

Request for Proposals Mast Road Culvert Replacement December 14, 2021

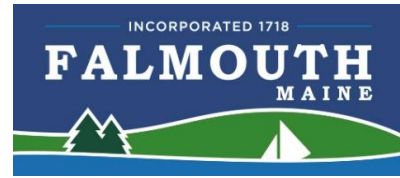
The Town of Falmouth Public Works Department seeks qualified contractors to satisfactorily complete replacement of an existing double barrel 46” corrugated metal pipe (CMP) culvert and 36” reinforced concrete pipe (RCP) overflow with a 12-foot span by 5-foot rise reinforced concrete box culvert, approximately 42 linear feet in length. The culvert is located on Mast Road over Suckfish Brook in Falmouth, ME as shown in the attached map. Sealed bids shall be submitted to the Town using the enclosed bid form. Bids shall be submitted by **Thursday, January 13th, 2022 at 11:00 AM at the Falmouth Public Works building located at 101 Woods Road, Falmouth, ME 04105.**

Proposals shall be submitted in sealed packages labeled “RFP – Mast Road Culvert Replacement, Attn: Justin Early.”

There will not be a pre-bid meeting for this project. Prospective bidders are encouraged to visit the site and may request a site meeting with the Town Engineer to review the project. All pre-bid correspondence shall be submitted to Justin Early, Town Engineer, at jearly@falmouthme.org or at 207-781-3919. Questions regarding this bid/proposal shall be accepted until 5:00 PM, Monday, January 10th, 2022.

General Contract Specifications

1. All excavation, restoration, construction, materials and maintenance of traffic control shall adhere to Maine Department of Transportation and Town of Falmouth specifications. If there are conflicting requirements, the stricter shall apply.
2. Contractor shall provide the Town of Falmouth a construction schedule containing the construction sequence and the estimated time required to complete the project.
3. The Contractor will be required to comply with all conditions stated in the attached General Permit from the U.S. Army Corps of Engineers (Corps), which is attached to this RFP.
4. Contractor shall be responsible for contacting Dig Safe and non-Dig Safe utility operators (which includes both the Falmouth Public Works and Wastewater Departments) as required by law.
5. All improvements included in the project shall have a one-year warranty. The contractor will not be required to hold any retainage funds.
6. Awarded bidder shall enter into agreement (attached) and provide the required insurance certificate per the agreement.
7. Anything not otherwise specified, that is necessary to complete the project as specified, shall be considered incidental.
8. The Town of Falmouth reserves the right to accept or reject any and all bids.



General Description of Work/ General Contract Specifications

Scope of Work/Project Information

- The work for the Mast Road Culvert Replacement shall consist of, but not limited to, the complete and satisfactory construction of a new 12' span x 5' rise pre-cast concrete box culvert (embedded 2-feet in the existing channel bottom), riprap, backfill, road base and pavement. Project plans are included with this RFP.
- Perform all other incidental as described in the specifications.

Traffic Control

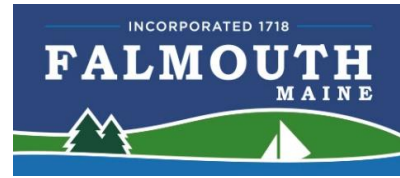
- The Contractor shall be required to maintain one (1) lane, alternating direction, for traffic and emergency vehicles at all times. **Mast Road may be closed for up to one (1) calendar week to facilitate the installation of the culvert.** The road closure shall not occur until after the school season ends, which is currently scheduled for June 14th, 2022.
- Prior to project commencement, the contractor shall be required to submit a traffic control plan, showing proposed detours around the construction site, to the Town to be approved by the Public Works Department, Police Department and Fire Department. Where detours are permitted, the Contractor shall supply his/her own barricades and signs as approved by the Town Engineer. The Contractor is responsible for all work zone/traffic control.

Time Limit/Completion of Work

- The contractor is required to follow all terms specified in the attached Corps permit for work in-water work. The permit requires that in-water work shall not begin before June 1st and must be completed by September 30th. However, the Town is scheduled to complete a pavement overlay on Mast Road during the 2022 construction season. Therefore, **the project must be complete no later than September 2nd, 2022.**

Permit/Erosion and Sediment Control

- The contractor is required to follow all terms specified in the Corps permit as well as Maine Department of Environmental Protection (MEDEP) standards for Erosion and Sediment Control.
 - No unconfined fill or excavation in flowing waters is allowed. In-stream construction work shall be conducted "in-the-dry" under no-flow conditions or by using cofferdams, temporary flume pipes, culverts, etc. Downstream flows shall be maintained during instream construction.
 - An Erosion and Sediment Control Plan shall be submitted to the Town Engineer for review and approval before work commences.



Bid Form (Mast Road Culvert Replacement)

Item #	Item (MEDOT specification where applicable)	Estimated Quantity	Unit	Unit Price (\$)	Total Price (\$)
1	Remove Pavement Surface (202.127)	156	SY		
2	Remove Existing Culvert Pipes (202.19)	1	LS		
3	12' x 5' Precast Concrete Box Culvert (534.71)	1	LS		
4	Void-Filled Riprap (D50=12")	90	CY		
5	Riprap (D50=12")	30	CY		
6	Common Borrow (703.18)	100	CY		
7	Aggregate Base (304.14)	60	CY		
8	Aggregate Subbase (304.10)	20	CY		
9	F&I 12.5mm HMA Surface Mix (403.208)	14	Tons		
10	F&I 19.0mm HMA Base Mix (403.207)	18	Tons		
11	Remove and Reset Guardrail	100	LF		
12	Loam and Seed	200	SY		
13	Temp. Soil and Water Pollution Control (656.75)	1	LS		
14	Traffic Control	1	LS		
15	Mobilization (659.10)	1	LS		

Total Bid Price (numerals): _____

Total Bid Price (written): _____

Bid Submittal: Sealed bids shall be labeled "RFP – Mast Road Culvert Replacement, Attn: Justin Early and addressed to Town of Falmouth, Public Works Department, 101 Woods Road, Falmouth, ME 04105.

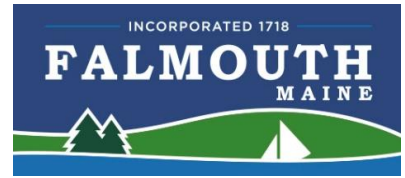
Sealed bids shall be submitted by **Thursday, January 13th, 2022 at 11:00 AM** Eastern Standard Time.

There will not be a pre-bid meeting for this project.

Bid results will be distributed electronically shortly following the bid submittal date.

A bid bond is not required for this project.

Town of Falmouth
Public Works Department
101 Woods Road
Falmouth, ME 04105
207-781-3919



All pre-bid correspondence shall be submitted to Justin Early, Town Engineer, at jeary@falmouthme.org or at 207-781-3919.

Questions regarding this bid/proposal shall be accepted until 5:00 PM, Monday, January 10th, 2022.

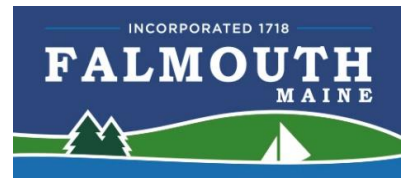
I have read and understand the content of this Request for Proposal (RFP):

Contractor: _____

Signed: _____ Date: _____

Title: _____

Email: _____ Phone: _____



AGREEMENT

I. PARTIES

This contract (hereinafter referred to as "Agreement") is made and entered into on this _____ day of _____, 2020, by and between the Inhabitants of the Town of Falmouth with a mailing address of 271 Falmouth Road, Falmouth, Maine 04105 (hereinafter referred to as "Town"); and _____, with a mailing address of _____ (hereinafter referred to as "Contractor"). In consideration of the mutual promises contained herein, Contractor agrees to perform the following services for the Town.

II. SCOPE OF WORK

In consideration of the compensation set forth herein, the Contractor shall perform the services as outlined in a request for proposal dated _____ and attached hereto as Exhibit A and the response attached hereto as Exhibit B.

III. COMMENCEMENT AND COMPLETION

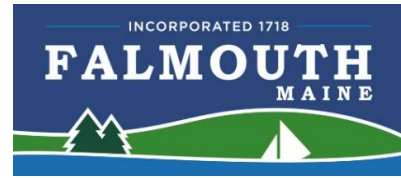
The Contractor will commence work on or before _____, 2022 and will complete work on or before September 2nd, 2022.

IV. PAYMENT TERMS

The Contractor shall submit an invoice on or about the first of each month reflecting services performed at the Contractor's normal professional billing rates, attached hereto as Exhibit C. The Contractor understands that the payment for completion of the services outlined in Section II shall not exceed _____ Dollars (\$____), and the Contractor agrees to perform the services on that basis. Invoices shall list separately all out of pocket expenses being billed.

V. TERMINATION

Either party may terminate this Agreement for cause after giving the other party written notice and a reasonable opportunity to cure. The Town may terminate without cause by giving the Contractor fourteen (14) days notice, and compensating the Contractor equitably to the termination date.



VI. DISPUTE RESOLUTION

Any controversy or claim arising out of or related to this Agreement, which cannot be resolved between the parties shall be submitted to the Maine Superior Court (Cumberland County). This agreement shall be governed by Maine law.

VII. QUALIFICATIONS

The Contractor represents it holds, and will continue to hold during the term hereof any and all qualifications, licenses and certifications required to perform its services in Maine. The contractor shall perform all services in accordance with professional standards.

VIII. SUBCONTRACTORS

The Contractor shall be fully responsible to the Town for the acts and omissions of any subcontractors, and of persons either directly or indirectly employed by it, and shall hold subcontractors to the same terms and conditions as Contractor is held under this Agreement. No subcontractors shall be retained on this Agreement without the specific prior written approval of the Town.

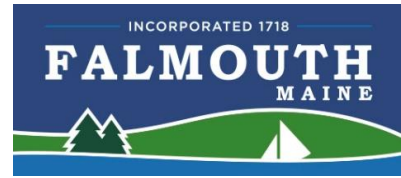
IX. INSURANCE

The Contractor shall purchase and maintain Workers' Compensation Insurance, General Public Liability and Property Damage Insurance including vehicle coverage and professional liability insurance, all with limits and terms satisfactory to the Town. The Town shall be named as an additional insured on the liability policy.

X. INDEMNIFICATION

The Contractor will indemnify and hold harmless the Town, its officers, agents and employees from and against all claims, damages, losses and expenses including attorney's fees arising out of or resulting from the performance of the Agreement by the Contractor, its officials, employees, agents and subcontractors.

Town of Falmouth
Public Works Department
101 Woods Road
Falmouth, ME 04105
207-781-3919



XI. ENTIRE AGREEMENT

This Agreement and its attachments represent and contain the entire agreement between the parties. Prior discussions or verbal representations by the parties that are not contained in this Agreement and its attachments are not a part of this Agreement. Where there is any conflict between the provisions of this Agreement and the provisions of any attachment, the provisions of this Agreement shall control.

Date: _____

By: _____

Title: _____

Date: _____

INHABITANTS OF THE
TOWN OF FALMOUTH, MAINE

By: _____
Nathan A. Poore, Town Manager



Mast Road Culvert Replacement



- Project Location

100 50 0 100 Feet



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

JUSTIN EARLY
TOWN OF FALMOUTH
101 WOODS ROAD
FALMOUTH, MAINE 04105

CORPS PERMIT # NAE-2021-02505
CORPS GPs 22
STATE ID# NRPA

DESCRIPTION OF WORK:

Place permanent and temporary fill below the ordinary high water mark of Suckfish Brook and in adjacent freshwater wetlands at Falmouth, Maine in order to replace existing deteriorated twin culverts and an overflow culvert beneath Mast Road with a box culvert. This work will result in approximately 640 s.f. of permanent and 260 s.f. of temporary stream bed impact, and 409 s.f. of permanent and 470 s.f. of temporary wetland impact and is shown on the attached plans entitled "Mast Road Culvert Location Map, Falmouth, Maine" in one sheet dated "7/9/2021" and "TOWN OF FALMOUTH, MAST ROAD

Project Description Continued on Page 2

See Special and General Conditions attached.

LAT/LONG COORDINATES: 43.766101° °N -70.336985° °W USGS QUAD: CUMBERLAND CNTR, ME

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. **Your work is therefore authorized by the U.S. Army Corps of Engineers under the Federal Permit, the Maine General Permits (GPs) which can be found at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit/>** Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GPs, including the GPs conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GPs requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 45 of the GPs (page 19) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GPs on October 14, 2025. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 14, 2026.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. **This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.**

II. STATE ACTIONS: PENDING [☒], ISSUED [☐], DENIED [☐] DATE _____

APPLICATION TYPE: PBR: ☒ , TIER 1: ☐ , TIER 2: ☐ , TIER 3: ☐ , LURC: ☐ DMR LEASE: ☐ NA: ☐

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 10/6/21 LEVEL OF REVIEW: SELF-VERIFICATION: ☐ PRE-CONSTRUCTION NOTIFICATION: ☒

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 ☐ , 404 ☒ 10/404 ☐ , 103 ☐

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO , USF&WS NO , NMFS NO

If you have any questions on this matter, please contact my staff at 978-318-8676 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at: http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0

JAY L. CLEMENT
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

FOR FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



**US Army Corps
of Engineers®**
New England District

Project Description Continued from Page 1

CULVERT REPLACEMENT, FALMOUTH, MAINE in three sheets dated “JUL 2020”, and “**MAST ROAD CULVERT REPLACEMENT, TOWN OF FALMOUTH, MAINE**” in three sheets dated “8/11/2021”.

**PLEASE NOTE THE FOLLOWING GENERAL AND SPECIAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
MAINE GENERAL PERMITS 22
PERMIT NO. NAE-2021-02505**

GENERAL CONDITIONS

3. Other Permits. Permittees shall obtain other Federal, State, or local authorizations as required by law. Permittees are responsible for applying for and obtaining all required State of Maine or local approvals including a Flood Hazard Development Permit issued by the town/city. Work that is not regulated by the State of Maine, but is subject to Corps jurisdiction, may still be eligible for authorization under these GPs.

23. Soil Erosion, Sediment, and Turbidity Controls.

a. Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, installation of sediment control barriers (i.e. silt fence, vegetated filter strips, geotextile silt fences, erosion control mixes, hay bales or other devices) downhill of all exposed areas, retention of existing vegetated buffers, application of temporary mulching during construction, and permanent seeding and stabilization shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. They shall be capable of preventing erosion; of collecting sediment, suspended and floating materials; and of filtering fine sediment.

b. Temporary sediment control barriers shall be removed upon completion of work, but not until all disturbed areas are permanently stabilized. The sediment collected by these sediment barriers shall be removed and placed at an upland location and stabilized to prevent its later erosion into a waterway or wetland.

c. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.

26. Temporary Fill.

a. Temporary fills, including but not limited to construction mats and corduroy roads shall be entirely removed as soon as they are no longer needed to construct the authorized work. Temporary fill shall be placed in its original location or disposed of at an upland site and suitably contained to prevent its subsequent erosion into waters of the U.S.

b. All temporary fill and disturbed soils shall be stabilized to prevent its eroding into waters of the U.S. where it is not authorized. Work shall include phased or staged development to ensure only areas under active development are exposed and to allow for stabilization practices as soon as practicable. Temporary fill shall be placed in a manner that will prevent it from being eroded by expected high flows.

c. Unconfined temporary fill authorized for discharge into waters of the U.S. shall consist of material that minimizes impacts to water quality (e.g. washed stone, stone, etc.).

d. Appropriate measures shall 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. Materials shall be placed in a location and manner that does not adversely impact surface or subsurface water flow into or out of the wetland. Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric or other appropriate material laid on the pre-construction wetland grade where practicable to minimize impacts and to facilitate restoration to the original grade. Construction mats are excluded from this requirement.

e. Construction debris and/or deteriorated materials shall not be placed or otherwise located in waters of the U.S.

29. Stream Work and Crossings, and Wetland Crossings.

a. Crossings shall be designed and constructed using the techniques and principles outlined in Stream Simulation, Stream Smart, Habitat Connectivity Design.

b. Crossings shall be designed to be at least 1.2 times bankfull width. Any footings, abutments, and/or abutment armoring shall also be at least 1.2 times bank full width.

c. Crossings shall have a natural bottom substrate under or within the structure matching the characteristics of the substrate in the natural stream channel. Crossings shall be designed and constructed with appropriate streambed forms and streambed characteristics so that water depths and velocities are comparable to those found in the adjacent natural channel at a variety of flows.

d. Crossings shall include a bank on both sides of the stream matching the horizontal profile of the existing stream and banks in order to allow terrestrial passage for wildlife and to prevent undermining of the footings as applicable.

e. Closed bottom culverts shall be embedded at least 25 percent of the maximum height of the culvert.

f. No unconfined fill or excavation in flowing waters is allowed. In-stream construction work shall be conducted “in-the-dry” under no-flow conditions or by using cofferdams, temporary flume pipes, culverts, etc. Downstream flows shall be maintained during in-stream construction. It is recommended that project plans include pertinent details for working in-the-dry and maintaining downstream flows.

g. Conditions (a) thru (e) immediately above do not apply to temporary stream crossings; however, in addition to conditions (f) immediately above, temporary stream crossings shall adhere to the following:

- i. Be placed on geotextile fabric or other material where practicable to ensure restoration to the original grade. Soil may not be used to construct or stabilize these structures and rock shall be large enough to allow for easy removal without disrupting the streambed.
- ii. Be designed and maintained to withstand and pass high flows. Water height shall be no higher than the top of the culvert's inlet. A minimum culvert diameter of two feet is required to pass debris. Culverts shall be aligned to prevent bank erosion or streambed scour.
- iii. Be equipped with energy dissipating devices installed downstream if necessary to prevent scour.
- iv. Be designed and maintained to prevent soil from entering the waterbody.
- v. Be removed upon the completion of work. Impacts to the streambed or banks requires restoration to their original condition using the methods in (a) above.

33. Permit(s)/Authorization Letter On-Site. The permittee shall ensure that a copy of the terms and conditions of these GPs and any accompanying authorization letter with attached plans are at the site of the work authorized by these GPs whenever work is being performed and that all construction personnel performing work which may affect waters of the U.S. are fully aware of the accompanying terms and conditions. The entire permit authorization shall be made a part of any and all contracts and subcontracts for work that affects areas of Corps jurisdiction at the site of the work authorized by these GPs. This shall be achieved by including the entire permit authorization in the specifications for work. The term "entire permit authorization" means all terms and conditions of the GPs, the GPs, and the authorization letter (including its drawings, plans, appendices and other attachments) and subsequent permit modifications as applicable. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or subcontract. Although the permittee may assign various aspects of the work to different contractors or subcontractors, all contractors and subcontractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire GP authorization,

34. Inspections. The permittee shall allow the Corps to make periodic inspections at any time deemed necessary in order to ensure that the work is eligible for authorization under these GPs, is being, or has been performed in accordance with the terms and conditions of these GPs. To facilitate these inspections, the permittee shall complete and return to the Corps the Work-Start Notification Form and the Compliance Certification Form when either is provided with an authorization letter. **These forms are attached after the plans.**

SPECIAL CONDITIONS

1. In water work shall be conducted from June 1 to September 30 of any year in order to minimize potential impacts to fisheries and local water quality.



**US Army Corps
of Engineers®**
New England District

(Minimum Notice: Permittee must sign and return notification
within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Corps of Engineers Permit No: NAE-2021-02505

Name of Permittee: Town of Falmouth

Permit Issuance Date: _____

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Policy & Technical Support Branch *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Printed Name

Date of Work Completion

() _____
Telephone Number

() _____
Telephone Number



**US Army Corps
of Engineers®**
New England District

**GENERAL PERMIT
WORK-START NOTIFICATION FORM**
(Minimum Notice: Two weeks before work begins)

EMAIL TO: jay.l.clement@usace.army.mil

-or-

MAIL TO: Jay L. Clement
U.S. Army Corps of Engineers, Maine Project Office
442 Civic Center Drive, Suite 350
Augusta, Maine 04330

A Corps of Engineers Permit (No. NAE-2021-02505) was issued to the Town of Falmouth. The permit authorized the permittee to place permanent and temporary fill below the ordinary high water mark of Suckfish Brook and in adjacent freshwater wetlands at Falmouth, Maine in order to replace existing deteriorated twin culverts and an overflow culvert beneath Mast Road with a box culvert. This work will result in approximately 640 s.f. of permanent and 260 s.f. of temporary stream bed impact, and 409 s.f. of permanent and 470 s.f. of temporary wetland impact.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Telephone: () _____ () _____

Proposed Work Dates: Start: _____

Finish: _____

PERMITTEE'S SIGNATURE: _____ DATE: _____

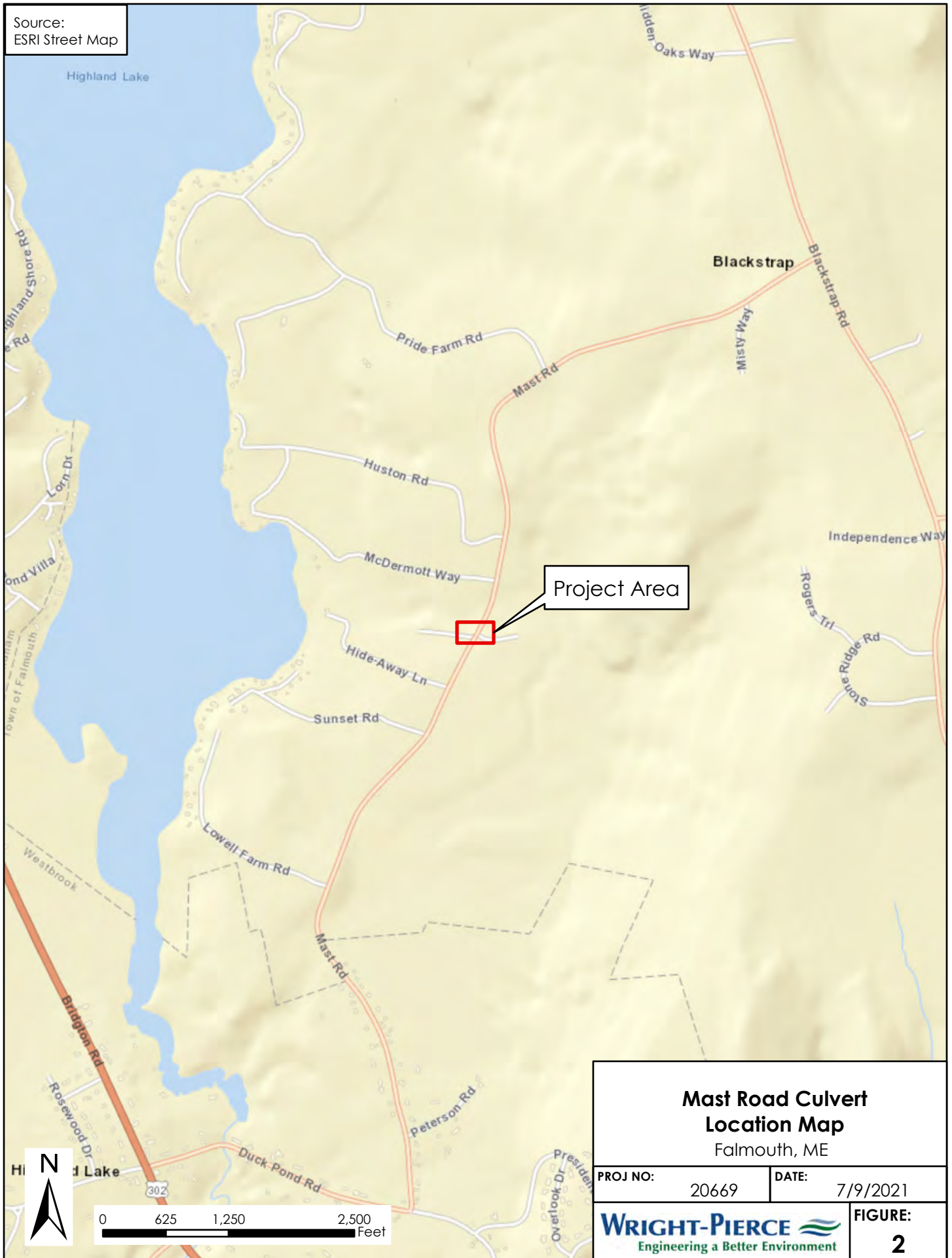
PRINTED NAME: _____ TITLE: _____

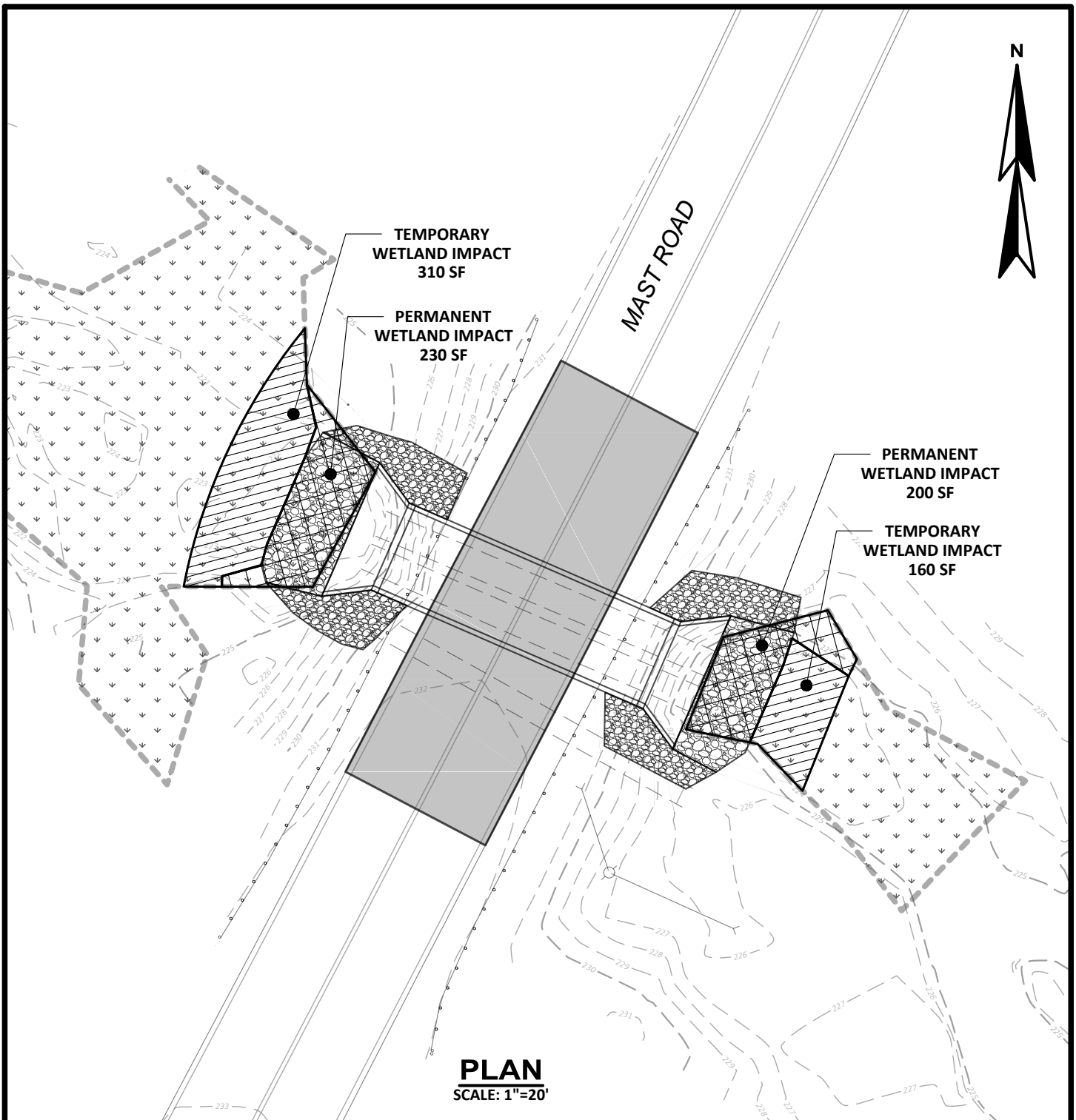
FOR USE BY THE CORPS OF ENGINEERS

Project Manager: Clement Submittals Required: No



Inspection Recommendation: None


Source:
ESRI Street Map





PLAN
SCALE: 1"=20'

WETLAND IMPACTS TABLE		
TEMPORARY WETLAND IMPACT		470 SF
PERMANENT WETLAND IMPACT		430 SF

TOWN OF FALMOUTH MAST ROAD CULVERT REPLACEMENT FALMOUTH, MAINE		NO.	REVISIONS	DRAWN BY	APP'D
		1			
		2			
		3			
PROJ NO:	20669	DATE:	AUGUST 2021		
WRIGHT-PIERCE 		WETLAND IMPACTS SKETCH			FIGURE: 1