members of the public with or without a fee. Private/single residential boat ramps require individual WQC and CZM review.

Limiting the scope of NWP 36 ensures the most public benefit per project and also prevents violation of state water quality standards.
38 M.R.S. §§480-A – 480-KK; 06-096 C.M.R. ch. 305; 12 M.R.S. § 685-B(4) as restated in 01-672 C.M.R. § 10.24(A)(1); 01-672 C.M.R. § 10.27(L)

WQC WAIVED

DEP waives WQC for activities for which a permit is not required pursuant to 38 M.R.S. §480-Q. LUPC waives WQC for activities that are identified as exempt pursuant to 12 M.R.S. §685-B(1-A) or as uses allowed without a permit, or uses allowed without a permit subject to standards, pursuant to 01-672 C.M.R. ch. 10. Additionally, such activities do not necessitate an individual CZM review by MCP.
DEP and LUPC agree with USACE that WQC is not necessary for NWPs 1, 9, 10, 11, 28, and 55.

DEP and LUPC waive WQC for NWP 8 because it does not apply to activities in waters within state jurisdiction.

WQC DENIAL AND CZM OBJECTION

DEP, LUPC, and MCP deny and object to NWP 45. The state cannot certify that this activity would comply with water quality requirements because it does not align with DEP's Chapter 310 Wetlands and Waterbodies Protection rules, which clarify that "a yard or other developed area may not be extended closer to the water as part of a shoreline stabilization project." It also does not align with *Land Use Districts and Standards* 01-672 C.M.R. ch. 10, included but not limited to Sections 10.25(A), 10.25(P)(1)(b), 10.25(P)(1)(c), 10.25(T), and 10.27(F)(6).
38 M.R.S. §§ 480-A – 480-KK; 06-096 C.M.R. ch. 310; 01-672 C.M.R. ch. 10

CZM-SPECIFIC CONDITIONAL CONCURRENCE
MCP conditionally concurs with NWPs 1, 9, 10, 11, 28, and 55, provided the applicant obtains all applicable state approvals pursuant to 38 M.R.S. §§480-A through -KK and 06-096 C.M.R. ch. 305 and ch. 310 and 01-672 C.M.R. ch. 10 for the reasoning provided above.

CZM OBJECTION
MCP objects to NWP 8 because it would not be consistent with MCP enforceable policies. It is the policy of the state to manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats and to enhance the economic value of the state's renewable marine resources. It is also the policy of the state to conserve, by according such protection as is necessary to maintain and enhance their numbers, all species of fish or wildlife found in the state, as well as the ecosystems upon which they depend. Pursuant to 38 M.R.S. §480-D(3), a permit cannot be granted for an activity that would unreasonably harm any significant wildlife habitat, … travel corridor, … or marine fisheries or other aquatic life. Oil and gas activities and the threat of oil spills in the Gulf of Maine would endanger commercial fishing, aquaculture, tourism, fish and wildlife habitat, and other coastal and ocean resources.
38 M.R.S. §1801(2); 12 M.R.S. §12801; 12 M.R.S. §6971; 38 M.R.S. §480-D(3)

Any instance where a project does not follow the terms and conditions of the NWPs, general conditions, and WQC/CZM conditions shall be assumed to constitute a WQC denial and a CZM objection and necessitate individual review under such authorities.

The State of Maine appreciates the opportunity to collaborate on this federal permitting streamlining effort. Please note that WQC issuance and CZM concurrence does not negate the need for any other state and/or local authorizations and coordination that may be required. Early coordination with project proponents is always recommended. For questions, please reach out to the following contacts:
DEP – WQCertification@maine.gov
LUPC – LUPC@maine.gov
MCP – CZM_FederalConsistency@maine.gov

Sincerely,

Robert Wood
Director of the Bureau of Land Resources
Department of Environmental Protection

Benjamin Godsoe
Acting Executive Director
Land Use Planning Commission

Jocelyn Runnebaum
Director
Maine Coastal Program

cc: Jessica Damon, DEP
Audie Arbo, LUPC
Tim Carr, LUPC
Erin Wilson, MCP

Maine Nationwide Permit Decision Table

Nationwide Permit	WQC	CZM
1. Aids to Navigation	Waive	Conditional
3. Maintenance	Conditional	Conditional
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities	Conditional	Conditional
5. Scientific Measurement Devices	Conditional	Conditional
6. Survey Activities	Conditional	Conditional
7. Outfall Structures and Associated Intake Structures	Conditional	Conditional
8. Oil and Gas Structures on the Outer Continental Shelf	Waive	Object
9. Structures in Fleeting and Anchorage Areas	Waive	Conditional
10. Mooring Buoys	Waive	Conditional
11. Temporary Recreational Structures	Waive	Conditional
12. Oil or Natural Gas Pipeline Activities	Conditional	Conditional
13. Bank Stabilization	Conditional	Conditional
14. Linear Transportation Projects	Conditional	Conditional
15. U.S. Coast Guard Approved Bridges	Conditional	Conditional
16. Return Water from Upland Confined Disposal Areas	Conditional	Conditional
17. Hydropower Projects	Conditional	Conditional
18. Minor Discharges	Conditional	Conditional
19. Minor Dredging	Conditional	Conditional
20. Response Operations for Oil or Hazardous Substances	Conditional	Conditional
22. Removal of Vessels	Conditional	Conditional
23. Approved Categorical Exclusions	Conditional	Conditional
27. Aquatic Ecosystem Restoration, Enhancement, and Establishment Activities	Conditional	Conditional
28. Modification of Existing Marinas	Waive	Conditional
29. Residential Developments	Conditional	Conditional
31. Maintenance of Existing Flood Control Facilities	Conditional	Conditional
32. Completed Enforcement Actions	Conditional	Conditional
33. Temporary Construction, Access, and Dewatering	Conditional	Conditional
34. Cranberry Production Activities	Conditional	Conditional
35. Maintenance Dredging of Existing Basins	Conditional	Conditional
36. Boat Ramps	Conditional	Conditional
37. Emergency Watershed Protection and Rehabilitation	Conditional	Conditional
38. Cleanup of Hazardous and Toxic Waste	Conditional	Conditional
39. Commercial and Institutional Developments	Conditional	Conditional
40. Agricultural Activities	Conditional	Conditional
41. Reshaping Existing Drainage and Irrigation Ditches	Conditional	Conditional
42. Recreational Facilities	Conditional	Conditional
43. Stormwater Management Facilities	Conditional	Conditional
44. Mining Activities	Conditional	Conditional
45. Repair of Uplands Damaged by Discrete Events	Deny	Object
46. Discharges in Ditches	Conditional	Conditional
48. Commercial Shellfish Mariculture Activities	Conditional	Conditional
51. Land-Based Renewable Energy Generation Facilities	Conditional	Conditional
52. Water-Based Renewable Energy Generation Pilot Projects	Conditional	Conditional
53. Removal of Low-Head Dams	Conditional	Conditional
54. Living Shorelines	Conditional	Conditional
55. Seaweed Mariculture Activities	Waive	Conditional
57. Electric Utility Line and Telecommunications Activities	Conditional	Conditional
58. Utility Line Activities for Water and Other Substances	Conditional	Conditional
59. Water Reclamation and Reuse Facilities	Conditional	Conditional
A. Activities to Improve Passage of Fish and Other Aquatic Organisms	Conditional	Conditional

REGION 1
BOSTON, MA 02109

December 18, 2025

Ms. Tammy Turley
Chief, Regulatory Division
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742

Subject: Tribal Nations and Lands of Exclusive Federal Jurisdiction Water Quality Certification for the proposed 2026 Nationwide Permits

Dear Ms. Turley,

On June 18, 2025, EPA Region 1 received a request for water quality certification of the U.S. Army Corps of Engineers' (Corps) proposed 2026 Nationwide Permits (NWPs) that may result in a discharge in waters of the United States within the Boundaries of an Indian Country or lands of exclusive federal jurisdiction (LEFJ) that are surrounded by the states of Maine, Massachusetts, Rhode Island, and Connecticut. In that notification, the Corps requested that EPA issue a Clean Water Act (CWA) Section 401 water quality certification for the NWPs.

CWA section 401(a)(1) requires applicants for Federal permits and licenses that may result in discharges into waters of the United States to obtain certification that the discharge will comply with applicable provisions of the CWA, including sections 301, 302, 303, 306 and 307. The enclosed CWA section 401 water quality certification decision applies to Tribal Lands and LEFJ in relevant respects where EPA is the certifying authority.[1] EPA reviewed the draft NWPs and applicable conditions and has determined that any discharge from activities authorized by the proposed NWPs as certified will comply with water quality requirements, as defined at 40 CFR 121.1(n), subject to the applicable enclosed conditions pursuant to Section 401(d). For the water quality certification decision on NWP 45 on behalf of Federally recognized Tribes in Maine and LEFJ in Maine, EPA denies water quality certification. For work that proposes activities authorized under NWP 45 that may occur on Tribal lands in Maine or on LEFJ in Maine, an individual water quality certification will be required.

[1] 33 U.S.C. 1341(a)(1). Please contact EPA Region 1 for current information regarding the jurisdictions where this 401 certification decision applies at R1cwa401@epa.gov.

REGION 1
BOSTON, MA 02109

Please provide this certification to any project proponent (or their designated contractor) contacting the Corps with applicable projects that may be authorized under the NWPs. If a project fails to meet the enclosed conditions, the applicant must contact EPA Region 1 at R1cwa401@epa.gov for a project-specific certification. This email may be used to submit pre-filing meeting requests, requests for certification, or for any certification-related questions.

EPA appreciates our long-standing partnership and coordination in implementing Section 401 of the CWA. If you have any questions, please contact Haley Miller at miller.haley@epa.gov or 617-918-1169.

Sincerely,

ANDREA TRAVIGLIA

Digitally signed by ANDREA TRAVIGLIA
Date: 2025.12.18 13:43:09 -05'00'

Andrea Traviglia
Acting Section Chief
Water Quality and Wetlands Protection Section

Cc:

Roberta "Birdie" Budnik, Project Manager, Regulatory Division, U.S. Army Corps of Engineers New England District
Matthew Hanington, Tribal Program Coordinator, U.S. Environmental Protection Agency
Honorable Clarissa Sabattis, Chief, Houlton Band of Maliseet Indians
Honorable Sheila McCormack, Chief, Mi'kmaq Nation
Honorable Kirk Francis, Chief, Penobscot Indian Nation
Honorable William Nicholas, Chief, Passamaquoddy Tribe of Indians – Indian Township Reservation
Honorable Pos Bassett, Chief, Passamaquoddy Tribe of Indians – Pleasant Point Reservation
Honorable Cheryl Andrews-Maltais, Chairwoman, Wampanoag Tribe of Gay Head (Aquinnah)
Honorable Brian Weeden, Chairman, Mashpee Wampanoag Tribe
Honorable Anthony Dean Stanton, Chief Sachem, Narragansett Indian Tribe
Honorable James Gessner, Chairman, Mohegan Tribe
Honorable Rodney Butler, Chairman, Mashantucket Pequot Tribal Nation

U.S. Environmental Protection Agency Region 1's Clean Water Act Section 401 Certification of the 2026 Nationwide Permits for Tribal Lands and Acadia National Park in Maine

December 18, 2025

Clean Water Act (CWA) Section 401 requires applicants for Federal licenses or permits to conduct any activity which may result in any discharge into waters of the United States to obtain a certification or waiver from the certifying authority where the discharge originates or will originate. Where no state or Tribe has authority to give such certification, the U.S. Environmental Protection Agency is the certifying authority. 33 U.S.C. 1341(a)(1). In this case, the Wabanaki Tribal Nations in Maine (the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe of Indians, the Passamaquoddy Tribe of Indians Pleasant Point Reservation, Penobscot Nation, and the Mi'kmaq Nation) do not have the authority to provide CWA Section 401 certification for projects within their respective Tribal lands. Therefore, EPA is making the certification decision for the 2026 Nationwide Permits in Indian Country in Maine to the extent that the State of Maine has no authority to issue such a certification for waters within the exterior boundaries of an Indian reservation. Additionally, the state of Maine does not have authority to provide CWA section 401 certification for projects within Acadia National Park, which is a land of exclusive federal jurisdiction (LEFJ) in relevant respects.[1] Therefore, EPA is making the certification decision for the 2026 Nationwide Permits in Acadia National Park.

Project Description

On June 18, 2025, the Corps proposed to reissue 56 NWPs and 1 new NWP that would expire in March 2026. 90 FR 26100 (June 18, 2025). The purpose of the NWPs is to authorize categories of activities under CWA Section 404 and Section 10 of the Rivers and Harbors Act of 1899 that have no more than minimal individual and cumulative adverse environmental impacts. For more details see: https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits/

[1] An inventory report compiled by the U.S. General Services Administration for federal properties as of 1962 identifies properties that may contain exclusive federal jurisdiction. This document is accessible at https://www.congress.gov/116/meeting/house/110088/documents/HHRG-116-II13-20191017-SD044.pdf. The EPA notes that this inventory report is not all-inclusive and that the information contained within it has not been recently confirmed and/or updated. Please contact EPA Region 1 at r1cwa401@epa.gov with questions regarding the jurisdictions where this certification decision applies.

The EPA's Public Notice Process

On June 18, 2025, the EPA received a request for certification from the project proponent. On July 8, 2025, the EPA issued a public notice regarding the proposed project and provided the opportunity for the public to submit comments until August 2, 2025. EPA received no public comments during the public notice period.

General Information

The general information provided in this section does not constitute a certification condition(s).

General Applicability

- The Corps did not request certification for NWPs 2, 8, 21, 24, 25, 30, 49, and 50, and as such, the certification process did not begin and EPA neither certified nor waived certification. Consequently, if any activity authorized by this NWP may result in a discharge into a water of the United States, on lands that EPA acts as the certifying authority, the Corps must seek CWA 401 certification from EPA.
- If a project proposal does not meet either the general or NWP-specific certification conditions, or if certification is denied for a specific NWP, the project proponent must request an individual certification from EPA Region 1.

Documentation Recommendations

- Project proponents for potential projects authorized under the NWPs should retain this certification in their files with the applicable NWPs as documentation of EPA's certification decisions for the above-referenced proposed NWPs. This certification is specifically associated with the proposed NWPs described above and expires when those NWPs expire, five years from Corps issuance date, or are otherwise superseded by subsequent reissuance if less than five years.
- Copies of this certification should be kept on the job site and made readily available for reference.

Contact Information

- The project proponents for potential projects authorized under an NWP are encouraged to contact EPA Region 1 during the project planning phase if there are any questions about relevant best management practices (e.g., bioengineering techniques, biodegradable erosion control measures, revegetation using native plant species, suitable fill materials, and disposal of debris/construction materials preventing runoff) and resources that can assist with compliance.
- Prior to work commencing, EPA recommends that project proponents notify the appropriate Tribal Environmental Office, if applicable.
- In the case of a spill, EPA recommends that the project proponent notify EPA Region 1 at 1-888-372-7341 within 8 hours from discovery. For emergency spills, EPA recommends that the project proponent contact the EPA's National Response Center at 1-800-424-8802 as well as the appropriate personnel identified in the project's Spill Prevention Control and Countermeasures, or similar plan, if applicable.
- If you have any questions regarding this certification, please contact r1cwa401@epa.gov.

Certification Decisions

Waiver of Certification

On behalf of the Wabanaki Tribal Nations in Maine and LEFJ in Maine, EPA Region 1 is expressly waiving its authority to act on the CWA § 401 request for certification for NWPs 1, 9, 10, 11, 28 and 55.

Grants of Certification with Conditions

EPA is granting certification with conditions for NWPs # 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 27, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 48, 51, 52, 53, 54, 57, 58, 59 and A. For NWPs that EPA grants certification with conditions, EPA has determined that the activity will comply with the applicable water quality requirements, including any limitation, standard, or other requirement under sections 301, 302, 303, 306, and 307 of the CWA; any Federal and state or Tribal laws or regulations implementing those sections; and any other water quality-related requirement of state or Tribal law, subject to the conditions listed under the NWPs below, pursuant to CWA Section 401(d).

Condition 1: Plan Development and Implementation for Projects that require Pre-Construction Notification (PCN)

Prior to construction for projects that require a PCN, the project proponent shall develop a plan that includes a copy of the PCN and the following information (if not already included in the PCN):

- Time stamped photo-documentation of the baseline conditions (*i.e*., 50 feet upstream of the project area, within the project area, and 100 feet downstream of the project area).
- Identifies on a site map, as applicable:
  - Project site with all waters of the U.S. demarcated. Identify all locations where the project will cross jurisdictional waterbodies and identify the ordinary high-water mark and/or wetland boundaries; the planned work area where wetlands/aquatic resources will be removed, disturbed, and/or protected; buffer zones; and areas to be restored/reclaimed, as well as site access points and other approved work areas.
  - Staging areas and stockpiling of materials and equipment, including locations for containment booms and/or absorbent materials, and/or hazardous materials. Stockpiles (*e.g.*, sediment, soil, or other construction materials) shall be stored at least 50 feet from where it may enter waters of the U.S.
  - Construction access points.
  - Disturbance limits.
  - Locations where site dredging and placement of dredged material activities will occur.
  - Locations where dewatering activities will occur including as applicable locations of cofferdams, temporary berms, piling, and/or dikes.
  - Locations of undergrounding or directional drilling (including bore pits).
  - Locations where hazardous materials are stored. Identify where containment booms and/or absorbent materials are located for corrective action if needed. Hazardous materials shall be stored in leak-proof containers with appropriate secondary containment measures (*e.g.*, spill berms, dikes, spill containment pallets, absorbent materials).
  - Any silt/sediment fencing.

- Photo-reference sites. The project proponent shall indicate the directional view and location where photos were taken on the site map.

- A description of how the site will be restored to pre-construction conditions, as applicable, including measures that will be used to promote and maintain:
  - stream hydrology and stability.
  - aquatic resource composition.
  - diversity of native species existing on site and as introduced via restoration activities.
  - stability of soils.
  - establishment of vegetation at the same percent cover as pre-construction activities.
- The timeframe/schedule for revegetation following completion of construction. Revegetation should occur at the earliest practicable date following completion of construction. Drill seeding is the preferred method, where applicable.
- Non-native and invasive species shall not be used for restoration activities.
- Includes the following, as applicable:
  - Cofferdams, temporary berms, pilings, and/or dikes: Describe installation and maintenance practices for any cofferdams, temporary berms, pilings, and/or dikes.
  - Dredging: Describe how contaminated materials will be managed (*e.g.*, sediment testing data and information to identify whether sediments are clean or contaminated), if included in the project dredged area. Describe methods for minimizing dredging impacts (*i.e.*, sedimentation resuspension) in the water column.
  - Erosion and sediment control: Identify the types and locations of sediment and erosion control features that shall be used onsite, including sediment control fences, haybales, heavy mud mats, and/or other structures. Biodegradable blankets and/or loose-weave mesh shall be used for erosion control matting. If using velocity dissipation structures (e.g., riprap aprons, check dams etc.), structures shall be constructed to include both peak flow rates and total stormwater volume, and provide protection from the erosive potential of high-velocity flows to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points. The project proponent shall ensure all erosion and sediment control measures are in place prior to the onset of construction.
  - Bank stabilization and channel modification. If the project requires bank stabilization or stream channel modification, include pre-construction cross sections. If the project includes steep bank slopes of 3:1 or greater, include revetment cross sections. Bioengineering techniques suitable for steep slope disturbances are preferred (e.g., vegetated toe, bioengineered boulder toe, etc.) Slopes of disturbed banks shall be designed and installed to not reduce the bottom width of the stream.
  - Dewatering: Work shall be completed in the dry unless coordinated with EPA Region 1. Describe methods for dewatering, including the equipment that would be used to conduct the dewatering activities. Identify the locations and timing, including length of time the area is to be dewatered. Explain removal method of the temporary structures and/or fill and what measures will be taken to minimize downstream turbidity and adaptive management measures that will be taken and employed to prevent the draining of waters of U.S., including wetlands.
  - Ditching and trenching: Explain ditching/trenching and material placement techniques and stabilization methods to be employed, as well as timing. In wetlands, the top 6 to 12 inches of

the ditch/trench shall be backfilled with topsoil from the trench, unless other techniques are approved. Include activity timing needs for ditching and stabilization.
    - Undergrounding or directional drilling: Describe measures taken to prevent, contain and cleanup any inadvertent return of drilling fluid to the surface (i.e., "frac-outs").
- Submit the plan to EPA Region 1 at r1cwa401@epa.gov at least 30 days prior to commencing construction activities.

During construction for projects that require a PCN, the project proponent shall:

- Visually inspect construction activities daily.
- Prevent sediment, debris, silt, sand, cement, concrete, oil or petroleum, organic materials, or other construction debris or wastes from entering waters of the U.S. The discharge of unset cement, concrete, grout, or water that has contacted uncured concrete or cement, or related washout to waters of the U.S. is prohibited.
- Maintain documentation onsite that all equipment was cleaned of dirt, mud, and other materials prior to arriving on the project site.
- Inspect all equipment daily and prior to entering any waters of the U.S. for oil, gas, diesel, anti-freeze, hydraulic fluid, and other petroleum leaks. If the project proponent detects a leak from any equipment, they shall immediately remove the equipment from waters of the U.S.; and within 24 hours of detection of a leak, repair the equipment in a staging area or move it offsite.
- Limit vegetation clearing and disturbance to waters. Limit the clearing and grubbing of vegetation and disturbance to areas demarcated on the site map submitted as part of the vegetation restoration and monitoring plan. The boundaries of vegetation to protect shall be flagged in the field prior to beginning construction activities.
- Limit restoration of the channel bed to pre-existing contours and conditions. Any proposed deviations must be specified in advance. For example, if any improvements will be made using natural channel design.
- Photo-document any failures or increased turbidity due to construction activities.
    - Within 24 hours of observing a failure or marked increase in turbidity associated with construction, the project proponent shall remedy and implement any additional adaptive management measures to stabilize the activity and prevent further unauthorized discharges into waters of the U.S. The project proponent shall photo-document the failure (*i.e*., 50 feet upstream of failure, at the incident site, and at least 100 feet downstream of the failure) and the adaptive management measures taken immediately following implementation. The project proponent shall take remediation condition photos at the same location(s) and direction(s) as in the failure condition photos.
    - Within 48 hours of observing any failure, the project proponent shall provide EPA Region 1 with the required photo-documentation, and descriptions of all observed failures and implemented remedies.
    - Within three weeks of observing a failure, the project proponent shall provide EPA Region 1 with a description of the impacts and effectiveness of the employed adaptive management measures.
- Carry out as applicable:
    - Erosion control: Inspect sediment and erosion control measures daily during project implementation and within 12 hours of precipitation events. After construction is complete, remove sediment and erosion control structures once vegetation is established to the same

percent cover as pre-construction conditions, unless they are needed for long term stabilization purposes.
    - Dewatering: Assess all dewatering measures within 24 hours after a severe storm event.

Post construction for projects that require a PCN, the project proponent shall, as applicable:

- Submit a post-construction report, as defined below, within 90 days of completing construction activity to EPA Region 1 at r1cwa401@epa.gov or, if the Corps requires a post-construction report for the project activity, the applicant may submit that report to EPA to fulfill this post-construction requirement. The project proponent shall include the following items in the post-construction report:
    - Construction dates.
    - As-built drawings.
    - Documentation of site restoration activities using photographs and any field data sheets showing that the site was restored to pre-existing conditions or better. Include photographs of the site restoration areas on a map.
    - Any water quality data gathered before, during, and post-construction and associated maps showing the sample locations.
    - A description of any adaptive management strategies that were employed during construction, with a focus on strategy effectiveness.
    - Details on the removal of any sediment and erosion control structures, unless they are needed for long term stabilization purposes.
    - Effectiveness of the plan developed and implemented as required under this condition, and recommendations to remedy any deficiencies in plan development and implementation where employed measures were ineffective.
- For activities that require dredging, submit a copy of the as-builts and a post dredged and disposal report within 45 days of each dredging or disposal event to EPA Region 1 at r1cwa401@epa.gov. The project proponent shall include the following items in the post-dredged and disposal report:
    - Dredging and disposal dates.
    - Updated site map displaying the disposal location(s).
    - Dredging and disposal volumes.
    - Water quality monitoring data.
    - Post-dredged bathymetry.
    - Updated site maps displaying any new ditches, spoil piles, widths, and depths.

Why this condition is necessary: This condition is necessary to minimize suspended particulates /turbidity caused by construction activities and is necessary to ensure water quality is not degraded by toxic pollutants in toxic amounts, including construction materials, oil, grease, gasoline, or other types of fluids used to operate and maintain equipment used to complete the project, or discharges from dust abatement activities as well as contaminants in dredged material. This condition also appropriately minimizes impacts from access roads, staging areas, and stockpiling to further ensure that construction activities will result in no more than minimal individual and cumulative adverse environmental effects. This condition will protect water quality because it ensures that the project proponent is using planning and construction practices that will maintain the integrity of the site hydrology and maintain the aquatic resource functions and values, and ensures that appropriate revegetation measures are used to re-establish riparian/wetland vegetation to minimize the adverse

impacts of discharges of sediment and pollutants that enter waterways. Limiting the amount of vegetation that is disturbed will minimize the adverse environmental impacts of any potential discharges. Monitoring for at least three growing seasons, or until replanted areas meet monitoring success criteria, will provide an adequate indication that the restoration effort is able to demonstrate restoration is successful.

The general conditions in the Corps' NWP package do not address concerns about resuspension and turbidity caused by construction and dredging activities, thereby justifying the inclusion of this condition. GC 32 only requires agency coordination in certain circumstances. Additionally, GC 11 (equipment), GC 12 (soil erosion and sediment controls), and GC 13 (removal of temporary structures and fills) provide some aquatic resource protections, but greater specificity is needed to determine what measures are suitable to comply with applicable water quality requirements.

Citations: 33 U.S.C. 1341(a)(4); 40 CFR 230.10(c)-(d);40 CFR 230.10(d); 40 CFR 230.21(a); 40 CFR 230.70; 40 CFR 230.71; 40 CFR 230.72; 40 CFR 230.74; 40 CFR 230.75

Condition 2: Special Aquatic Resources

Projects or activities expected to have potential discharges into the below special aquatic resources areas on Tribal lands in Maine are not covered by this certification and applicants must request a project-specific CWA Section 401 certification from EPA Region 1 consistent with 40 CFR 121.5.

- **Wetlands classified as peatlands**: For the purposes of this condition, peatlands are permanently or seasonally waterlogged areas containing organic soils classified as a Histosol with a specific thickness of an accumulation of peat (i.e., organic matter) and include fens, bogs, and salt marshes.[2]
- **Natural Springs**: Within 100 feet of the water source in natural spring areas. For the purposes of this condition, a spring water source is defined as any location where there is flow emanating from a distinct point at any time during the growing season. Some examples of spring-fed wetlands are hanging gardens. Some examples of spring-fed headwater slopes are peat-accumulating wet meadows and fens. These resources may

[2] It is a general rule that a soil is classified as an organic soil (Histosol) if more than half of the upper 80 cm (32 inches) of the soil is organic or if organic soil material of any thickness rests on rock or on fragmental material having interstices filled with organic materials. Generally, organic soil materials have organic carbon content by weight of 12 percent or more. See the following for more information on what constitutes "organic soil material", limits between Histosols and soils of other orders, problematic hydric soils situations, and other indicators to identify peatlands: Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436. https://www.nrcs.usda.gov/resources/guides-and-instructions/soil-taxonomy; United States Department of Agriculture, Natural Resources Conservation Service. 2025. Hydric soils of problematic conditions and altered materials, Version 1.0. https://usace.contentdm.oclc.org/utils/getfile/collection/p266001coll1/id/11824; United States Department of Agriculture, Natural Resources Conservation Service. 2024. Field Indicators of Hydric Soils in the United States, Version 9.0. https://www.nrcs.usda.gov/sites/default/files/2024-09/Field-Indicators-of-Hydric-Soils.pdf

be identified using U.S. Fish and Wildlife Service's online digital National Wetland Inventory maps[3], or other aquatic resource mapping tools.

- **Riffle and Pool Complexes**: For the purposes of this condition, riffle and pool complexes are steep gradient sections of streams recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. Pools are characterized by a slower stream velocity, a steaming flow, a smooth surface, and a finer substrate.
- **State-listed Special Aquatic Resources**: For the purposes of this condition, State-listed aquatic resources are those aquatic habitats (rivers and streams, great ponds, freshwater wetlands and coastal wetlands) that are resources of state significance within Maine's Natural Resources Protection Act (NRPA), 38 M.R.S. §§480-A – 480-KK.

Why this condition is necessary: This condition is necessary to ensure a case-by-case review of any point source discharges into waters of the United States that are proposed in these specific aquatic resource site types which are inherently difficult to replace and have important ecological functions and values. Discharges into these systems have the potential to alter water circulation patterns and hydroperiods, release nutrients causing shifts in native to non-native species composition, release chemicals that adversely impact biota (plants and animals), increase turbidity levels, reduce light penetration and photosynthesis, or otherwise change the capacity of these systems to support aquatic life uses and other beneficial uses of these special aquatic sites, including impairing their diverse and unique communities of aquatic organisms, including fish, wildlife and the habitats upon which they depend. Project specific information is needed to ensure compliance with water quality requirements.

Citations: 40 C.F.R. 230.1(d); 40 C.F.R. 230.10(a)(3); 40 C.F.R. 230.10(c); 40 C.F.R. 230.10(d); 40 C.F.R. 230.20-24; 40 C.F.R. 230.21-22; 40 CFR 230.41; 40 C.F.R. 230.45; 40 C.F.R. 230.75(c); Subpart E of 40 CFR Part 230, 404(b)(1); Maine's Natural Resources Protection Act (NRPA), 38 M.R.S. §§480-A – 480-KK

Condition 3: Specific condition for NWP 7

Outfall design and placement shall include an appropriate energy dissipation structure (e.g., rip rap aprons) and shall be sized to prevent high pressure discharge. For intake structures, project proponents shall use an intake screen that reduces the size of aquatic organisms that can be entrained (e.g., a Johnson-type screen/intake), where feasible. Intake velocities shall not exceed 0.5 feet per second.[4]

Why this condition is necessary: This condition is necessary to ensure that outfall structures and intakes are constructed such that they provide localized erosion control at the point(s) of discharge while minimizing habitat degradation and assimilative capacity of the waterbody. Erosion from outfall

[3] National Wetlands Inventory mapper can be found at https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper

[4] Additional guidance on water intakes is available from the U.S. Fish and Wildlife Service: https://www.fws.gov/sites/default/files/documents/water-intake-recommendations.pdf

structures due to improperly designed and placed structures increases sedimentation that alters stream and wetland hydrology (e.g., scouring and deposition) and uncontrolled stormwater contaminants harm aquatic organisms and habitat. Impingement controls for intake structures reduce the size of aquatic organisms that can be entrained and minimize impacts to aquatic species.

Citations: 40 CFR 230.10(c)-(d); 40 CFR 230.30; 40 CFR 230.70; 40 CFR 230.73; 40 CFR 230.74; 40 CFR 230.75;

Condition 4: Specific Condition for NWP 13

For projects using gabions, the project proponent shall visually inspect and repair any damage to gabions and the gabion installation area after construction is completed at least once a year after spring flows.

Why this condition is necessary: This condition is necessary to reduce the individual and cumulative adverse environmental effects caused by hard bank stabilization structures on aquatic biodiversity, habitat, and aquatic resource functions and services. This condition is also necessary to minimize the potential for gabion failure and corresponding water quality impacts. Gabion failure leads to erosion and sediment release, which can significantly affect aquatic ecosystem diversity, productivity and stability, and can potentially release wire into the environment that can impact aquatic habitat. Rock released from damaged gabions can impact channel flow, which can interfere with aquatic habitat processes and infrastructure.

Citations: 40 CFR 230.10(c)-(d); 40 CFR 230.72; 40 CFR 230.74

Condition 5: Specific Condition for NWP 16

The project proponent shall provide EPA Region 1 with a description of the return water from the upland disposal area prior to discharge, including a description of the nature of the dredged material and a description of any contaminants present in the discharge. The project proponent shall also provide an analysis of how the return water may impact the physiochemical conditions of the receiving water prior to discharge, including a description of how the project proponent will ensure controls are in place to ensure compliance with applicable water quality requirements.

Why this condition is necessary: This condition is necessary to ensure any return water meets applicable water quality requirements and does not degrade receiving waters. Dredged material from industrial and urban areas, stormwater and agricultural runoff, as well as from areas of natural deposits of minerals and other natural substances, often contain contaminants from these sources and may have the potential to alter the chemistry of receiving waters, including but not limited to, nutrients, metals, organic carbon, and invasive species. To ensure that all appropriate and practicable measures to minimize harm to the aquatic ecosystem from contaminants are addressed, the project proponent should consider the unique nature of dredged material and the related contaminant pathway to understand the physicochemical conditions of each disposal site under consideration.

Citation: 40 CFR 230.10(b)-(d); 40 CFR 230.11; 40 CFR 230.12; 40 CFR 230.22; 40 CFR 230.31; 40 CFR 230.32; 40 CFR 230.61

Condition 6: Specific Condition for NWP 40

The project proponent shall ensure that any return water flows back into waters of the U.S. does not contain levels of toxic and priority pollutants in excess of effluent limitation guidelines established under Section 307 of the Clean Water Act.

Rationale: This condition is necessary to ensure that return water to waters of the U.S. meets water quality requirements. Agricultural runoff can degrade receiving waters due to contaminants, including toxic and priority pollutants that are subject to effluent limitations pursuant to Section 307 of the Clean Water Act. Project specific information is needed to consider the contaminants proposed for discharge and the aquatic environment at the proposed discharge site to ensure that all appropriate and practicable measures to minimize harm to the aquatic ecosystem are addressed.

Citations: 33 U.S.C. 1317(a)(1); 40 CFR 401.15; 40 CFR 230.10(c); 40 CFR 230.31; 40 CFR 230.32;

Denials of Certification

EPA is denying certification NWP 45.

NWP 45 – Repair of Uplands Damaged by Discrete Events.

This denial of certification applies to the water quality-related impacts from activities subject to NWP 45 that occur within Tribal lands and lands of exclusive federal jurisdiction surrounded by the State of Maine.

The State of Maine is denying certification for NWP 45 on the grounds that NWP 45 does not align with the Maine Department of Environmental Protection Chapter 310 Wetlands and Waterbodies Protection rules[5]. EPA is taking the same approach and denying certification for NWP 45. Applicable water quality requirements on federally recognized Tribal lands in Maine are currently set by the State of Maine[6]. Maine Department of Environmental Protection, Land Use Planning Commission, and Maine Coastal Program have denied water quality certification for the proposed NWP 45, and thus it would be incongruous and inconsistent for EPA to certify NWP 45 on Tribal lands, where Maine's state Water Quality Standards also currently apply, given that the State has determined it is denying certification for NWP 45.

[5] Maine DEP Chapter 310 Wetlands and Waterbodies Protection rules clarify "a yard or other developed area may not be extended closer to the water as part of a shoreline stabilization project."

[6] Letter from Curt Spalding, EPA Region 1 Administrator, to Patricia Aho, Maine DEP Commissioner (February 2, 2015) (referencing EPA's analysis of Maine's Water Quality Standards applied to waters of Indian lands in Maine). Maine Water Quality Standards are spread across multiple statutes and regulations. Maine's Water Classification Program can be found in Title 38 Chapter 3 of Maine Revised Statutes (MRS) Sections 464-470. For a complete list of statutes and regulations covering Maine's WQS, see EPA's website at: https://www.epa.gov/wqs-tech/water-quality-standards-regulations-maine. Additionally, EPA has promulgated certain federal standards applicable to Indian Lands in Maine, *see* 40 CFR 131.43, where the listed federal standards are more stringent than state standards.

Citations: 40CFR 131.43 Maine; Title 38 Chapter 3 of Maine Revised Statutes (MRS) Sections 464-470 Maine Land Use Districts and Standards 01-672 C.M.R. ch. 10 (Chapter 10), included by not limited to Sections 10.25(A), 10.25(P)(1)(b), 10.25(P)(1)(c), 10.25(T), and 10.27(F)(6). 38 M.R.S. §§ 480-A – 480-KK; 06-096 C.M.R. ch. 310; 01-672 C.M.R. ch. 10

Attachment: Tribal Environmental Office Points of Contact

Compiled by EPA Region 1

Updated 12/17/2025

Houlton Band of Maliseet Indians	Susan Young, ogs1@maliseets.com Sharri Venno, envplanner@maliseets.com Rhonda Cochran, rcochran@maliseets.com Carolyn Merriam, cmerriam@maliseets.com Sam St. John, samstjohn7@yahoo.com
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Penobscot Indian Nation	Charlie (Chuck) Loring, Jr., Charlie.Loring.Jr@penobscotnation.org Charles Bouchard, Charles.Bouchard@penobscotnation.org Dan Kusneirz, dan.kusnierz@penobscotnation.org Jason Mitchell, jason.mitchell@penobscotnation.org Dan McCaw, dan.mccaw@penobscotnation.org Maria Girouard, maria.girouard@penobscotnation.org Rhonda Daigle, rhonda.daigle@penobscotnation.org Sean O'Brien, sean.obrien@penobscotnation.org
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Passamaquoddy Tribe of Indians Pleasant Point Reservation	Marvin Cling, marvin@wabanaki.com William (Billy) Longfellow, wlongfellow@wabanaki.com Bruce Doughty, bdoughty@wabanaki.com Chris Soctomah, chrissoctomah@wabanaki.com Ralph Dana, ralphdana@wabanaki.com
Wampanoag Tribe of Gay Head (Aquinnah)	Brett Stearns, isa@wampanoagtribe-nsn.gov Beckie Finn, envcoord@wampanoagtribe-nsn.gov
Mashpee Wampanoag Tribe	Dale Oakley, Dale.OakleyJr@mwtribe-nsn.gov Jason Steiding, Jason.Steiding@mwtribe-nsn.gov
Narragansett Indian Tribe	Dinalyn Spears, DSpears@nitribe.org Steven Smith ssmith@nitribe.org
Mohegan Tribe	Ken Janus kjanus@moheganmail.com Jean Mcinnis, jmcinnis@moheganmail.com
Mashantucket Pequot Tribal Nation	Michael Boland, mboland@mptn-nsn.gov

APPENDIX B

U.S. ARMY CORPS OF ENGINEERS INDIVIDUAL PERMIT

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT
MAINE PROJECT OFFICE
442 CIVIC CENTER DRIVE
AUGUSTA ME 04330

April 22, 2026

Regulatory File No. NAE-2026-00330
Regulatory Division

Mr. Sean Donohue
Maine Turnpike Authority
2360 Congress St
Portland, ME 04102
sdonohue@maineturnpike.com

Dear Mr. Donohue,

The U.S. Army Corps of Engineers (Corps) has reviewed your request to discharge fill material in waters of the U.S. associated with the Maine Turnpike ramp improvement project.

The proposed work is located in Biddeford, Maine at latitude 43.482310° and longitude -70.498780°. The proposed regulated activity associated with this project are detailed on the attached drawings titled “USGS Location Map” and “RAMP IMPROVEMENTS BIDDEFORD EXIT 32 dated **“**2026-02-06” and “02-26” and are described below.

Project Description

The project involves the permanent discharge of fill within 4,048 square feet (sqft) of emergent wetland W01 and the temporary discharge of fill within 440 sqft of emergent wetland W202 to realign approximately 1,000 linear feet of the existing southbound off-ramp at exit 32 in Biddeford, Maine.

Based on the information provided, the Corps has verified that the proposed actions are authorized under Nationwide Permit (NWP) 14, Linear Transportation Projects pursuant to authorities under Section 404 of the Clean Water Act (33 U.S.C. § 1344).

You must ensure the proposed work is performed in accordance with the enclosed applicable terms and conditions.

You are also required to complete and return the enclosed Work-Start Notification 14 days prior to the anticipated project start date and the enclosed Compliance Certification form within 30 days of completing your project. Please email the completed documents to the representative identified in the last paragraph of this letter.

A change in location or project plans may require re-evaluation of your project. Proposed changes should be coordinated with this office prior to construction. Failure

to comply with all terms and conditions of these permits (NWP) invalidate this authorization and could result in a violation of Section 301 of the Clean Water Act. You must also obtain all local, state, Tribal, and other Federal permits that apply to this project.

Water Quality Certification (WQC) and Coastal Zone Management Act (CZM)

The State of Maine issued a conditioned WQC and CZM decision for your project (enclosed). You must comply with the conditions specified in the WQC and CZM decision for this NWP and RGP authorization to be valid.

Permit Expiration

The verification is valid until March 15, 2031, unless the NWP is modified, reissued, or revoked prior to that date. If the authorized work under the NWP has not been completed by that date and you have commenced or are under contract to commence this activity before March 15, 2031, you will have until March 15, 2032, to complete the activity under the enclosed terms and conditions of this NWP.

Contact Information

If you have any questions, please contact Amanda Sayles at 978-318-8486, or by email at amanda.l.sayles@usace.army.mil.

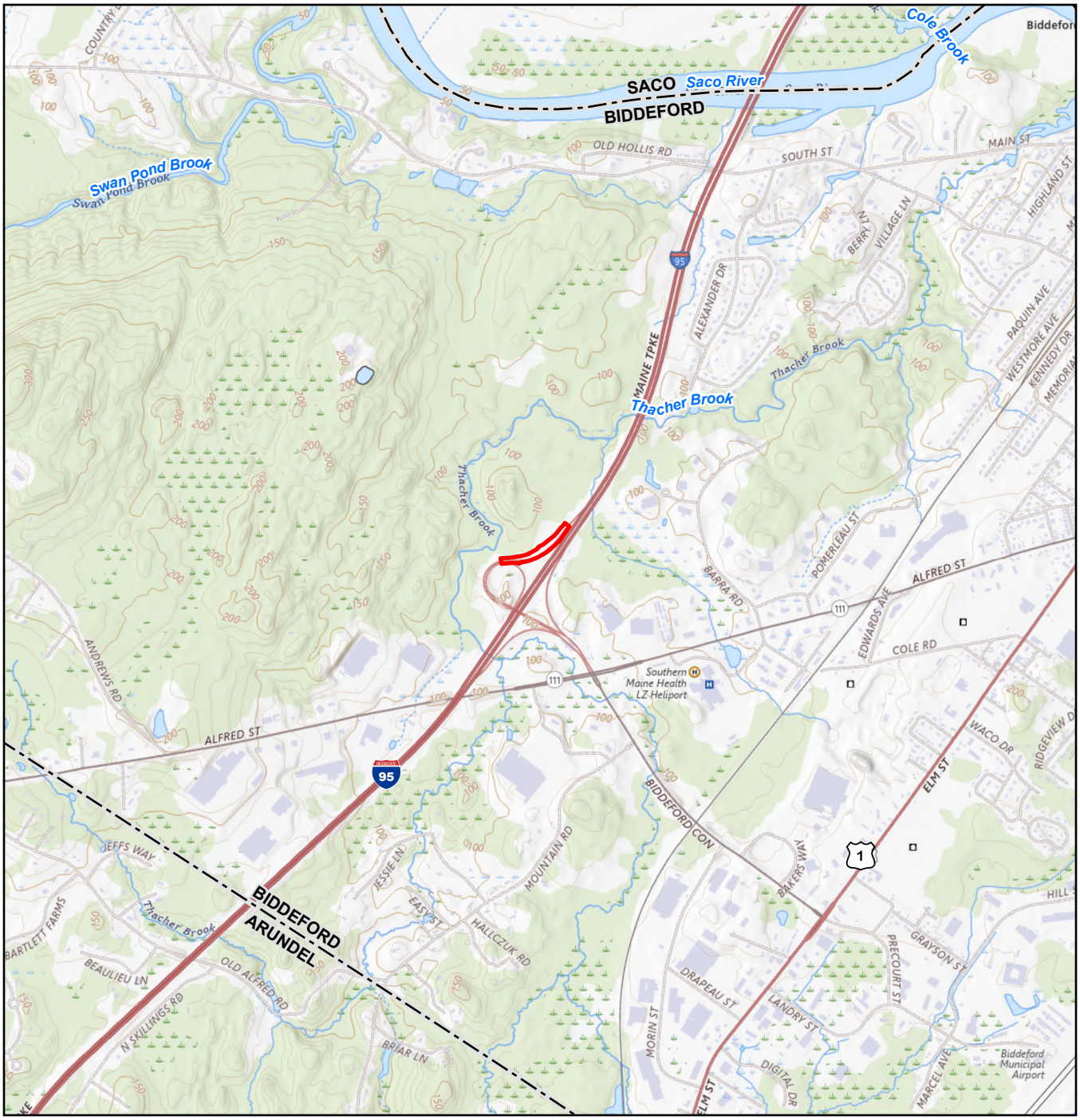
In order to better serve you, please complete the Customer Service Survey located at: https://regulatory.ops.usace.army.mil/customer-service-survey/.

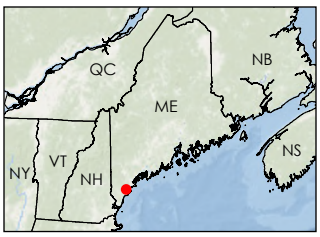
Sincerely,

Amanda Sayles

For Peter Olmstead
Chief, Maine Section
Regulatory Division

Enclosures:
Project Plans, Compliance Certification, NWP 14, Linear Transportation Projects and General/Regional Conditions





Legend

- Approximate Project Area
- Municipal Boundary

0 2,000 Feet

(At original document size of 8.5x11)
1" = 2,000'

N

Stantec

Notes

1. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet
2. Data Sources: ME Geolibrary, Stantec
3. Background: Topographic base map provided by USGS National Map Web Mapping Service. Biddeford, Kennebunk, Bar Mills, and Old Orchard Beach Quadrangles.

Project Location
Biddeford, Maine

Prepared by PWB on 2026-02-06
TR Review by KWH on 2026-02-06
IR Review by EB on 2026-02-06

Client/Project
179451194
Maine Turnpike Authority
Biddeford Exit 32 Improvement Project

Figure No.
1

Title
USGS Location Map

U:\195602881\03_data\gis_cad\gis\PRO\02881_iPad_Field_Data\02881_iPad_Field_Data.aprx Revised: 2026-02-10 By: pbarbera

Date:2/25/2026

STA. 517+50
END PROJECT 2026.19
MATCH EXISTING
LIMIT OF WORK

CONNECT TO EXISTING GUARDRAIL

PT = STA. 516+54.57

18" X 11" JUNCTION BOX

24" RCP CLASS III

4" RIGID STEEL CONDUIT

REMOVE JB

WETLAND IMPACTS
Permanent: 2711 SF
Temporary: 505 SF

CURVE DATA #1
PI = 512+68.50
D = 5°56'14.6"
Δ = 49°05'07.0" Rt.
R = 965.00'
L = 826.72'
T = 440.64'
E = 95.84'

WETLAND IMPACTS
Permanent: 1135 SF
Temporary: 35 SF

TEMPORARY STONE CHECK DAM (TYP.)

18" X 11" JUNCTION BOX

18" RCP CLASS III

MATCHLINE PLAN 2

518+00
517+00
516+00
515+00
514+00
513+00
512+00
511+00

S87°30'45.91"W

11.0'
14.0'
1.9'
10.0'
3.0'
4.0'

GUARDRAIL ADJUST, DOUBLE RAIL

CURVE DATA #2
PI = 517+72.00
D = 20°10'28.5"
Δ = 31°04'24.6" Lt.
R = 284.00'
L = 154.02'
T = 78.96'
E = 10.77'

PC = STA. 516+93.05

GUARDRAIL ADJUST, SINGLE RAIL

APPROXIMATE LOCATION OF EXISTING LIGHTING CONDUIT

3I" W-BEAM GUARDRAIL - MIDWAY SPLICE

REMOVE GUARDRAIL

GUARDRAIL FLARED TEMINAL - 3I" W-BEAM (TYP.)

APPROXIMATE BURIED CULVERT LOCATION

EXIT 32 SOUTHBOUND OFF RAMP

MAINE TURNPIKE (SOUTHBOUND)

LEGEND:

- MILL & OVERLAY
- WETLAND IMPACTS (PERMANENT) (4048 SF)
- WETLAND IMPACTS (TEMPORARY) (540 SF)

Filename: ...\00\HIGHWAY\MSTA\Plan1.dgn

Scale: 25 0 25 50
Scale of Feet

No.	Revision	By	Date
	30% PLANS		
	NOT FOR CONSTRUCTION		

Designed by: Stantec

CONSULTANT PROJECT MANAGER: JOSEPH HOWE, PE

	By	Date		By	Date
Designed	AFS	02\26	Checked	JRH	02\26
Drawn	AFS	02\26	In Charge of	JRH	02\26

STANTEC CONSULTING SERVICES INC.
2211 CONGRESS STREET SUITE 380
PORTLAND, ME 04102
TEL (207) 887-3448
FAX (207) 883-3376

MAINE TURNPIKE

THE GOLD STAR MEMORIAL HIGHWAY

MTA PROJECT MANAGER: LAUREN FLEMING, PE

RAMP IMPROVEMENTS BIDDEFORD EXIT 32

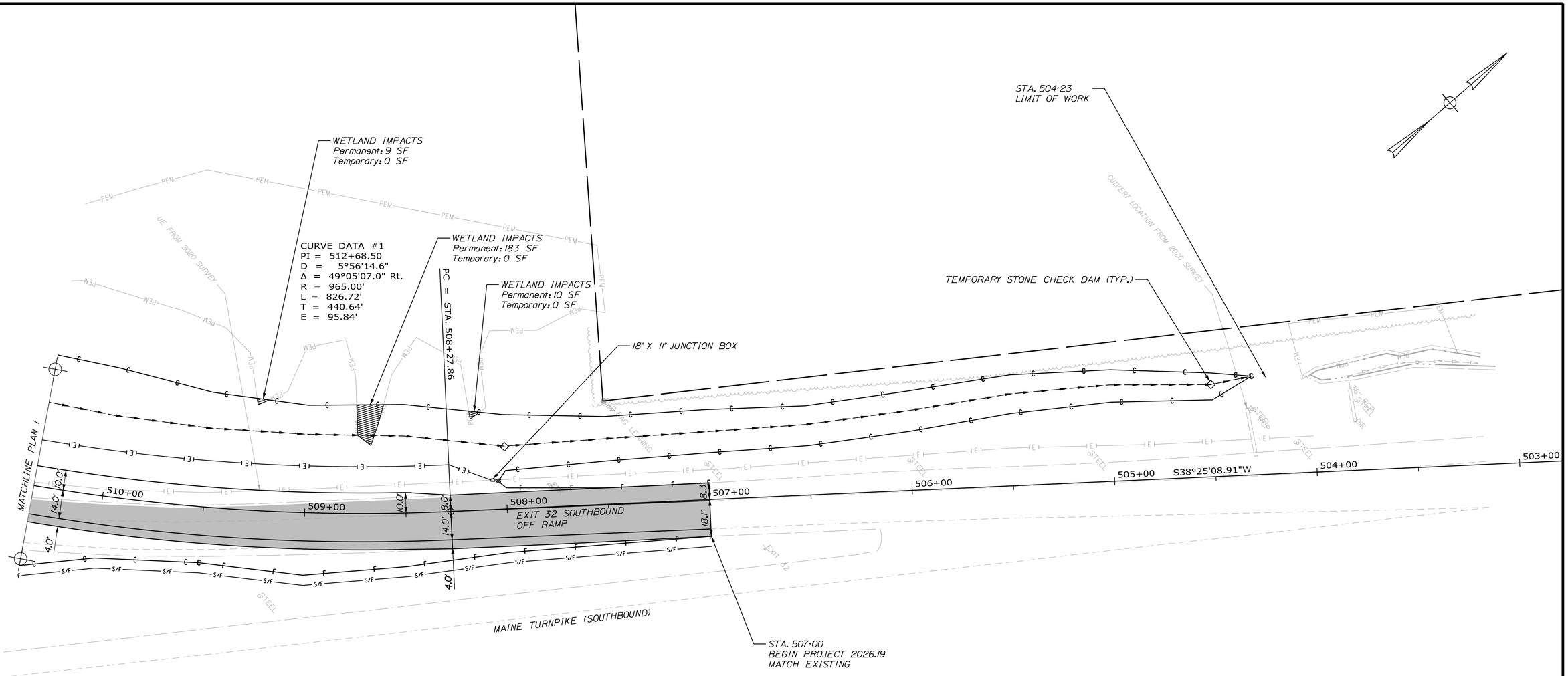
PLAN 1

SHEET NUMBER: GP-01

CONTRACT:2026.19

19 OF 38

Date:2/25/2026



LEGEND:

- MILL & OVERLAY
- WETLAND IMPACTS (PERMANENT) (4048 SF)
- WETLAND IMPACTS (TEMPORARY) (540 SF)

Filename: ...\00\HIGHWAY\MSTA\Plan2.dgn

Scale: 25 0 25 50 — Scale of Feet

No.	Revision	By	Date
	30% PLANS		
	NOT FOR CONSTRUCTION		

Designed by: Stantec

CONSULTANT PROJECT MANAGER: JOSEPH HOWE, PE

	By	Date		By	Date
Designed	AFS	02\26	Checked	JRH	02\26
Drawn	AFS	02\26	In Charge of	JRH	02\26

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MAINE TURNPIKE

THE GOLD STAR MEMORIAL HIGHWAY

MTA PROJECT MANAGER: LAUREN FLEMING, PE

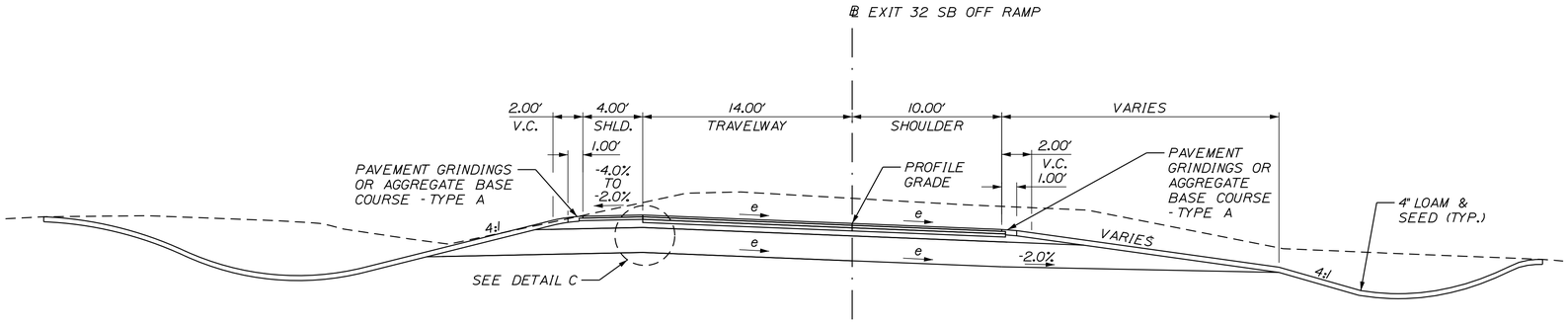
RAMP IMPROVEMENTS
BIDDEFORD EXIT 32

PLAN 2

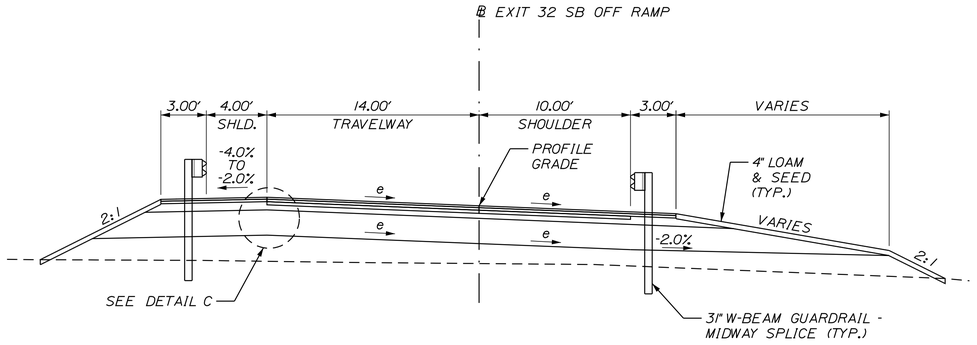
SHEET NUMBER: GP-02

CONTRACT:2026.19

20 OF 38

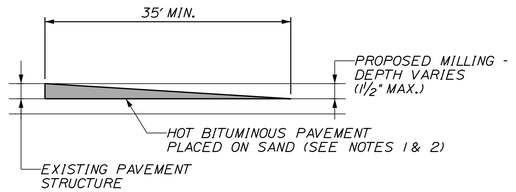


EXIT 32 SB OFF RAMP - WITHOUT GUARDRAIL



EXIT 32 SB OFF RAMP - WITH GUARDRAIL

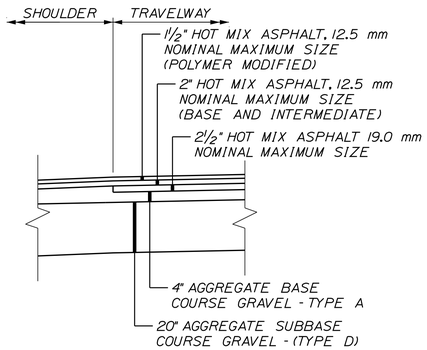
SUPERELEVATION TABLE			
LEFT SHOULDER	TRAVELWAY	STATION	RIGHT SHOULDER
MATCH EXISTING			
-4.9%	2.6%	507+00	-4.0%
-2.9%	4.3%	507+50	-4.3%
-2.0%	6.0%	508+00	-6.0%
FULL SUPER			
-2.0%	6.0%	514+75	-6.0%
-2.0%	5.0%	515+00	-5.0%
-2.0%	3.1%	515+50	-4.0%
-2.0%	2.9%	515+57	-4.0%
-0.3%	1.2%	516+00	-4.0%
0.5%	0.5%	516+18	-4.0%
0.0%	0.0%	516+31	-4.0%
-0.4%	-0.4%	516+40	-4.0%
-0.8%	-0.7%	516+50	-3.6%
-2.7%	-2.7%	517+00	-1.6%
-3.6%	-3.6%	517+25	-0.6%
-2.5%	-4.6%	517+50	0.4%
MATCH EXISTING			



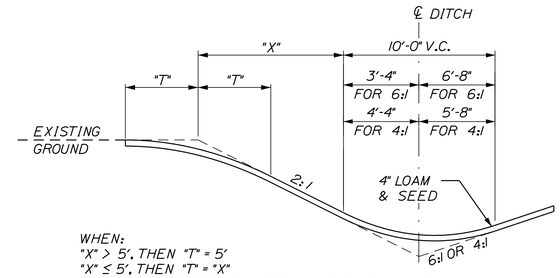
TEMPORARY BITUMINOUS RAMP

NOTES:

1. HOT MIX ASPHALT FOR TEMPORARY RAMPS WILL NOT BE MEASURED FOR PAYMENT, BUT SHALL BE INCIDENTAL TO THE APPROPRIATE 403 ITEM.
2. REMOVAL OF TEMP. BITUMINOUS RAMPS WILL NOT BE MEASURED FOR PAYMENT, BUT SHALL BE INCIDENTAL TO THE APPROPRIATE 403 ITEM.



DETAIL C
N.T.S.



WHEN:
"X" > 5', THEN "T" = 5'
"X" ≤ 5', THEN "T" = "X"
THIS FORMULA MAY BE MODIFIED IN THE FIELD BY THE RESIDENT TO AVOID PROPERTY DAMAGE.

BACKSLOPE ROUNDING DETAIL

GENERAL NOTES

1. THE PAVEMENT, BASE AND SUBBASE DEPTHS AS SHOWN ON THE PLANS ARE INTENDED TO BE NOMINAL.
2. CROWNS FOR ALL COURSES OF SUBBASE AND PAVEMENT SHALL BE STRAIGHT.
3. WHERE PROPOSED PAVEMENT JOINS EXISTING PAVEMENT, THE EXISTING PAVEMENT SHALL BE SAW CUT ALONG A SMOOTH LINE TO A NEAT, EVEN AND VERTICAL JOINT, AS DIRECTED BY THE RESIDENT. SAWCUTTING SHALL BE PAID FOR UNDER ITEM 419.30. ALL WORK NECESSARY FOR THE PREPARATION OF THE JOINT SHALL BE CONSIDERED INCIDENTAL TO THE RELATED CONTRACT ITEMS.
4. COATING OF HOT RUBBERIZED ASPHALT (ASTM D6690 TYPE IV) SHALL BE APPLIED AT THE TOP SURFACE LIFT TO ALL TRANSVERSE BUTT JOINTS AND LONGITUDINAL JOINTS EXCEPT WHERE THE NOTCHED WEDGE IS USED. PAYMENT FOR THE HOT RUBBERIZED ASPHALT SHALL BE INCIDENTAL TO THE PAVEMENT ITEMS.
5. BITUMINOUS TACK COAT IS REQUIRED BETWEEN EXISTING PAVEMENT AND PROPOSED HMA AND BETWEEN ANY LIFTS OF PROPOSED PAVEMENT OR SHIM.
6. 14' WIDE RAMP LANES SHALL BE PAVED IN A SINGLE PASS SUCH THAT LONGITUDINAL JOINTS ARE AT THE EDGES OF THE LANE.
7. A MILLED SAFETY WEDGE IS REQUIRED.

Filename: ...\00\HIGHWAY\MSTA_Typ.dgn

Scale: 5 0 5 10
Scale of Feet

No.	Revision	By	Date
	30% PLANS		
	NOT FOR CONSTRUCTION		

Designed by: Stantec

CONSULTANT PROJECT MANAGER: JOSEPH HOWE, PE

	By	Date		By	Date
Designed	AFS	02\26	Checked	AFS	02\26
Drawn	CLG	02\26	In Charge of	JRH	02\26

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MAINE TURNPIKE

THE GOLD STAR MEMORIAL HIGHWAY

MTA PROJECT MANAGER: LAUREN FLEMING, PE

RAMP IMPROVEMENTS BIDDEFORD EXIT 32

TYPICAL SECTIONS

SHEET NUMBER: TS-01

CONTRACT:2026.19

Date:2/20/2026

GENERAL NOTES:

1. ALL WORK SHALL CONFORM TO THE 2014 MAINE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY AND BRIDGES. EXCEPT AS MODIFIED BY THE MAINE TURNPIKE AUTHORITY'S SUPPLEMENTAL SPECIFICATIONS AND SPECIAL PROVISIONS.
2. ALL DETAILS SHALL BE IN CONFORMANCE WITH MAINE DEPARTMENT OF TRANSPORTATION (MAINEDOT) STANDARD DETAILS HIGHWAYS AND BRIDGES, LATEST REVISION AND MAINEDOT BEST MANAGEMENT PRACTICES FOR EROSION AND SEDIMENT CONTROL LATEST REVISION UNLESS OTHERWISE INCLUDED IN THESE PLANS OR PROJECT SPECIFICATIONS.
3. ALL EXISTING ROADWAYS USED IN ACCESSING THE SITE SHALL REMAIN CLEAN IN ACCORDANCE WITH THE 2014 MAINEDOT STANDARD SPECIFICATIONS.
4. THE CONTRACTOR SHALL SUBMIT THE PROPOSED STAGING AREA(S) TO THE RESIDENT FOR APPROVAL PRIOR TO STARTING WORK.
5. PAVE TO WITHIN 1 INCH OF FACE OF GUARDRAIL.
6. THE MAINE TURNPIKE AUTHORITY WILL FINAL STRIPE THE PROJECT.
7. THE CONTRACTOR IS RESPONSIBLE FOR LAYOUT OF THE FINAL PAVEMENT MARKINGS AND TRAFFIC CONTROL ASSOCIATED WITH FINAL STRIPING.
8. ANY DAMAGE TO FINAL PAVEMENT, SLOPES, OR STRUCTURES CAUSED BY THE CONTRACTOR'S EQUIPMENT, PERSONNEL OR OPERATIONS SHALL BE REPAIRED TO THE SATISFACTION OF THE RESIDENT. ALL WORK, EQUIPMENT, AND MATERIALS REQUIRED TO MAKE REPAIRS SHALL BE AT THE CONTRACTOR'S EXPENSE.

EARTHWORK NOTES:

1. EXCAVATIONS ACCOMPLISHED AS PART OF THIS PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH OSHA SUBPART P OF 29 CFR PART 1926.650-652 (CONSTRUCTION STANDARDS FOR EXCAVATION).
2. WASTE MATERIALS SHALL BE DISPOSED OF OFF THE PROJECT SITE, IN ACCORDANCE WITH CHAPTER 404, DEPARTMENT OF ENVIRONMENTAL PROTECTION SOLID WASTE MANAGEMENT RULES.
3. THE NORMAL GRUBBING WIDTH IN THE FILLS SHALL BE VARIABLE WHEN SUBGRADE IS LESS THAN 5' ABOVE OLD GROUND. THE GRUBBING DEPTH HAS BEEN ESTIMATED AS 6" IN FIELD AREAS AND 12" IN WOODED AREAS. MUCK EXCAVATION HAS BEEN ESTIMATED AS 18".
4. DO NOT EXCAVATE FOR AGGREGATE SUBBASE COURSE WHERE EXISTING MATERIAL IS SUITABLE AS DETERMINED BY THE RESIDENT.
5. GRANULAR BORROW AND AGGREGATE SHALL BE COMPACTED TO 95% OF THEIR MAXIMUM DRY DENSITY AS DETERMINED BY THE MODIFIED PROCTOR. COMON BORROW SHALL BE COMPACTED TO 90% OF ITS MAXIMUM DRY DENSITY AS DETERMINED BY THE MODIFIED PROCTOR.
6. EXISTING INSLOPES 2:1 OR STEEPER IN PROPOSED FILL AREAS SHALL BE BENCHED AS SHOWN IN THE DETAILS OR AS DIRECTED BY THE RESIDENT.
7. ALL GRANULAR BORROW SHALL MEET REQUIREMENTS FOR GRANULAR BORROW UNDERWATER BACKFILL.

DRAINAGE NOTES:

1. NO EXISTING DRAINAGE SHALL BE ABANDONED, REMOVED OR PLUGGED WITHOUT APPROVAL OF THE RESIDENT.
2. INLETS AND OUTLETS OF ALL CULVERTS SHALL BE RIPRAPPED UNLESS OTHERWISE NOTED ON THE PLANS OR DIRECTED BY THE RESIDENT.
3. ALL DITCH ELEVATIONS AND OFFSETS SHOWN ON THE CROSS SECTIONS ARE FOR THE FINISHED DITCH FLOW LINE.
4. EXISTING CATCH BASINS AND EXISTING CULVERTS TO REMAIN SHALL BE CLEANED AS DIRECTED BY THE RESIDENT UNDER ITEM 631.32 CULVERT CLEANER (INCLUDING OPERATOR).
5. ONE GREEN DELINEATOR POST SHALL BE INSTALLED AT UNDERDRAIN AND STORM DRAIN OUTLETS AS DIRECTED BY THE RESIDENT. PAYMENT SHALL BE MADE UNDER ITEM 606.356 - UNDERDRAIN DELINEATOR POST.

STRIPING LEGEND:

SYEL = SOLID YELLOW EDGE LINE (6" PAINT)

SWEL = SOLID WHITE EDGE LINE (6" PAINT)

UTILITY NOTES:

1. THE CONTRACTOR IS REQUIRED TO CALL DIG SAFE AT 1-888-344-7233 AT LEAST 72 HOURS PRIOR TO THE START OF WORK. ALL PROPOSED SIGN AND EXCAVATION LOCATIONS SHALL BE MARKED AT THE NOTIFICATION TIME. THE RESIDENT ENGINEER SHALL BE PROVIDED AN ELECTRONIC COPY OF ALL DIG SAFE TICKETS WITHIN 24 HOURS OF THEIR RELEASE FOR PROJECT NOTIFICATIONS AND 3RD PARTY UTILITY LOCATOR COORDINATION.
2. THE CONTRACTOR SHALL NOTIFY ALL NON-MEMBERS THROUGH WWW.OKTODIG.COM OR AS OTHERWISE REQUIRED BY THE MAINE PUBLIC UTILITIES COMMISSION. ALL PROPOSED SIGN AND EXCAVATION LOCATIONS SHALL BE MARKED AT THE NOTIFICATION TIME. THE RESIDENT ENGINEER SHALL BE PROVIDED AN ELECTRONIC COPY OF ALL NON-MEMBER NOTIFICATIONS WITHIN 24 HOURS OF THEIR RELEASE
3. THE CONTRACTOR SHALL NOTIFY THE RESIDENT 10 CALENDAR DAYS PRIOR TO SUBMITTING ANY UTILITY LOCATE REQUESTS AS NOTED ABOVE SO THAT THE RESIDENT CAN ARRANGE FOR MAINE TURNPIKE UNDERGROUND UTILITY LOCATION. ALL PROPOSED SIGN AND EXCAVATION LOCATIONS SHALL BE MARKED AT THE NOTIFICATION TIME. NO EXCAVATION SHALL BE PERMITTED UNTIL THE AUTHORITY HAS LOCATED AND MARKED ITS UNDERGROUND UTILITIES.
4. FOLLOWING THE COMPLETION OF THE INITIAL UTILITY LOCATE THE CONTRACTOR WILL GPS LOCATE ALL UTILITIES WITHIN THE PROJECT LIMITS AND PROVIDE A COPY OF THE DIG SAFE RECORDS TO THE AUTHORITY. THE CONTRACTOR, ACTING AS THE AUTHORITY'S THIRD-PARTY LOCATOR, SHALL BE RESPONSIBLE FOR REMARKING ALL MAINE TURNPIKE FACILITIES WHEN A DIG SAFE UTILITY IS CALLED FOR THE PROJECT. THIS WORK SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT.

EROSION CONTROL NOTES:

1. THE ANTICIPATED EROSION CONTROL DEVICES ARE SHOWN ON THE PLANS. THE CONTRACTOR SHALL PROPOSE ACTUAL TYPE AND LOCATION OF DEVICES FOR APPROVAL BY THE RESIDENT. ADDITIONAL MEASURES MAY BE PROPOSED BY THE CONTRACTOR DUE TO SITE OR WEATHER CONDITIONS. THE RESIDENT MAY DIRECT THE CONTRACTOR TO IMPLEMENT ADDITIONAL MEASURES. ANY ADDITIONAL MEASURES APPROVED BY THE RESIDENT WILL BE MEASURED FOR PAYMENT UNDER THE APPROPRIATE PAY ITEMS.
2. 4" LOAM HAS BEEN ESTIMATED FOR 100% OF THE DISTURBED SLOPE AREA UNESS OTHERWISE SPECIFIED ON THE PLANS. ACTUAL PLACEMENT OF THE LOAM SHALL BE AS DESIGNATED BY THE RESIDENT.
3. TEMPORARY BERMS AND TEMPORARY SLOPE DRAINS ARE ANTICIPATED AT ALL DOWNSPOT LOCATIONS AND TOP OF EMBANKMENTS WHILE GROWTH IS BEING ESTABLISHED ON SIDE SLOPES.
4. NEWLY DISTURBED EARTH SHALL BE MULCHED PRIOR TO A RAIN EVENT. THIS WORK SHALL BE PAID FOR UNDER ITEM 619.1202 TEMPORARY MULCH.
5. ALL TEMPORARY AND PERMANENT EROSION CONTROL DEVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE MAINE DEPARTMENT OF TRANSPORTATION BEST MANAGEMENT PRACTICES.
6. EROSION CONTROL BLANKET, ITEM 613.319, SHALL BE INSTALLED IN ALL DITCHES AND SLOPES GREATER THAN 3:1 FROM TOP TO TOE OF SLOPE. LOAM AND SEED SHALL BE PLACED PRIOR TO THE INSTALLATION OF THE EROSION CONTROL BLANKET. LIMITS OF THE EROSION CONTROL BLANKET IN DITCHES SHALL BE 6' WIDE OR AS DESIGNATED BY THE RESIDENT.
7. TEMPORARY STABILIZATION WITH MULCH OR OTHER NON-ERODABLE COVER IS REQUIRED ON ALL EXPOSED SOILS THAT WILL NOT BE WORKED FOR MORE THAN 7 DAYS. AREAS WITHIN 75 FEET OF A WETLAND OR WATERBODY SHALL BE STABILIZED WITHIN 48 HOURS OF THE INITIAL DISTURBANCE OF THE SOIL OR PRIOR TO ANY STORM EVENT, WHICHEVER COMES FIRST. THE CONTRACTOR IS RESPONSIBLE FOR APPLYING TEMPORARY MULCH AS NECESSARY, IN ACCORDANCE WITH THE LATEST EDITION OF THE BMP'S, TO MINIMIZE SOIL EROSION PRIOR TO THE APPLICATION OF THE FINAL SLOPE TREATMENT.
8. STABILIZED CONSTRUCTION ENTRANCES MUST BE USED AND MAINTAINED. NO TRACKING OF SOIL ON THE MAINE TURNPIKE OR LOCAL ROADS WILL BE ALLOWED.
9. A DOUBLE ROW OF SILT FENCE PROTECTION SHALL BE INSTALLED AT ALL STREAM LOCATIONS AND OPEN WATER WETLANDS.
10. UNLESS OTHERWISE NOTED; SEEDING METHOD NO. 2 SHALL BE UTILIZED ON ALL AREAS.
11. ADDITIONAL MEASURES MAY BE PROPOSED BY THE CONTRACTOR DUE TO SITE OR WEATHER CONDITIONS. THE RESIDENT MAY DIRECT THE CONTRACTOR TO IMPLEMENT ADDITIONAL MEASURES. ANY ADDITIONAL MEASURES APPROVED BY THE RESIDENT WILL BE MEASURED FOR PAYMENT.

LIGHTING NOTES:

1. CONTRACTOR SHALL MAINTAIN THE OPERABILITY OF THE EXISTING HIGHWAY LIGHTING SYSTEM.
2. ALL PERMANENT WIRING SHALL BE STRANDED COPPER XHHW-2.
3. LOCATION OF ELECTRICAL CONDUIT IS SCHEMATIC ONLY.
4. ALL HIGHWAY LIGHTING CONDUIT SHALL BE 3" SCHEDULE 80 AND SHALL BE PAID UNDER ITEM 626.22 - NON-METALLIC CONDUIT.
5. ALL HIGHWAY LIGHTING WIRING SHALL BE INCIDENTAL TO THE HIGHWAY LIGHTING CONDUIT.

Filename: ...\HIGHWAY\MSTA_GeneralNotes.dgn

Scale: NOT TO SCALE

No.	Revision	By	Date
	30% PLANS		
	NOT FOR CONSTRUCTION		

Designed by: Stantec

CONSULTANT PROJECT MANAGER: JOSEPH HOWE, PE

	By	Date		By	Date
Designed	CLG	02\26	Checked	JRH	02\26
Drawn	CLG	02\26	In Charge of	JRH	02\26

STANTEC CONSULTING SERVICES INC.
2211 CONGRESS STREET SUITE 380
PORTLAND, ME 04102
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MAINE TURNPIKE

THE GOLD STAR MEMORIAL HIGHWAY

MTA PROJECT MANAGER: LAUREN FLEMING, PE

RAMP IMPROVEMENTS
BIDDEFORD EXIT 32

GENERAL NOTES

SHEET NUMBER: GN-01

CONTRACT:2026.19

Work-Start Notification Form

File Number: NAE-2026-00330 State: Maine County: York

Permittee: Maine Turnpike Authority
Date Verification Issued: 4/22/2026
Project Manager: Amanda Sayles

At least two weeks prior to commencing the activity authorized by this permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS
New England District
Attn: Amanda Sayles
442 Civic Center Drive
Augusta, ME 04330
or
amanda.l.sayles@usace.army.mil
978-318-8486

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers (USACE) representative. Failure to comply with any terms or conditions of this authorization may result in the USACE suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

The people (e.g. contractor) listed below will do the work, and they understand the permit's conditions and limitations.

Contractor Name/Contractor Firm: _____
Business Address: _____
_____
Contractor Phone and Email: _____

Proposed Construction Dates: Start: _____ Finish: _____

_____ _____
Signature of Permittee Date

U.S. Army Corps of Engineers (USACE)

CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.

Form Approved - OMB No. 0710-0003 Expires 2027-10-31

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PURPOSE: This form is used by recipients of U.S. Army Corps of Engineer Regulatory permits to certify compliance with the permit terms and conditions.

Your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the U.S. Army Corps of Engineers, New England District, Regulatory Office.

The certification can be submitted by email at Amanda.L.Sayles @usace.army.mil or by mail at the below address:

U.S. Army Corps of Engineers
New England District Office
Street Address: 442 Civic Center Drive
City: August State: Maine Zip Code: 04330

COMPLETED BY THE CORPS

Corps Action Number: NAE-2026-00330

Permit Type: General Permit

General Permit Number and Name (*if applicable*): NWP 14

Name of Permittee: Maine Turnpike Authority Mr. Sean Donohue

Project Name: Maine Turnpike Exit 32 Southbound Off Ramp Improvements

Project Location (*physical address*):

Biddeford, Maine

PERMITTEE'S CERTIFICATION

Date Work Started: _____

Date Work Completed: _____

Enclose photographs showing the completed project (*if available*).

I _____ hereby certify that the work authorized by the above referenced permit has been completed in accordance with all of the permit terms and conditions, and that any required compensatory mitigation has been completed in accordance with the permit conditions.

Name	Date	Signature