

PROPOSAL

PIN 8761.66

**REPLACEMENT OF THE HILL BOULEVARD BRIDGE OVER
BARGER BROOK TRIBUTARY**

PIN 8761.71

**REPLACEMENT OF THE VETERANS ROAD CULVERT OVER
HALLOCKS MILL BROOK**

Prepared For:
TOWN OF YORKTOWN
DEPARTMENT OF ENGINEERING



Matthew Slater
Town Supervisor

Tom Diana, Ed Lachterman, Vishnu Patel, Alice E. Roker
Town Board Members

Dave Paganelli
Highway Superintendent

Michael Quinn
Town Engineer

March 13, 2020

FEDERAL AID PROJECT

INVITATION TO BID

PIN 8761.66: Replacement of the Hill Boulevard Bridge over Barger Brook Tributary

PIN 8761.71: Replacement of the Veterans Road Culvert over Hallocks Mill Brook

Town of Yorktown, Westchester County, NY

TOWN OF YORKTOWN DEPARTMENT OF ENGINEERING

Sealed Bids for PIN 8761.66 Replacement of the Hill Boulevard Bridge over Barger Brook Tributary and PIN 8761.71 Replacement of the Veterans Road Culvert over the Hallocks Mill Brook, will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall 363 Underhill Avenue, Yorktown Heights, NY 10598, until **April 17, 2020 at 2:00 PM**, at which time they will be publicly opened and read aloud.

A mandatory pre-bid inspection will be held on **March 31, 2020 at 10:00 AM**. Bidders shall meet at the Veterans Road Culvert project site at the intersection of Greenwood Street and Veterans Road. A visit to the Hill Boulevard Bridge project site will follow immediately thereafter. Representatives of the Engineer and Owner will be present to discuss the Project. Prospective bidders are required to attend and sign in on an attendance sheet.

The proposed projects include Replacement of the Hill Boulevard Bridge over Barger Brook Tributary (PIN 8761.66) and Replacement of the Veterans Road Culvert over Hallocks Mill Brook (PIN 8761.71). The Hill Boulevard Bridge Replacement (BIN 2265539) involves the complete replacement of the bridge that carries Hill Boulevard over a Barger Brook Tributary, while the Veterans Road Culvert Replacement involves the complete replacement of the culvert that carries Veterans Road over the Hallocks Mill Brook. Both projects are located in the Town of Yorktown, Westchester County, NY. Work at both sites includes removing the existing twin corrugated metal pipes and replacing them with a precast structure. Temporary waterway diversion and dewatering measures, replacing approach roadway pavement and appurtenances, and restoring disturbed areas within the project limits are also included. The project is being progressed by the Town of Yorktown with oversight from the NYSDOT Local Projects Unit.

Complete sets of contract documents, including bidder information, specifications, plans, and bid forms, may be obtained in the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, New York 10598 on or after **March 19, 2020**. Bid Documents will also be available on the Town of Yorktown's website at www.yorktownny.org, on New York State Contract Reporter at www.nyscr.ny.gov and on Empire State Bid Net at www.bidnetdirect.com/new-york.

Contractors that obtain contract documents from a source other than the Town Clerk's office must notify the Town Clerk with their contact information in order to receive addenda and other bid correspondence. Addenda will be emailed from the Town Clerk to all Bidders. Bidders must email the Town Clerk an acknowledgement that an addendum has been received, this will act as proof the Bidder received the addendum.

All Bids must be submitted, upon the forms furnished by the Town, addressed to the Town of Yorktown in the care of the Town Clerk at the above address and shall be enclosed in a **sealed envelope** marked "**PIN 8761.66: Replacement of the Hill Boulevard Bridge over Barger Brook Tributary / PIN 8761.71: Replacement of the Veterans Road Culvert over Hallocks Mill Brook**" and shall be accompanied by a bid bond, certified check, or bank cashier's check made payable to the order of "Town of Yorktown", or an Irrevocable Letter of Credit, payable on demand, in the amount of 10% of the Bid as a guarantee that the Bidder will enter into a Contract if it be awarded to him. The Bidder assumes risk of any delay in the mail or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the Bidder assumes the responsibility for having Bids in at the time and the place specified above.

The only reason a Bid can be withdrawn is if there is a bid mistake as that term is defined by Section 103(11) of the New York State General Municipal Law. No Bid shall be withdrawn for a period of **Forty-Five (45) days** after the opening of Bids without the consent of the Town Supervisor. The successful Bidder will be required to execute a Contract. For a violation of this provision or, a failure to comply with the Notice/Intent of Award, or any other requirements of the Contract Documents the Bidder shall be required to **forfeit** to the Town of Yorktown, his Bid Bond, Certified Check, or Irrevocable Letter of Credit as liquidated damages. Unsuccessful Bidders shall have their checks returned to them within fifteen (15) days of Contract award. No Contract will be awarded to any

corporation not incorporated in the State of New York unless such corporation has the authority to do business within the State of New York, pursuant to the applicable statutes.

This is a Locally Administered Federal Aid Project (LAFAP) and must comply with the Procedures for Locally Administered Federal Aid Projects (PLAFAP) as outlined in the NYSDOT PLAFAP Manual. The project contains Affirmative Action Goals and reporting requirements. NYSDOT Standard Specifications must be followed on a Federal Aid project. This project is subject to the provisions of Section 103 of the General Municipal Law and subsequent amendments, and all Federal requirements. This contract must be constructed in accordance with NYSDOT Standard Specifications, Construction and Materials, officially finalized and adopted on January 1, 2020 as posted on the New York State Department of Transportation's website. The successful bidder and all subcontractors will be required to complete the New York State Uniform Contracting Questionnaire (CCA-2) online and the prime contractor and subcontractors will be required to use NYSDOT Civil Rights Software, "Equitable Business Opportunity Solution (EBO)".

PIN 8761.66 and PIN 8761.71 are Federally-Aided projects for which there is an 8% Disadvantaged Business Enterprise (DBE) goal. Equal Employment Opportunity (EEO) goals are 6.9% for women and 22.6% for minorities. There are no residence or geographical restrictions or requirements associated with this project.

Bidders are required to execute the Non-Collusive Bidding Certificate attached to the bid documents pursuant to Section 103-d of the General Municipal Law of the State of New York. Bidders are required to submit the Disclosure of Lobbying Activities form also included in the bid documents. Bidders attention is drawn to the requirements as to the conditions of employment to be observed and prevailing wage rates or Davis-Bacon wage rates to be paid under this Contract.

The Town of Yorktown reserves the right to reject any and all Bids if determined to be in the Town's best interest to do so. The Town of Yorktown, at its sole discretion, has the right not the obligation, to waive minor irregularities. The price submitted shall be exclusive of Federal, State and Local taxes since the Town of Yorktown is a tax-exempt entity.

If your Bid is accepted, the undersigned agrees to enter into the Contract in the form contained in the Contract Documents within **TEN (10) DAYS** of the Conditional Notification of Award date. The Successful Bidder shall finish the Work by the Completion Date indicated therein (**240 calendar days from receiving the Notice to Proceed**). In addition, the Successful Bidder shall provide Faithful Performance and Payment Bond, each equal to 100% of the Contract amount. The Successful Bidder shall provide all required insurance coverage as per NYSDOT Standard Specification Section 107-06.B including, but not limited to; Comprehensive General Liability including Broad form contractual liability with bodily injury including wrongful death and property damage, Auto Insurance with bodily injury including wrongful death and property damage, all with the Town of Yorktown, NYSDOT and FHWA named as an additional insured. The Successful Bidder must also provide New York State Worker's Compensation and New York State Disability Insurance coverage for their employees or, provide satisfactory proof that they are statutorily exempt from the requirement to have same. Proof of this coverage is no longer acceptable on the Insurance Industry's "Acord" form.

Should Bidders observe any errors, omissions, conflicts, ambiguities, etc. in or among the contract documents, he or she should promptly notify Diana Quast, Town Clerk, Town of Yorktown. Any inquiries regarding the contract plans or specifications must be directed in writing to Diana Quast, Town Clerk, Town of Yorktown and submitted at least **seven (7) calendar days prior to the bid opening date** to receive responses. She may be reached via mail at Yorktown Town Hall Attn: Town Clerk 363 Underhill Ave, Yorktown heights, NY 10598 or email address dquast@yorktownny.org. The subject heading for all e-mails shall be: **PINs 8761.66 Hill Boulevard & 8761.71 Veterans Road**

DATED: March 13, 2020

BY: Diana Quast
TOWN CLERK
TOWN OF YORKTOWN

PROPOSAL

PIN 8761.66

**REPLACEMENT OF THE HILL BOULEVARD BRIDGE OVER
BARGER BROOK TRIBUTARY**

PIN 8761.71

**REPLACEMENT OF THE VETERANS ROAD CULVERT OVER
HALLOCKS MILL BROOK**

Prepared For:
TOWN OF YORKTOWN
DEPARTMENT OF ENGINEERING



Matthew Slater
Town Supervisor

Tom Diana, Ed Lachterman, Vishnu Patel, Alice E. Roker
Town Board Members

Dave Paganelli
Highway Superintendent

Michael Quinn
Town Engineer

March 13, 2020

FEDERAL AID PROJECT

TABLE OF CONTENTS

Invitation to Bid	Page i
Scope of Work	Page 2
Instructions to Bidders.....	Page 3
Bid	Page 6
Bidder Information Sheet	Page 6
Bid Form	Page 7
Bid Summary Forms	Page 10
Resolution of Board of Directors (for corporations).....	Page 18
Bid Bond	Page 19
Bidders Checklist.....	Page 23
Sample Contract, Performance Bond, and Payment Bond.....	Page 24

Appendix A

Requirements for Federal Aid Projects

Appendix B

Technical Specifications

- Special Notes
- Special Specifications

Appendix C

Federal Davis-Bacon Wage Rates

Appendix D

NYS Prevailing Wage Rate Schedule

Appendix E

Permits

- NYSDEC Freshwater Wetlands Permit
- USACE Nationwide Permit #3 – Maintenance
- NYSDOT Highway Work Permit
- Westchester County Stream Work Permit

Appendix F

Hazardous Materials Survey Report

Earthwork Summary Sheets

SCOPE OF WORK

The work under this project involves PIN 8761.66 and PIN 8761.71. The replacement of the bridge that carries Hill Boulevard over a tributary to the Barger Creek in the Town of Yorktown, Westchester County, NY (BIN 2265539) under PIN 8761.66 and the replacement of the culvert that carries Veterans Road over the Hallocks Mill Brook under PIN 8761.71.

The work at Hill Boulevard shall consist of:

- Coordination with utility companies to ensure protection and relocation of underground utilities. Contractor to relocate municipally-owned water and sewer lines.
- Installation of MPT measures and detour signage to allow the bridge work to proceed under a full roadway closure.
- Installation of a temporary waterway diversion structure to allow construction to proceed in dry conditions. Installation of soil erosion and sediment control measures as required.
- Removal of the existing twin corrugated metal pipes, concrete headwalls, and excavation of the surrounding fill to accommodate the proposed structure.
- Installation of a concrete invert slab.
- Installation of a 3-sided precast concrete rectangular frame and precast concrete wingwalls.
- Backfill with structural fill, installation of natural streambed material, and placement stream bank and / or slope protection in the form of stone fill.
- New pavement and new roadway appurtenances as necessary, including box beam guide rail, signage, and striping.
- Topsoil, seeding, and landscaping as necessary to restore disturbed areas.

The work at Veterans Road shall consist of:

- Coordination with utility companies to ensure protection and relocation of underground utilities. Contractor to relocate municipally-owned water line.
- Installation of MPT measures and detour signage to allow the bridge work to proceed under a full roadway closure.
- Installation of a temporary waterway diversion structure to allow construction to proceed in dry conditions. Installation of soil erosion and sediment control measures as required.
- Removal of the existing twin corrugated metal pipes, stone masonry headwalls and parapets, and excavation of the surrounding fill to accommodate the proposed structure.
- Installation of a precast concrete box culvert and precast concrete end section and wingwalls.
- Backfill with structural fill, installation of natural streambed material, and placement stream bank and / or slope protection in the form of stone fill.
- New pavement and new roadway appurtenances as necessary, including box beam guide rail, signage, and striping.
- Topsoil, seeding, and landscaping as necessary to restore disturbed areas.

INSTRUCTIONS TO BIDDERS

REQUIRED TIME FOR COMPLETION OF THE WORK

Notification to commence the work will require the mandatory submission of all the executed contracts and the Certificates of Insurance after receipt of authority to award. The Contractor shall commence the work embraced in this contract within ten (10) days of the service of Notice to Proceed and shall complete the said work in all respects within 8 consecutive months (240 calendar days) computed from the date of such Notice.

BIDDERS RESPONSIBILITY

Each Bidder shall familiarize himself with all the attached Contract Documents, including Forms, Specifications, Instructions to Bidders, General Conditions, etc., and will be held responsible to fully comply therewith. All requisitions for payments must be submitted on either AIA Documents or other previously approved forms (if you have the authority to use them).

The submission of a Bid acknowledges that the Bidder has examined the site(s) and taken into consideration all items, which affect the work. The submission of a Bid acknowledges that the Bidder has examined these plans and specifications. Any and all questions must be submitted in writing seven (7) days prior to the Bid opening, in order for an addendum to be issued to all potential Bidders.

DISCREPANCIES OR OMISSIONS

Bidders discovering discrepancies, errors, or omissions in the Contract Documents or who are unclear with respect to the meaning or intent of the Bid Documents are directed to notify the Town Clerk in writing. Written responses will be provided; issuing written Addenda or interpretations to all Bidders.

PREPARATION OF BIDS

Each Bid shall be submitted at or prior to the time and place set forth in the Notice to Bidders on the Forms provided. All blank spaces therein shall be completely filled in with ink or typewriter. A corporation submitting a Bid must include a copy of a Resolution of its Board of Directors authorizing the making of said Bid. Corporations shall affix their Corporate Seal to the Bid. Said Resolution must authorize a specifically named individual(s) to act on behalf of the Corporation and have the authority to legally bind the Corporation with respect to this Bid and the bidding process including executing the Contract if it be awarded to them. Said Resolution must be original and all copies must be certified as true and correct by the Secretary of said Corporation.

POWER OF ATTORNEY

Attorneys-in-fact who sign a Bid or Contract Bonds must file with each Bond a certified copy of their Power of Attorney to sign said bonds.

RESIDENCE OR GEOGRAPHICAL RESTRICTIONS

There are no residence or geographical restrictions for this contract.

INSTRUCTIONS TO BIDDERS

D/M/WBE LANGUAGE

There are DBE provisions in this contract. The DBE goal for PIN 8761.66 (Hill Boulevard) and PIN 8761.71 (Veterans Road) is 8%. There are no M/WBE provisions in this contract.

EQUAL EMPLOYMENT OPPORTUNITY (EEO) GOALS

There is a 22.6% goal for minority participation in the construction industry. There is a 6.9% goal for participation of women.

FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS

The Bidder's attention is directed to the fact that all applicable Federal, State and local laws, rules and regulations, shall apply to the Contract throughout, and they are assumed to be included in these Specifications as if they were written out in full. In any event which Federal, State and local laws conflict, Federal laws, rules and regulations shall prevail.

ADDITIONAL INFORMATION

Except as modified herein, the current edition of the NYSDOT Standard Specifications, Construction and Materials, including Section 100, issued by the New York State Department of Transportation, Office of Engineering, including all revisions and addenda issued by NYSDOT prior to the date the Invitation to Bid is advertised shall govern the work to be done.

The low bidder must have an approved New York State Uniform Contracting Questionnaire (CCA-2 Form), on file with NYSDOT prior to an award being made. The CCA-2 form is available online at <https://www.nysdot.gov/bids-and-lettings/constructioncontractors/repository/cca-2.pdf> or by calling the NYSDOT Office of Contract Management Pre-Award Unit at (518) 457-1564.

In the event of a tie, all names of Bidders will be placed in a hat; first Alpha Bidder will draw a name. In the event there are no attendees for the draw, the draw will be conducted by the Town Engineer and two (2) representatives of the Town of Yorktown.

ADDENDA PROCEDURE

All questions about the meaning or intent of the Bid Documents may be submitted until 4:00 P.M. prevailing time on April 10, 2020. Questions submitted prior to this deadline shall be responded to through the Addendum process. Questions submitted after the deadline shall receive no response. Submit questions in writing or via email on company letterhead with date of question and contact information (name, fax, email, and phone number of person asking question) to:

Yorktown Town Hall
Attn: Town Clerk
363 Underhill Avenue
Yorktown Heights, NY 10598
Email: dquast@yorktownny.org

INSTRUCTIONS TO BIDDERS

listing the subject heading for all emails as PINs 8761.66 Hill Boulevard & 8761.71 Veterans Road.

Written clarifications or interpretations will be issued by Addenda before the bid opening date. Only questions answered by written Addenda will be binding. Oral and other clarifications or interpretations will be without legal effect. Contractors that obtain contract documents from a source other than the Town Clerk's office must notify the Town Clerk with their contact information in order to receive addenda. Addenda will be emailed from the Town Clerk to all parties recorded as having obtained Bid Documents.

Each Bidder must be responsible for determining that it has received all Addenda issued. Bidders must email the Town Clerk an acknowledgement that an addendum has been received, this will act as proof that the Bidder received the addenda.

DATED: March 13, 2020

Town of Yorktown
Department of Engineering
Yorktown Town Hall
363 Underhill Avenue
Yorktown Heights, New York 10598

BIDDER INFORMATION SHEET

NAME OF BIDDER: * _____

ADDRESS: _____

PHONE NUMBER: _____

EMAIL ADDRESS: _____ FEDERAL I.D. NO.: _____

TYPE OF ENTITY: CORPORATION _____ PARTNERSHIP _____ INDIVIDUAL _____

IF A NON-PUBLICLY OWNED CORPORATION:

NAME OF CORPORATION: _____

LIST OF PRINCIPAL STOCKHOLDERS (HOLDING OVER 5% OF OUTSTANDING SHARES):

LIST OF OFFICERS: _____

LIST OF DIRECTORS: _____

DATE OF ORGANIZATION: _____

IF A PARTNERSHIP:

PARTNERS: _____

NAME OF PARTNERSHIP: _____

DATE OF ORGANIZATION: _____

* IF THE BUSINESS IS CONDUCTED UNDER AN ASSUMED NAME, A COPY OF THE CERTIFICATE REQUIRED TO BE FILED UNDER THE NEW YORK GENERAL BUSINESS LAW MUST BE ATTACHED.

BID FORM

PROJECT IDENTIFICATION: PIN 8761.66
Replacement of Hill Boulevard Bridge (BIN 2265539) over
Barger Brook Tributary

 PIN 8761.71
Replacement of Veterans Road Culvert over Hallocks Mill
Brook

CONTRACT IDENTIFICATION: PIN 8761.66
 PIN 8761.71

THIS BID IS SUBMITTED TO: Diana Quast, Town Clerk
 Town of Yorktown Town Hall
 363 Underhill Avenue
 Yorktown Heights, NY 10598

1. The undersigned BIDDER proposes and agrees, if this bid is accepted, to enter into an agreement with OWNER in the form included in the Contract Documents to perform and furnish all work as specified or indicated in the Contract Documents for the Bid Price and Bid Times indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents

2. Bidder accepts all the terms and conditions of the Advertisement or Notice to Bidders and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for forty-five (45) days after the Bid opening. Bidder will sign and deliver the required number of counterparts of the Agreement with the Bonds and other documents required by the Bidding Requirements within fifteen (15) days after the date of OWNER’s Notice of Award

3. In submitting this Bid, BIDDER represents as more fully set forth in the Agreement, that:
 - a. BIDDER has examined and carefully studied the Bidding Documents and the following Addenda receipt of all which is hereby acknowledged: (List Addenda by Addendum Number and Date)

 - b. BIDDER has visited the site and become familiar with and is satisfied as to the general, local, and site conditions that may affect cost, progress, performance, and furnishing of the work.

 - c. BIDDER is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, performance, and furnishing of work.

BID FORM

- d. BIDDER is aware of the general nature of work to be performed by OWNER and others at the site that relates to work for which this Bid is submitted as indicated in the Contract Documents
 - e. BIDDER has correlate the information known to BIDDER, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, test, studies, and data with the Contract Documents
 - f. BIDDER has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that BIDDER has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to BIDDER, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work for which this Bid is submitted.
 - g. This bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; BIDDER has not directly or indirectly induced or solicited any other BIDDER to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other BIDDER or over OWNER.
 - h. BIDDER and/or each person signing on behalf of any bidder certifies and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the New York State Labor Law.
4. Bidder will complete the Work in accordance with the Contract Documents for the following price:

TOTAL BID FOR ALL UNIT PRICES

_____ (\$ _____)
(use words) (figures)

Unit Prices have been computed in accordance with Bid Summary Forms.

BIDDER acknowledges that quantities are not guaranteed and final payment will be based on actual quantities determined as provided in the Contract Documents.

BID FORM

5. BIDDER agrees that the Work will be substantially completed and completed and ready for final payment on or before the dates or within the number of calendar days indicated in the Agreement.

BIDDER accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified in the Agreement.

6. The following documents are attached to and made a condition of this Bid:
All documents set forth in the Bidders Checklist.

7. Communications concerning this Bid shall be addressed in writing to:
Diana Quast, Town Clerk
Town of Yorktown Town Hall
363 Underhill Avenue
Yorktown Heights, NY 10598

8. Terms used in this Bid which are defined in the NYSDOT Standard Specifications or instructions to Bidders will have the meanings indicated in the Specifications or Instructions.

DATED _____, 2020

Legal Name of Person, Firm or Corporation

(Seal of Corporation)

Business Address of Person, Firm or Corporation

By _____
Signature

Title

**BID SHEET FOR THE
PIN 8761.66 - REPLACEMENT OF HILL BOULEVARD BRIDGE OVER BARGER BROOK TRIBUTARY (BIN 2265539)
PIN 8761.71 - REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**

TOWN OF YORKTOWN, WESTCHESTER COUNTY, NY

Note: Unit prices are to be written in both words and numbers. In case of discrepancy, those shown in words shall govern. All prices are in dollars and cents.

Item No.	Item Description	Est. Qty.	Unit	Unit Price (In Words)	Unit Price (In Numbers)	Total Price (In Words) (Est. Quantity x Unit Price)	Total Price (In Numbers) (Est. Quantity x Unit Price)
201.06	CLEARING AND GRUBBING	1	LS	_____/LS	_____/LS	_____/LS	\$ _____
202.19	REMOVAL OF SUBSTRUCTURES	1	CY	_____/CY	_____/CY	_____/CY	\$ _____
203.02	UNCLASSIFIED EXCAVATION AND DISPOSAL	790	CY	_____/CY	_____/CY	_____/CY	\$ _____
203.03	EMBANKMENT IN PLACE	890	CY	_____/CY	_____/CY	_____/CY	\$ _____
203.21	SELECT STRUCTURE FILL	1430	CY	_____/CY	_____/CY	_____/CY	\$ _____
203.25	SAND BACKFILL	15	CY	_____/CY	_____/CY	_____/CY	\$ _____
205.0402	LABORATORY ANALYSIS FOR HAZARDOUS WASTE RCRA TOXICITY CHARACTERISTIC	2	EA	_____/EA	_____/EA	_____/EA	\$ _____
205.0403	LABORATORY ANALYSIS FOR IGNITIBILITY	2	EA	_____/EA	_____/EA	_____/EA	\$ _____
205.0406	LABORATORY ANALYSIS FOR TOTAL PETROLEUM HYDROCARBONS (GASOLINE RANGE ORGANICS)	2	EA	_____/EA	_____/EA	_____/EA	\$ _____
205.0407	LABORATORY ANALYSIS FOR TOTAL PETROLEUM HYDROCARBONS (DIESEL RANGE ORGANICS)	2	EA	_____/EA	_____/EA	_____/EA	\$ _____
206.01	STRUCTURE EXCAVATION	3560	CY	_____/CY	_____/CY	_____/CY	\$ _____
206.05	TEST PIT EXCAVATION	2	EA	_____/EA	_____/EA	_____/EA	\$ _____

**BID SHEET FOR THE
PIN 8761.66 - REPLACEMENT OF HILL BOULEVARD BRIDGE OVER BARGER BROOK TRIBUTARY (BIN 2265539)
PIN 8761.71 - REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**

TOWN OF YORKTOWN, WESTCHESTER COUNTY, NY

Note: Unit prices are to be written in both words and numbers. In case of discrepancy, those shown in words shall govern. All prices are in dollars and cents.

Item No.	Item Description	Est. Qty.	Unit	Unit Price (In Words)	Unit Price (In Numbers)	Total Price (In Words) (Est. Quantity x Unit Price)	Total Price (In Numbers) (Est. Quantity x Unit Price)
206.0201	TRENCH AND CULVERT EXCAVATION	300	CY	_____/CY	_____/CY	_____/CY	\$ _____
207.20	GEOTEXTILE BEDDING	610	SY	_____/SY	_____/SY	_____/SY	\$ _____
207.26	PREFABRICATED COMPOSITE STRUCTURAL DRAIN	252	SY	_____/SY	_____/SY	_____/SY	\$ _____
209.13	SILT FENCE - TEMPORARY	200	LF	_____/LF	_____/LF	_____/LF	\$ _____
304.11000008	SUBBASE COURSE (MODIFIED)	637	CY	_____/CY	_____/CY	_____/CY	\$ _____
402.128103	12.5 F1 TOP COURSE HMA, 80 SERIES COMPACTION	152	TON	_____/TON	_____/TON	_____/TON	\$ _____
402.198903	19 F9 BINDER COURSE HMA, 80 SERIES COMPACTION	244	TON	_____/TON	_____/TON	_____/TON	\$ _____
402.378903	37.5 F9 BASE COURSE HMA, 80 SERIES COMPACTION	487	TON	_____/TON	_____/TON	_____/TON	\$ _____
407.0103	STRAIGHT TACK COAT	120	GAL	_____/GAL	_____/GAL	_____/GAL	\$ _____
552.15	INTERIM STEEL SHEETING	120	SF	_____/SF	_____/SF	_____/SF	\$ _____
552.17	SHIELDS AND SHORING	600	SF	_____/SF	_____/SF	_____/SF	\$ _____

**BID SHEET FOR THE
PIN 8761.66 - REPLACEMENT OF HILL BOULEVARD BRIDGE OVER BARGER BROOK TRIBUTARY (BIN 2265539)
PIN 8761.71 - REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**

TOWN OF YORKTOWN, WESTCHESTER COUNTY, NY

Note: Unit prices are to be written in both words and numbers. In case of discrepancy, those shown in words shall govern. All prices are in dollars and cents.

Item No.	Item Description	Est. Qty.	Unit	Unit Price (In Words)	Unit Price (In Numbers)	Total Price (In Words) (Est. Quantity x Unit Price)	Total Price (In Numbers) (Est. Quantity x Unit Price)
553.030001	TEMPORARY WATERWAY DIVERSION STRUCTURE	1	EA	_____/EA	_____/EA	_____/EA	\$ _____
553.030002	TEMPORARY WATERWAY DIVERSION STRUCTURE	1	EA	_____/EA	_____/EA	_____/EA	\$ _____
555.08	FOOTING CONCRETE, CLASS HP	350	CY	_____/CY	_____/CY	_____/CY	\$ _____
555.09	CONCRETE FOR STRUCTURES, CLASS HP	5	CY	_____/CY	_____/CY	_____/CY	\$ _____
556.0202	EPOXY-COATED BAR REINFORCEMENT FOR STRUCTURES	32100	LB	_____/LB	_____/LB	_____/LB	\$ _____
562.01	REINFORCED CONCRETE SPAN UNITS	270	SY	_____/SY	_____/SY	_____/SY	\$ _____
562.03	WINGWALL WITH FOOTING	184	SY	_____/SY	_____/SY	_____/SY	\$ _____
564.0501	STRUCTURAL STEEL, TYPE 1	1	LS	_____/LS	_____/LS	_____/LS	\$ _____
568.51	STEEL BRIDGE RAIL (FOUR RAIL)	116	LF	_____/LF	_____/LF	_____/LF	\$ _____
568.70	TRANSITION BRIDGE RAILING	256	LF	_____/LF	_____/LF	_____/LF	\$ _____
595.50000018	SHEET APPLIED WATERPROOFING MEMBRANE	104	SF	_____/SF	_____/SF	_____/SF	\$ _____
603.6003	REINFORCED CONCRETE PIPE CLASS III, 18 INCH DIAMETER	60	LF	_____/LF	_____/LF	_____/LF	\$ _____

**BID SHEET FOR THE
PIN 8761.66 - REPLACEMENT OF HILL BOULEVARD BRIDGE OVER BARGER BROOK TRIBUTARY (BIN 2265539)
PIN 8761.71 - REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**

TOWN OF YORKTOWN, WESTCHESTER COUNTY, NY

Note: Unit prices are to be written in both words and numbers. In case of discrepancy, those shown in words shall govern. All prices are in dollars and cents.

Item No.	Item Description	Est. Qty.	Unit	Unit Price (In Words)	Unit Price (In Numbers)	Total Price (In Words) (Est. Quantity x Unit Price)	Total Price (In Numbers) (Est. Quantity x Unit Price)
603.6005	REINFORCED CONCRETE PIPE CLASS III, 24 INCH DIAMETER	65	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
603.7305	REINFORCED CONCRETE PIPE END SECTIONS, 24 INCH DIAMETER	1	EA	_____ /EA	_____ /EA	_____ /EA	\$ _____
603.63180915	PRECAST CONCRETE BOX CULVERT (FILL HEIGHT LESS THAN 24 IN) 18 FOOT SPAN, 9 FOOT RISE	55	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
603.77	CONCRETE COLLARS	1	EA	_____ /EA	_____ /EA	_____ /EA	\$ _____
603.99010008	TRASH RACK	1	EA	_____ /EA	_____ /EA	_____ /EA	\$ _____
604.4060	ROUND PRECAST CONCRETE MANHOLE TYPE 60	8	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
606.120101	BOX BEAM END PIECE	8	EA	_____ /EA	_____ /EA	_____ /EA	\$ _____
606.71	REMOVING AND DISPOSING CORRUGATED BEAM GUIDE RAILING	280	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
608.020102	HOT MIX ASPHALT (HMA) SIDEWALKS, DRIVEWAYS AND BICYCLE PATHS, AND VEGETATION CONTROL STRIPS	34	TON	_____ /TON	_____ /TON	_____ /TON	\$ _____
609.0101	STONE CURB (TYPE A)	30	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
609.0901	OPTIONAL CURB (PRECAST TYPE PVF150 OR CAST-IN-PLACE TYPE VF1 50 OR GRANITE TYPE C)	542	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____

**BID SHEET FOR THE
PIN 8761.66 - REPLACEMENT OF HILL BOULEVARD BRIDGE OVER BARGER BROOK TRIBUTARY (BIN 2265539)
PIN 8761.71 - REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**

TOWN OF YORKTOWN, WESTCHESTER COUNTY, NY

Note: Unit prices are to be written in both words and numbers. In case of discrepancy, those shown in words shall govern. All prices are in dollars and cents.

Item No.	Item Description	Est. Qty.	Unit	Unit Price (In Words)	Unit Price (In Numbers)	Total Price (In Words) (Est. Quantity x Unit Price)	Total Price (In Numbers) (Est. Quantity x Unit Price)
609.2201	UNPAINTED HOT MIX ASPHALT CURB (MOUNTABLE)	330	LF	_____/LF	_____/LF	_____/LF	\$ _____
610.1402	TOPSOIL - ROADSIDE	122	CY	_____/CY	_____/CY	_____/CY	\$ _____
610.1601	TURF ESTABLISHMENT - ROADSIDE	935	SY	_____/SY	_____/SY	_____/SY	\$ _____
614.060202	TREE REMOVAL OVER 6 INCHES TO 12 INCHES DIAMETER BREAST HEIGHT - STUMPS CUT FLUSH	7	EA	_____/EA	_____/EA	_____/EA	\$ _____
614.060302	TREE REMOVAL OVER 12 INCHES TO 18 INCHES DIAMETER BREAST HEIGHT - STUMPS CUT FLUSH	2	EA	_____/EA	_____/EA	_____/EA	\$ _____
614.060402	TREE REMOVAL OVER 18 INCHES TO 24 INCHES DIAMETER BREAST HEIGHT - STUMPS CUT FLUSH	4	EA	_____/EA	_____/EA	_____/EA	\$ _____
615.01010108	MATERIAL FOR STREAM BED ESTABLISHMENT	76	CY	_____/CY	_____/CY	_____/CY	\$ _____
619.01	BASIC WORK ZONE TRAFFIC CONTROL	1	LS	_____/LS	_____/LS	_____/LS	\$ _____
619.04	TYPE III CONSTRUCTION BARRICADE	14	EA	_____/EA	_____/EA	_____/EA	\$ _____
619.110511	PORTABLE, VARIABLE MESSAGE SIGN (PVMS) STANDARD SIZE - FULL MATRIX (LED) NO OPTIONAL EQUIPMENT SPEC, NO CELLULAR COM REQ	6	EA	_____/EA	_____/EA	_____/EA	\$ _____
619.1701	TEMPORARY CONCRETE BARRIER (UNPINNED)	214	LF	_____/LF	_____/LF	_____/LF	\$ _____

**BID SHEET FOR THE
PIN 8761.66 - REPLACEMENT OF HILL BOULEVARD BRIDGE OVER BARGER BROOK TRIBUTARY (BIN 2265539)
PIN 8761.71 - REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**

TOWN OF YORKTOWN, WESTCHESTER COUNTY, NY

Note: Unit prices are to be written in both words and numbers. In case of discrepancy, those shown in words shall govern. All prices are in dollars and cents.

Item No.	Item Description	Est. Qty.	Unit	Unit Price (In Words)	Unit Price (In Numbers)	Total Price (In Words) (Est. Quantity x Unit Price)	Total Price (In Numbers) (Est. Quantity x Unit Price)
620.04	STONE FILLING (MEDIUM)	170	CY	_____ /CY	_____ /CY	_____ /CY	\$ _____
623.12	CRUSHED STONE (IN PLACE MEASURE)	170	CY	_____ /CY	_____ /CY	_____ /CY	\$ _____
625.01	SURVEY OPERATIONS	1.0154	LS	_____ /LS	_____ /LS	_____ /LS	\$ _____
627.50140008	CUTTING PAVEMENT	280	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
637.11	ENGINEERS FIELD OFFICE - TYPE 1	7	MNTH	_____ /MNTH	_____ /MNTH	_____ /MNTH	\$ _____
647.41	REMOVE AND STORE SIGN PANEL, SIGN ASSEMBLY SIZE I (UNDER 30 SQUARE FEET)	1	EA	_____ /EA	_____ /EA	_____ /EA	\$ _____
650.1010	TRENCHLESS INSTALLATION OF CASING PIPE UNDER HIGHWAY WITH A DIAMETER LESS THAN OR EQUAL TO 24" (10" DIAMETER)	115	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
650.1012	TRENCHLESS INSTALLATION OF CASING PIPE UNDER HIGHWAY WITH A DIAMETER LESS THAN OR EQUAL TO 24" (12" DIAMETER)	115	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
655.1202	MANHOLE FRAME AND COVER	1	EA	_____ /EA	_____ /EA	_____ /EA	\$ _____
660.21100008	FURNISH & INSTALL STEEL CASING 10"	50	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
660.21120008	FURNISH & INSTALL STEEL CASING 12"	50	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
660.21160008	FURNISH & INSTALL STEEL CASING 16 NPS (OUTSIDE DIAMETER)	35	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
660.70000004	MAINTENANCE OF SANITARY SEWER FLOWS	1	LS	_____ /LS	_____ /LS	_____ /LS	\$ _____

**BID SHEET FOR THE
PIN 8761.66 - REPLACEMENT OF HILL BOULEVARD BRIDGE OVER BARGER BROOK TRIBUTARY (BIN 2265539)
PIN 8761.71 - REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**

TOWN OF YORKTOWN, WESTCHESTER COUNTY, NY

Note: Unit prices are to be written in both words and numbers. In case of discrepancy, those shown in words shall govern. All prices are in dollars and cents.

Item No.	Item Description	Est. Qty.	Unit	Unit Price (In Words)	Unit Price (In Numbers)	Total Price (In Words) (Est. Quantity x Unit Price)	Total Price (In Numbers) (Est. Quantity x Unit Price)
663.0106	6" DUCTILE IRON CEMENT LINED WATER PIPE	6	FT	_____/FT	_____/FT	_____/FT	\$ _____
663.0112	12" DUCTILE IRON CEMENT LINED WATER PIPE	260	FT	_____/FT	_____/FT	_____/FT	\$ _____
663.1006	6" RESILIENT WEDGE GATE VALVE & VALVE BOX	1	EA	_____/EA	_____/EA	_____/EA	\$ _____
663.1212	12" DOUBLE DISK GATE VALVE & VALVE BOX	4	EA	_____/EA	_____/EA	_____/EA	\$ _____
663.1301	HYDRANT	1	EA	_____/EA	_____/EA	_____/EA	\$ _____
663.2001	IRON WATER MAIN FITTINGS (3" - 8")	19.2	LB	_____/LB	_____/LB	_____/LB	\$ _____
663.2002	IRON WATER MAIN FITTINGS (10" - 16")	2496	LB	_____/LB	_____/LB	_____/LB	\$ _____
663.42	REMOVE AND DISPOSE OF EXISTING WATER VALVE & VALVE BOX	1	EA	_____/EA	_____/EA	_____/EA	\$ _____
663.43	REMOVE AND DISPOSE OF EXISTING HYDRANT	1	EA	_____/EA	_____/EA	_____/EA	\$ _____
664.01060004	DUCTILE IRON SEWER PIPE & FITTINGS, 6"	130	LF	_____/LF	_____/LF	_____/LF	\$ _____
664.01080004	DUCTILE IRON SEWER PIPE & FITTINGS, 8"	130	LF	_____/LF	_____/LF	_____/LF	\$ _____

**BID SHEET FOR THE
PIN 8761.66 - REPLACEMENT OF HILL BOULEVARD BRIDGE OVER BARGER BROOK TRIBUTARY (BIN 2265539)
PIN 8761.71 - REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**

TOWN OF YORKTOWN, WESTCHESTER COUNTY, NY

Note: Unit prices are to be written in both words and numbers. In case of discrepancy, those shown in words shall govern. All prices are in dollars and cents.

Item No.	Item Description	Est. Qty.	Unit	Unit Price (In Words)	Unit Price (In Numbers)	Total Price (In Words) (Est. Quantity x Unit Price)	Total Price (In Numbers) (Est. Quantity x Unit Price)
664.01100004	DUCTILE IRON SEWER PIPE & FITTINGS, 10"	175	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
664.05160003	BRIDGE MOUNTING OF SEWER PIPE, 16"	42	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
664.40480006	PRECAST SANITARY SEWER MANHOLE (48" DIA)	18	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
680.94010003	WATERTIGHT DISCONNECT BOX - NEMA 4X	3	EA	_____ /EA	_____ /EA	_____ /EA	\$ _____
683.08020104	3G/4G LTE GATEWAY MODEM WITH ANTENNA	3	EA	_____ /EA	_____ /EA	_____ /EA	\$ _____
685.11	WHITE EPOXY REFLECTORIZED PAVEMENT STRIPES - 20 MILS	181	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
685.12	YELLOW EPOXY REFLECTORIZED PAVEMENT STRIPES - 20 MILS	300	LF	_____ /LF	_____ /LF	_____ /LF	\$ _____
697.03	FIELD CHANGE PAYMENT	118500	DC	ONE DOLLAR /DC	\$1.00 /DC	\$118,500.00 /DC	\$118,500.00
698.04	ASPHALT PRICE ADJUSTMENT	1110	DC	ONE DOLLAR /DC	\$1.00 /DC	\$1,110.00 /DC	\$1,110.00
698.05	FUEL PRICE ADJUSTMENT	1250	DC	ONE DOLLAR /DC	\$1.00 /DC	\$1,250.00 /DC	\$1,250.00
699.04	MOBILIZATION (4%)	1	LS	_____ /LS	_____ /LS	_____ /LS	\$ _____

TOTAL PRICE IN NUMBERS \$ _____

TOTAL PRICE IN WORDS \$ _____

**CERTIFIED COPY OF RESOLUTION OF
BOARD OF DIRECTORS**

(NAME OF CORPORATION)

“Resolved that _____ , _____
(Person Authorized to Sign) (Title)

of _____ is authorized to sign and submit a Bid for this
(Name of Corporation)

corporation for the following project:

and to include in such bid the certificate as to non-collusion, and for any inaccuracies or misstatements in such certificate this corporate Bidder shall be liable under the penalties of perjury.

The foregoing is true and correct copy of resolution adopted by:

(NAME OF CORPORATION)

At meeting of its Board of Directors held on the _____ day of _____ 20_____

By_____

Title_____

(SEAL)

The above form must be completed if the Bidder is a corporation

BID BOND

KNOW ALL PERSONS BY THESE PRESENTS, that we, _____

hereinafter referred to as the "Principal", and _____

hereinafter referred to as the "Surety" are held and firmly bound to THE TOWN OF YORKTOWN, NEW YORK, hereinafter referred to as the "TOWN", or to its successors and assigns in the penal sum of _____

Dollars (\$ _____), good and lawful money of the United States of America, for the payment of which said sum of money well and truly to be made and done, we, and each of us, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal is about to submit (or has submitted) to the TOWN the accompanying proposal, hereby made a part hereof, to enter into a contract in writing for _____

_____ ;

NOW, THEREFORE, the conditions of this obligation are such that if the Principal shall not withdraw said Proposal without the consent of the TOWN for a period of forty-five (45) days after the opening of bids and in the event of acceptance of the Principal's Proposal by the TOWN, if the Principal shall:

(a) Within ten (10) days after notification by the TOWN, execute the number of multiples provided by the TOWN and deliver to the TOWN all the executed counterparts of the Contract in the form set forth in the Contract Documents, in accordance with the proposal as accepted, and

(b) Furnish a performance bond and separate payment bond, as may be required by the TOWN, for the faithful performance and proper fulfillment of such Contract, which bonds shall be satisfactory in all respects to the TOWN and shall be executed by good and sufficient sureties, and

(c) In all respects perform the agreement created by the acceptance of said Proposal as provided in the Instructions to Bidders, bound herewith and made a part hereof, or if the TOWN shall reject the aforesaid Proposal, then this obligation shall be null and void; otherwise to remain in full force and effect.

BID BOND

In the event that the Proposal of the Principal shall be accepted and the Contract be awarded to Principal the Surety hereunder agrees subject only to the payment by the Principal of the premium therefore, if requested by the TOWN, to write the aforementioned performance and payment bonds in the form set forth in the Contract Documents.

It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

There shall be no liability under this bond if, in the event of the acceptance of the Principal's Proposal by the TOWN, either a performance bond or payment bond, or both, shall not be required by the TOWN on or before the 30th day after the date on which the TOWN signs the Contract.

The surety, for the value received, hereby stipulates and agrees that the obligations of the Surety and its bond shall in no way be impaired or affected by any postponements of the date upon which the TOWN will receive or open bids, or by an extension of time within which the TOWN may accept the Principal's Proposal, or by any waiver by the TOWN of any of the requirements of the Instructions to Bidders, and the Surety hereby waives notice of any such postponements, extensions, or waivers.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereunto affixed and these presents to be signed by their proper officers, this ____ day of _____, 20_____.

(Seal)

_____(L.S.)
Principal

By: _____

(Seal)

_____(L.S.)
Surety

By: _____

If the Principal is a partnership, the bond should be signed by each of the individuals who are partners.

If the Principal is a corporation, the bond should be signed in its correct corporate name by a duly authorized officer, agent, or attorney-in-fact.

BID BOND

ACKNOWLEDGEMENT OF PRINCIPAL, IF A CORPORATION

State of _____

County of _____ ss:

On this ___ day of _____, _____, before me personally came to me known, _____ who, being by me duly sworn, did depose and say that he/she is the _____ of

_____ the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation, and that he/she signed his/her name thereto by like order.

Notary

ACKNOWLEDGEMENT OF PRINCIPAL, IF A PARTNERSHIP

State of _____

County of _____ ss:

On this _____ day of _____, _____, before me personally appeared _____ to me known and known to me to be one of the members of the firm of _____ described in and who executed the foregoing instrument, and he/she acknowledged to me that he/she executed the same as and for the act and deed of said firm.

Notary

BID BOND

ACKNOWLEDGEMENT OF PRINCIPAL, IF AN INDIVIDUAL

State of _____

County of _____ ss:

On this _____ day of _____, _____, before me personally appeared _____ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same.

Notary

Each executed bond should be accompanied by: (a) appropriate acknowledgments of the respective parties; (b) appropriate duly certified copy of Power of Attorney or other certificate of authority where bond is executed by agent, officer or other representative of Principal or Surety; (c) a duly certified extract from By-Laws or resolutions of Surety under which Power of Attorney or other certificate of authority of its agent, officer or representative was issued, and (d) certified copy of latest published financial statement of assets and liabilities of Surety.

AFFIX ACKNOWLEDGMENTS AND JUSTIFICATION OF SURETIES.

BIDDER'S CHECKLIST

In order to submit a complete bid, Bidders must submit the following documents. Listed below are the items to be enclosed in your sealed envelope clearly marked with the Bid/Project Name:

	Description	Pages
1.	Bid Forms with a Corporate Seal affixed	6 to 17
2.	Resolution of Board of Directors, authorizing the making of said Bid, and certified as a true and correct copy by the secretary of said corporation (for corporations only)	18
3.	Bid Bond, Irrevocable Letter of Credit, Certified check made payable to the "Town of Yorktown" or other form of Security acceptable to the Town, in the amount of 10% of Bid amount	19 to 22
4.	DBE Utilization Goals	A-2
5.	Certification of Compliance Iran Divestment Act	A-3
6.	Disclosure of Lobbying Activities	A-11 to A-12
7.	Non-Collusive Bidding Certification	A-15 to A-18
8.	Corporations not incorporated in the State of New York must provide certificate of authority from the Department of State	-

If all required documents are not submitted, your Bid may be deemed non-responsive.

SAMPLE FORM OF CONTRACT AGREEMENT

**TOWN OF YORKTOWN AGREEMENT
FOR FEDERAL AID PROJECT THROUGH NYSDOT**

THIS AGREEMENT, entered into this day of 20____, by the Town of Yorktown, ("Town"), a municipal corporation and one of the towns of the State of New York, acting by and through its Department of Engineering ("Department"), located at 363 Underhill Avenue, Yorktown Heights, NY 10598 and _____

[] an individual conducting business as

[] a partnership, consisting of

[] a corporation organized and existing under the laws of the State of _____ with a principal office located at _____

_____ ("Contractor").

WITNESSETH: That the Town and the Contractor for the consideration hereinafter named agree as follows:

ARTICLE 1. WORK TO BE DONE. The Contractor shall (a) furnish all the materials, appliances, tools and labor of every kind required, and construct and complete in the most substantial and skillful manner, the construction, improvement or reconstruction of the project on or before the completion date of the _____ day of _____, 20 ____ as further described in Article 4, and as generally identified and shown on the contract plans entitled:

PIN 8761.66: Replacement of the Hill Boulevard Bridge over Barger Brook Tributary

PIN 8761.71: Replacement of the Veterans Road Culvert over Hallocks Mill Brook

in accordance with the Standard Specifications of the New York State Department of Transportation, as modified by Special Notes or other addenda; and (b) do everything required by the Contract Documents.

The Contractor further agrees their bid proposal is not based upon the assumption that any specifications, traffic restrictions, scheduling, phasing/staging or other requirements of the Contract Documents will be waived; an extension of Contract Completion Date will be granted; a labor dispensation will be granted; substitution of non-approved products, alternatives or claimed functional equivalents for specified construction materials and methods will be allowed; or any Value Engineering Change Proposals will be approved.

SAMPLE FORM OF CONTRACT AGREEMENT

ARTICLE 2. DOCUMENTS FORMING THE CONTRACT. Except as modified herein, the current edition of the NYSDOT Standard Specifications, Construction and Materials, Section 100 issued by the New York State Department of Transportation, Office of Engineering, including all revisions and addenda issued by NYSDOT prior to the date the Invitation to Bid is advertised shall govern the work to be done. The Contract and Contract Documents shall be deemed to include the documents listed under the definition of Contract Documents in Section 101-02 of the Standard Specifications as may be revised in Special Notes or other addenda. The Contract Documents shall also include all provisions required by law or regulation to be inserted in the Contract Documents whether actually inserted or not. Whenever separate publications are referenced in the Contract Documents it shall mean those publications, as amended, which are current on the date of advertisement for bids.

ARTICLE 3. EXAMINATION OF DOCUMENTS AND SITE. The Contractor agrees that before making its proposal it carefully examined the Contract Documents, together with the site of the proposed work, as well as its surrounding territory, and is informed regarding all of the conditions affecting the work to be done and labor and materials to be furnished for the completion of this Agreement, including the existence of poles, wires, pipes and other facilities and structures of municipal and other public service corporations on, over or under the site, except latent conditions that meet the requirements of §104-03 *Differing Site Conditions*, and that its information was secured by personal and other investigation and research.

ARTICLE 4. DATE OF COMPLETION. The Contractor further agrees that it will begin the work herein embraced within ten (10) days of the effective date hereof, unless the consent of the Town, in writing, is given to begin at a different date, and that it will prosecute the same so that it shall be entirely completed and performed on or before the completion date shown in Article 1.

No extension beyond the date of completion fixed by the terms of this Agreement shall be effective unless in writing signed by the Town. Such extension shall be for such time and upon such terms and conditions as shall be fixed by the Town, which may include the assessment of liquidated damages and a charge for engineering and inspection expenses actually incurred upon the work, including engineering and inspection expenses incurred upon the work by railroad companies on contracts for grade crossing elimination. Notice of application for such extension shall be filed with the Director of Engineering of the Department of Public Works ("Director") at least fifteen (15) days prior to the date of completion fixed by the terms of this Agreement.

SAMPLE FORM OF CONTRACT AGREEMENT

ARTICLE 5. ALTERATIONS AND OMISSIONS. The work shall be performed in accordance with the true intent and meaning of the Contract Documents without any further expense of any nature whatsoever to the Town other than the consideration named in this Agreement.

The Town reserves the right, at any time during the progress of the work, to alter the plans or omit any portion of the work as it may deem reasonably necessary for the public interest, making allowances for additions and deductions with compensation made in accordance with the Standard Specifications, without constituting grounds for any claim by the Contractor for allowance for damages or for loss of anticipated profits, or for any variations between the approximate quantities and the quantities of the work as done.

ARTICLE 6. NO COLLUSION OR FRAUD. The Contractor hereby agrees that the only person or persons interested as principal or principals in the bid or proposal submitted by the Contractor for this Agreement are named therein, and that no person other than those mentioned therein has any interest in the above mentioned proposal or in securing of the award, and that this Agreement has been secured without any connection with any person or persons other than those named, and that the proposal is in all respects fair and was prepared and the Agreement was secured without collusion or fraud and that neither any officer nor employee of the Department has or shall have a financial interest in the performance of the Agreement or in the supplies, work or business to which it relates, or in any portion of the profits thereof.

ARTICLE 7. CONTRACT PAYMENTS. As the work progresses in accordance with the Contract Documents and in a manner that is satisfactory to the Town, the Town hereby agrees to make payments to the Contractor therefore, based upon the proposal attached hereto and made a part hereof, as follows: The Town shall once in each month, and on such days as it may fix, determine the quantity of work completed and material which has actually been put in place in accordance with the terms and conditions of the Contract Documents during the preceding month and compute the value thereof and pay to the Contractor the monies due as provided in §106-b of the General Municipal Law. No monthly payment shall be rendered unless the value of the work completed equals 5% of the contract amount or \$1,000, whichever is the lesser.

ARTICLE 8. NO PAYMENT DUE TO CONTRACTOR'S NON-COMPLIANCE. It is further agreed that so long as any lawful or proper direction concerning the work or material given by the Commissioner, or

SAMPLE FORM OF CONTRACT AGREEMENT

his/her representative, shall remain uncomplied with, the Contractor shall not be entitled to have any contract payment processed, nor shall any contract payment(s) be processed for work done or material furnished until such lawful or proper direction has been fully and satisfactorily complied with.

ARTICLE 9. FINAL ACCEPTANCE OF WORK. When, in the opinion of the Engineer, Contractor has fully performed the work under the Contract Documents, the Engineer shall recommend to the Director the acceptance of the completed work. If the Director accepts the recommendation of the Engineer, he/she shall notify the Contractor in writing, with copies to other interested parties, of such acceptance. Prior to the final acceptance of the work by the Director or his/her designee, the contract work may be inspected, accepted and approved by other agencies and/or municipalities who will have jurisdiction of the work after final acceptance. Final acceptance shall be final and conclusive except for defects not readily ascertainable by the Department, actual or constructive, fraud, gross mistakes amounting to fraud, or other errors which the Contractor knew or should have known about as well as the Town's rights under any warranty or guarantee. Final acceptance may be revoked by the Department at any time prior to the issuance of the final payment by the Town upon the Department's discovery of such defects, mistakes, fraud or errors in the work.

ARTICLE 10. FINAL PAYMENT. After the final acceptance of the work, the Contractor shall prepare and submit to the Engineer a final payment application for the work performed and the materials placed and shall determine the value of such work and materials under and according to the terms of the Contract Documents. This final payment application shall be certified, as to its correctness, by the Engineer. Upon approval of such final payment application by the Engineer, it shall be submitted to the Director for final approval. The right, however, is hereby reserved to the Director to reject the whole or any portion of the final payment application, should the certification by the Engineer be found or known to be inconsistent with the terms of the Agreement or otherwise improperly given. All certifications upon which partial payments may have been made, shall be subject to correction in the final certification or final payment application.

ARTICLE 11. RIGHT TO SUSPEND WORK AND CANCEL CONTRACT. It is further mutually agreed that if at any time during the prosecution of the work the Director shall determine that the work upon the contract is not being performed according to the contract or for the best interest of the Town, the execution of the work by the Contractor may be temporarily suspended by the Director, who may then

SAMPLE FORM OF CONTRACT AGREEMENT

proceed with the work under his/her own direction in such manner as will accord with the Contract Documents and be for the best interests of the Town; or he/she may terminate the Contractor's employment under the contract while it is in progress, and thereupon proceed with the work, in affirmance of the contract, by contract negotiated or publicly let, by the use of his/her own forces, by calling upon Contractor's surety to complete the work in accordance with the plans and specifications or by a combination of any such methods; or he/she may cancel the contract and either readvertise or relet as provided in Section 103 of the General Municipal Law; or complete the work under its own direction in such a manner as will accord with the Contract Documents and be for the interests of the Town; any excess in the cost of completing the contract beyond the price for which it was originally awarded shall be charged to and paid by the Contractor failing to perform the work or its surety; all in pursuance of the provisions of Article 5-A of the General Municipal Law.

Whenever the Town determines to suspend or stop work under the contract, a written notice sent by mail to the Contractor at its address and to its surety or sureties at their respective addresses, shall be sufficient notice of its action in the premises.

ARTICLE 12. DETERMINATION AS TO VARIANCES. In any case of any ambiguity in the plans, specifications or maps, or between any of them, the matter must be immediately submitted to the Commissioner, who shall adjust the same, and his/her decision in relation thereto shall be final and conclusive upon the parties.

ARTICLE 13. LABOR REQUIREMENTS.

Pursuant to New York State Labor Law 220(2), no laborer, worker or mechanic in the employ of the Contractor, subcontractor or other person doing or contracting to do the whole or a part of the Work shall be permitted or required to work more than eight hours in any one calendar day or more than five days in any one week except in cases of extraordinary emergency including fire, flood or danger to life or property. No such person shall be so employed more than eight hours in any day or more than five days in any one week except in such emergency. Extraordinary emergency within the meaning of this section shall be deemed to include situations in which sufficient laborers, workers and mechanics cannot be employed to carry on public work expeditiously as a result of such restrictions upon the number of hours and days of labor and the immediate commencement or prosecution or completion without undue delay of the public work is necessary in the judgment of the New York State Commissioner of Labor (Commissioner) for the preservation of the contract Site and for the protection

SAMPLE FORM OF CONTRACT AGREEMENT

of the life and limb of the persons using the same. Upon the application of any person interested, the Commissioner shall make a determination as to whether or not on any public project or on all public projects in any area of this state, sufficient laborers, workers and mechanics of any or all classifications can be employed to carry on Work expeditiously if their labor is restricted to eight hours per day and five days per week, and in the event that the Commissioner determines that there are not sufficient workers, laborers and mechanics of any or all classifications which may be employed to carry on such Work expeditiously if their labor is restricted to eight hours per day and five days per week, and the immediate commencement or prosecution or completion without undue delay of the public work is necessary in the judgment of the Commissioner for the preservation of the Project Site and for the protection of the life and limb of the persons using the same, the Commissioner shall grant a dispensation permitting all laborers, workers and mechanics, or any classification of such laborers, workers and mechanics, to work such additional hours or days per week on such public project or in such areas the Commissioner shall determine. Whenever such a dispensation is granted, all Work in excess of eight hours per day and five days per week shall be considered overtime Work, and the laborers, workers and mechanics performing such Work shall be paid a premium wage commensurate with the premium wages prevailing in the area in which the Work is performed. No such dispensation shall be effective with respect to any public work unless and until the Town certifies to the commissioner that such Project is of an important nature and that a delay in carrying it to completion would result in serious disadvantage to the public. Time lost in any week because of inclement weather by employees engaged in the construction, reconstruction and maintenance of highways outside of the limits of cities and villages may be made up during that week and/or the succeeding three weeks.

Pursuant to New York State Labor Law 220(3)(a) each laborer, workman or mechanic, employed by any Contractor, Subcontractor or other person on this Project shall be paid be not less than the prevailing rate of wages and supplements set by the New York State Department of Labor.

Pursuant to New York State Labor Law 220(3)(d)(iv), the filing of payrolls in a manner consistent with Labor Law 220(3-a) is a condition precedent to payment of any sums due and owing for Work done upon the Project.

Pursuant to New York State Labor Law 220 (3-a)(a)(ii), each Contractor and Subcontractor shall post in a prominent and accessible place on the Site where the Work is performed a legible statement of all wage rates and supplements specified in the Contract for the various classes of mechanics, workers, or laborers employed on the Work. Posted statements shall be written in plain English; titled, in lettering no smaller than 2 inches high and 2 inches wide, "Prevailing Rate of Wages"; and constructed of

SAMPLE FORM OF CONTRACT AGREEMENT

materials capable of withstanding adverse weather conditions. Each Contractor and Subcontractor shall notify all laborers, workers or mechanics in their employ in writing of the prevailing wage rate for their particular job classification. Such notification shall be given to every laborer, worker or mechanic on their first pay stub and with every pay stub thereafter. At the beginning of performance of the Work, and with the first paycheck after July first of each year, each Contractor and Sub-contractor shall notify all laborers, workers, and mechanics in their employ in writing, in accordance with such form as is prescribed by the Commissioner, of the telephone number and address for the Commissioner. The notice shall also inform each laborer, worker, or mechanic of his or her right to contact the Commissioner, or some other representative if, at any time while working for the Contractor or Subcontractor, he or she does not receive the proper prevailing wage rate or supplements for his or her particular job classification that he or she is entitled to receive under the Contract.

Pursuant to New York State Labor Law 220 (3-a)(a)(iii), each Contractor and Subcontractor shall keep original payrolls or transcripts thereof, subscribed and sworn to or affirmed by him or her as true under the penalties of perjury, setting forth the names and addresses and showing for each worker, laborer, or mechanic the hours and days worked, the occupations worked, the hourly wage rates paid and the supplements paid or provided. Where a Contractor or Subcontractor maintains no regular place of business in New York State and where the amount of the contract is in excess of \$25,000, such payrolls shall be kept on the Site of the Work. All other Contractors or Subcontractors shall produce within 5 days on the Site of the Work and upon formal order of the Commissioner, or his or her designated representative, such original payrolls or transcripts thereof, subscribed and sworn to or affirmed by him or her as true under the penalties of perjury, as may be deemed necessary to adequately enforce the provisions Article 8 of the New York State Labor Law. Every Contractor and Subcontractor shall submit to the Town within 30 days after issuance of its first payroll, and every 30 days thereafter, a transcript of the original payroll record subscribed and sworn to or affirmed as true under the penalties of perjury.

Pursuant to Labor Law 220-d, prevailing wage rates and supplements have been included as an appendix in the Project Manual. Laborers, workingmen or mechanics shall be paid not less than such prevailing wage rates and supplements.

Pursuant to Labor Law 220-e, the Contractor and every Subcontractor agrees:

1. that in the hiring of employees for the performance of Work under this Contract or any subcontract hereunder, no Contractor, Subcontractor, nor any person acting on behalf of such Contractor or Subcontractor, shall by reason of race, creed, color, disability, sex or national

SAMPLE FORM OF CONTRACT AGREEMENT

origin discriminate against any citizen of the state of New York who is qualified and available to perform the Work to which the employment relates;

2. that no Contractor, Subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of Work under this Contract on account of race, creed, color, disability, sex or national origin;

3. that there may be deducted from the amount payable to the Contractor by the state or municipality under this Contract a penalty of fifty dollars (\$50) for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the Contract;

4. that this Contract may be cancelled or terminated by the state or municipality, and all moneys due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the Contract; and

5. the aforesaid provisions covering every Contract for or on behalf of the state or a municipality for the manufacture, sale or distribution of materials, equipment or supplies shall be limited to operations performed within the territorial limits of the state of New York.

Pursuant to Labor Law 220-h, if the Contract Price of this Contract is at least two hundred fifty thousand dollars (\$250,000) all laborers, workers, and mechanics employed in the performance of the contract on the Project Site, either by the Contractor, Subcontractor or other person doing or contracting to do the whole or a part of the Work contemplated by the Contract, shall be certified prior to performing any Work on the Project as having successfully completed a course in construction safety and health approved by the United States Department of Labor's Occupational Safety and Health Administration that is at least ten (10) hours in duration.

Pursuant to Labor Law 222(d), the design of this Project shall be subject to the review and approval of the Town and the Contractor shall furnish performance and payment bonds as specified in the Contract Documents, which shall conform to the provisions of state or local law, and that a copy of such performance and payment bonds shall be kept by the Town and shall be open to public inspection.

Pursuant to Labor Law 222(e), the Town shall consider the financial and organizational capacity of Contractors and Subcontractors in relation to the magnitude of Work they may perform, the record of performance of Contractors and Subcontractors on previous Work, the record of contractors and subcontractors in complying with existing labor standards and maintaining harmonious labor relations, and the commitment of contractors to Work with minority and women-owned business enterprises pursuant to Article 15-A of the New York State Executive Law through joint ventures of subcontractor

SAMPLE FORM OF CONTRACT AGREEMENT

relationships. If the Contract Price of this Contract is in excess of five hundred thousand dollars (\$500,000), each Contractor and Subcontractor shall participate in apprentice training programs in the trades of work it employs that have been approved by the New York State Department of Labor for not less than three years and shall have graduated at least one apprentice in the last three years and shall have at least one apprentice currently enrolled in such apprenticeship training program. In addition, it must be demonstrated that the program has made significant efforts to attract and retain minority apprentices, as determined by affirmative action goals established for such program by the department.

Pursuant to Labor Law 222-a, in the construction of public works wherein a harmful dust hazard is created for which appliances or methods for the elimination of harmful dust have been approved by the Industrial Board of Appeals, the installation, maintenance and effective operation of such appliances and methods is required. Failure to comply with this provision shall void this Contract.

ARTICLE 14. SEXUAL HARASSMENT POLICIES. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the New York State Labor Law.

ARTICLE 15. SUCCESSORS AND ASSIGNS. This Agreement shall bind the successors, assigns and representatives of the parties hereto.

IN WITNESS WHEREOF, this Agreement has been executed by duly authorized representatives of the Town and the Contractor on the date first written above.

TOWN OF YORKTOWN

[CONTRACTOR FIRM NAME]

(Signature)

(Signature)

(Title)

(Title)

SAMPLE FORM OF CONTRACT AGREEMENT

(Acknowledgment of Town)

STATE OF NEW YORK ss. :

COUNTY OF _____

On this ____ day of _____ 20 ____, before me, the undersigned, personally appeared DEAN KNOX, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

(Acknowledgment of Individual Contractor)

STATE OF NEW YORK ss. :

COUNTY OF _____

On this ____ day of _____ 20 ____, before me personally came _____ to me known and known to me to be the person described in and who executed the foregoing instrument,
and acknowledged that he/she executed the same.

Notary Public

SAMPLE FORM OF CONTRACT AGREEMENT

(Acknowledgment of Partnership Contractor)

STATE OF NEW YORK ss. :

COUNTY OF _____

On this ____ day of _____ 20 ____, before me personally came _____

to me known and known to me to be the person who executed the foregoing instrument, who, being duly sworn by me, did for himself/herself depose and say that he/she is a member of the firm of _____, consisting of himself/herself and _____

and that he/she executed the foregoing instrument and that he/she had authority to sign same, and he/she did duly acknowledge to me that he/she executed the same as the act and deed of said firm for the uses and purposes mentioned therein.

Notary Public

(Acknowledgment of Corporate Contractor)

STATE OF NEW YORK ss. :

COUNTY OF _____

On this ____ day of _____ 20 ____, before me personally came _____ to

me known, and known to me to be the person who being duly sworn, did depose that he/she is the _____ of the _____ the corporation described in and which executed the foregoing instrument; and that he/she signed his/her name thereto by order of the Board of Directors of said Corporation.

Notary Public

SAMPLE PERFORMANCE BOND

KNOW ALL PERSONS BY THESE PRESENTS, that we, _____

hereinafter referred to as the "Principal", and _____

hereinafter referred to as the "Surety" are held and firmly bound to THE TOWN OF YORKTOWN, hereinafter referred to as the "TOWN", or to its successors and assigns in the penal sum of

Dollars (\$_____), lawful money of the United States, for the payment of which said sum of money well and truly to be made, we, and each of us, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal is about to submit (or has submitted) to the TOWN the accompanying proposal, hereby made a part hereof, to enter into a contract in writing for _____

a copy of which Contract is annexed to and hereby made a part of this bond as though herein set forth in full;

NOW, THEREFORE, the conditions of this obligation are such that if the Principal, his, her or its representatives or assigns, shall well and faithfully perform the said Contract and all modifications, amendments, additions and alterations thereto that may hereafter be made, according to its terms and its true intent and meaning, including repair and/or replacement of defective work and guarantees of maintenance for the periods stated in the Contract, and shall fully indemnify and save harmless the TOWN from all cost and damage which it may suffer by reason of failure so to do, and shall fully reimburse and repay the TOWN for all outlay and expense which the TOWN may incur in making good any such default, and shall protect the said TOWN against, and pay any and all amounts, damages, costs and judgments which may or shall be recovered against said TOWN or its officers or agents of which the said TOWN may be called upon to pay any person or corporation by reason of any damages arising or growing out of the doing of said work, or the repair or maintenance thereof, or the manner of doing the same, or the neglect of the said PRINCIPAL, or his, her their, or its agents or servants, or the improper performance of the said work by the said PRINCIPAL, or his, her, their, or its agents or servants, or the infringement of any patent or patent rights by reason of the use of any materials furnished or work done as aforesaid or otherwise, then this obligation shall be null and void, otherwise to remain in full force and effect.

The Surety (Sureties), for value received, hereby stipulates and agrees, if requested to do so by the TOWN, to fully perform and complete the Work to be performed under the Contract, pursuant to the terms, conditions, and covenants thereof, if the TOWN determines that the Principal, for any cause, has failed or neglected to fully perform and complete such Work. The Surety (Sureties) further agrees to commence and diligently perform the Work specified in the Contract, including physical site work, within twenty-five (25) business days after written notice thereof from the TOWN and to complete all Work within such time as the TOWN may fix. The Surety and the TOWN reserve all rights and defenses each may have against the other; provided, however, that the Surety expressly agrees that its reservation of rights shall not provide a basis for non-performance of its obligation to commence and to complete all Work as provided herein.

The Surety (Sureties), for value received, for itself and its successors and assigns, hereby stipulates and agrees that the obligation of said Surety (Sureties) and its bond shall be in no way impaired

SAMPLE PERFORMANCE BOND

or affected by any extension of time, modification, omission, addition, or change in or to the said Contract or Work to be performed thereunder, or by any payment thereunder, or by any payment thereunder before the time required therein, or by any waiver of any provisions thereof, or by any assignment, subletting or other transfer thereof or of any Work to be performed or any moneys due or to become due thereunder; and said Surety (Sureties) does hereby waive notice of any and all of such extensions, modifications, omissions, additions, changes, payments, waivers, assignments, subcontracts and transfers, and hereby expressly stipulates and agrees that any and all things done and omitted to be done by and in relation to assignees, subcontractors, and other transferees shall have the same effect as to said Surety (Sureties) as though done or omitted to be done by or in relation to said Principal.

IN WITNESS WHEREOF, the Principal and the Surety (Sureties) have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereunto affixed and these presents to be signed by their proper officers, this _____ day of _____, 20____.

(Seal) _____(L.S.)
Principal

By: _____

(Seal) _____(L.S.)
Surety

By: _____

(Seal) _____(L.S.)
Surety

By: _____

(Seal) _____(L.S.)
Surety

By: _____

Bond Premium Rate _____

Bond Premium Cost _____

If the Contractor (Principal) is a partnership, the bond should be signed by each of the individuals who are partners.

If the Contractor (Principal) is a corporation, the bond should be signed in its correct corporate name by a duly authorized officer, agent, or attorney-in-fact.

An appropriate number of counterparts of the bond corresponding to the number of counterparts of the Contract should be executed.

SAMPLE PERFORMANCE BOND

ACKNOWLEDGEMENT OF PRINCIPAL, IF A CORPORATION

State of _____
County of _____ ss:

On this ____ day of _____, _____, before me personally came to me known, _____ who, being by me duly sworn, did depose and say that he/she is the _____ of _____

_____ the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation, and that he/she signed his/her name thereto by like order.

Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL, IF A PARTNERSHIP

State of _____
County of _____ ss:

On this ____ day of _____, _____, before me personally appeared _____ to me known and known to me to be one of the members of the firm of _____ described in and who executed the foregoing instrument, and he/she acknowledged to me that he/she executed the same as and for the act and deed of said firm.

Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL, IF AN INDIVIDUAL

State of _____
County of _____ ss:

On this ____ day of _____, _____, before me personally appeared _____ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same.

Notary Public

Each executed bond should be accompanied by: (a) appropriate acknowledgments of the respective parties; (b) appropriate duly certified copy of Power of Attorney or other certificate of authority where bond is executed by agent, officer or other representative of Principal or Surety; (c) a duly certified extract from By-Laws or resolutions of Surety under which Power of Attorney or other certificate of authority of its agent, officer or representative was issued, and (d) certified copy of latest published financial statement of assets and liabilities of Surety.

AFFIX ACKNOWLEDGMENTS AND JUSTIFICATION OF SURETIES.

SAMPLE PAYMENT [LABOR AND MATERIAL] BOND

KNOW ALL PERSONS BY THESE PRESENTS, that we, _____

hereinafter referred to as the "Principal", and _____

hereinafter referred to as the "Surety" are held and firmly bound to THE TOWN OF YORKTOWN, hereinafter referred to as the "TOWN", or to its successors and assigns in the penal sum of

Dollars (\$_____), lawful money of the United States, for the payment of which said sum of money well and truly to be made, we, and each of us, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal is about to submit (or has submitted) to the TOWN the accompanying proposal, hereby made a part hereof, to enter into a contract in writing for _____

a copy of which Contract is annexed to and hereby made a part of this bond as though herein set forth in full;

NOW, THEREFORE, the conditions of this obligation are such that if the Principal, his or its representatives or assigns and other Subcontractors to whom Work under this Contract is sublet and his or their successors and assigns shall promptly pay or cause to be paid all lawful claims for:

(a) Wages and compensation for labor performed and services rendered by all persons engaged in the prosecution of the Work under said Contract, and any amendment or extension thereof or addition thereto, whether such persons be agents servants or employees of the Principal or any such Subcontractor, including all persons so engaged who perform the work of laborers or mechanics at or in the vicinity of the site of the Project regardless of any contractual relationship between the Principal or such Subcontractors, or his, her or their successors or assigns, on the one hand and such laborers or mechanics on the other, but not including office employees not regularly stationed at the site of the project; and

(b) Materials and supplies (whether incorporated in the permanent structure or not), as well as teams, fuels, oils, implements or machinery furnished, used or consumed by said Principal or any subcontractor at or in the vicinity of the site of the Project in the prosecution of the Work under said Contract and any amendment or extension thereof or addition thereto; then this obligation shall be void, otherwise to remain in full force and effect.

This bond is subject to the following additional conditions, limitations and agreements:

(a) The Principal and Surety (Sureties) agree that this bond shall be for the benefit of any materialmen or laborer having a just claim, as well as the TOWN itself.

(b) All persons who have performed labor, rendered services or furnished materials and supplies, as aforesaid, shall have a direct right of action against the Principal and his, her, its or their successors and assigns, and the Surety (Sureties) herein, or against either or both or any of them and their successors and assigns. Such persons may sue in their own name, and may prosecute the suit to judgment and execution without the necessity of joining with any other persons as party plaintiff.

(c) The Principal and Surety (Sureties) agree that neither of them will hold the TOWN liable for any judgment for costs of otherwise, obtained by either or both of them against a laborer or materialman

SAMPLE PAYMENT [LABOR AND MATERIAL] BOND

in a suit brought by either a laborer or materialman under this bond for moneys allegedly due for performing work or furnishing material.

(d) The Surety (Sureties) or its successors and assigns shall not be liable for any compensation recoverable by an employee or laborer under the Workmen's Compensation Law.

(e) In no event shall the Surety (Sureties), or its successors or assigns, be liable for a greater sum than the penalty of this bond or be subject to any suit, action or proceeding hereon that is instituted by any person, firm, or corporation hereunder later than two years after the complete performance of said Contract and final settlement thereof.

The Principal, for himself / herself / itself and successors and assigns, and the Surety (Sureties), for itself and its successors and assigns, do hereby expressly waive any objection that might be interposed as to the right of the TOWN to require a bond containing the foregoing provisions, and they do hereby further expressly waive any defense which they or either of them might interpose to an action brought hereon by any person, firm or corporation, including subcontractors, material men and third persons, for work, labor, services, supplies or material performed rendered, or furnished as aforesaid upon the ground that there is no law authorizing the TOWN to require the foregoing provisions to be placed in this bond.

And the Surety (Sureties), for value received, for itself and its successors and assigns, hereby stipulates and agrees that the obligation of said Surety (Sureties), and its bonds shall be in no way impaired or affected by any extension of time, modification, omission, addition, or change in or of the said Contract or the work to be performed thereunder, or by any payment thereunder before the time required therein, or by any waiver of any provisions thereof, or by any assignment, subletting or other transfer thereof or of any part thereof, or of any Work to be performed, or any moneys due to become due thereunder and said Surety (Sureties) does hereby waive notice of any and all of such extensions, modifications, omissions, additions, changes, payments, waivers, assignments, subcontracts and transfers, and hereby expressly stipulates and agrees that any and all things done and omitted to be done by and in relation to assignees, Subcontractors, and other transferees shall have the same effect as to said Surety (Sureties) as though done or omitted to be done or in relation to said Principal.

IN WITNESS HEREOF, the Principal and the Surety (Sureties) have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereunto affixed and these presents to be signed by their proper officers, this _____ day of _____, _____.

(Seal) _____(L.S.)
Principal

By: _____

(Seal) _____(L.S.)
Surety

By: _____

SAMPLE PAYMENT [LABOR AND MATERIAL] BOND

(Seal) _____(L.S.)
Surety

By: _____

(Seal) _____(L.S.)
Surety

By: _____

(Seal) _____(L.S.)
Surety

By: _____

If the Contractor (Principal) is a partnership, the bond should be signed by each of the individuals who are partners.

If the Contractor (Principal) is a corporation, the bond should be signed in its correct corporate name by a duly authorized officer, agent, or attorney-in-fact.

There should be executed an appropriate number of counterparts of the bond corresponding to the number of counterparts of the Contract.

ACKNOWLEDGEMENT OF PRINCIPAL, IF A CORPORATION

State of _____
County of _____ ss:

On this ___ day of _____, _____, before me personally came to me known, _____ who, being by me duly sworn, did depose and say that he/she is the _____ of _____

_____ the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation, and that he/she signed his/her name thereto by like order.

Notary Public

SAMPLE PAYMENT [LABOR AND MATERIAL] BOND

ACKNOWLEDGEMENT OF PRINCIPAL, IF A PARTNERSHIP

State of _____
County of _____ ss:

On this _____ day of _____, _____, before me personally appeared _____ to me known and known to me to be one of the members of the firm of _____ described in and who executed the foregoing instrument, and he/she acknowledged to me that he/she executed the same as and for the act and deed of said firm.

Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL, IF AN INDIVIDUAL

State of _____
County of _____ ss:

On this _____ day of _____, _____, before me personally appeared _____ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same.

Notary Public

Each executed bond should be accompanied by: (a) appropriate acknowledgments of the respective parties; (b) appropriate duly certified copy of Power of Attorney or other certificate of authority where bond is executed by agent, officer or other representative of Principal or Surety; (c) a duly certified extract from By-Laws or resolutions of Surety under which Power of Attorney or other certificate of authority of its agent, officer or representative was issued, and (d) certified copy of latest published financial statement of assets and liabilities of Surety.

AFFIX ACKNOWLEDGMENTS AND JUSTIFICATION OF SURETIES.

APPENDIX A

REQUIREMENTS FOR FEDERAL AID PROJECTS

**DISADVANTAGED/MINORITY/WOMEN'S BUSINESS ENTERPRISE (D/M/WBE)
UTILIZATION GOALS**

The Department has established the following utilization goal(s) for this contract, expressed as a percentage of the total contract bid price. For clarification of Disadvantaged Business Enterprise (DBE) Utilization Requirements refer to §102-22 of the Standard Specifications. For clarification of Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) Utilization Requirements refer to §102-22 of the Standard Specifications.

Disadvantaged Business Enterprise Utilization Goal 8 % (Federal-Aid Only)

Minority Business Enterprise (MBE) Utilization Goal 0 % (Non Federal-Aid Only)

Women's Business Enterprise (WBE) Utilization Goal 0 % (Non Federal-Aid Only)

Directories and/or information related to the current certification status of Disadvantaged Business Enterprises, can be obtained by contacting the:

NYS Department of Transportation
Office of Equal Opportunity Development and Compliance
1220 Washington Avenue
Albany, NY 12232-0444
(518) 457-1129
www.dot.state.ny.us/oeodc/menu.html

Directories and/or information related to the current certification status of Minority and Women's Business Enterprises, can be obtained by contacting the:

Empire State Development Corporation
Office of Minority and Women's Business Development
30 S. Pearl Street
Albany, NY 12245
(518) 292-5250
[www.nylovesbiz.com/Small and Growing Businesses/mwbe.asp](http://www.nylovesbiz.com/Small_and_Growing_Businesses/mwbe.asp) or:
www.empire.state.ny.us

Disadvantaged Business Enterprise Officer

The Bidder shall designate and enter below the name of a Disadvantaged/Minority/Women's Business Enterprise Officer who will have the responsibility for D/M/WBE Utilization.

Bidder Designated D/M/WBE Officer:

(Name)

(Title)

Telephone Number:

RETURN THIS PAGE WITH BID

CERTIFICATION OF COMPLIANCE IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (Prohibited Entities List) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of the Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS website, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the County receive information that a Bidder/Contractor is in violation of the above-referenced certification, the County will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Bidder/Contractor in default.

The County reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract, and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I _____, being duly sworn, deposes and says that he/she is the
_____ of _____ and

neither the Bidder/Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

Signed

SWORN to before me this

_____ day of _____

20____

Notary Public: _____

REVISED JULY 2012

CHAPTER 12, APPENDIX 12-1

CONSTRUCTION CONTRACT REQUIREMENTS

This page has been left blank intentionally.

CONTENTS

Appendix 12-1	Page
CONTRACT REQUIREMENTS <i>FOR ALL LOCALLY ADMINISTERED FEDERAL AID CONSTRUCTION PROJECTS CHECKLIST.</i>	12-1.3
REQUIREMENTS REGARDING LOBBYING ACTIVITIES	12-1.4
NON-COLLUSIVE BIDDING CERTIFICATIONS	12-1.9
REPORTING VIOLATIONS OF NON-COLLUSIVE BIDDING PROCEDURES, MISCONDUCT, ETC.	12-1.14
EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS	12-1.15
REQUIRED CONTRACT PROVISIONS FOR FEDERAL AID PROJECTS-FHWA 1273	12.1.17

REVISED JULY 2012

If Sponsors use NYSDOT Standard Specifications for their construction projects, include the following Federal requirements in ALL contract bid proposals:

- Certification for Federal Aid Contracts.**
- Disclosure of Lobbying Activities.**
- Non-Collusive Bidding Certification**, this format provides a single signature page for the bidder to sign with all requirements listed.
- U.S. Department of Transportation Hotline Information.**
- Equal Employment Opportunity Requirements.** See Section 102-11 of the NYSDOT Standard Specifications.
- FHWA-1273 Required Contract Provisions.**

CERTIFICATION FOR FEDERAL AID CONTRACTS

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his/her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.

The prospective participant also agrees by submitting his/her bid or proposal that he/she shall require that the language of this certification be included in all lower tier subcontracts which exceed \$100,000.00 and that such subrecipients shall certify and disclose accordingly.

THESE MUST BE INCLUDED IN ALL FEDERAL AID CONTRACTS, AND MUST BE INCLUDED IN EACH BID PROPOSAL WHETHER NYSDOT SPECIFICATIONS OR LOCAL SPECIFICATIONS ARE USED.

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants, and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the

REVISED JULY 2012

application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001".

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code for the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the Federal covered action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form; print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB Control Number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information 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 any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington D.C. 20503.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 (See reverse for public burden disclosure.)

1. Type of Federal Action:		2. Status of Federal Action:		3. Report Type:	
a. contract		a. bid/offer/application		a. initial filing	
b. grant		b. initial award		b. material change	
c. cooperative agreement		c. post-award		For Material Change Only:	
d. loan				year _____ quarter _____	
e. loan guarantee				date of last report _____	
f. loan insurance					
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:		
Congressional District, if known:			Congressional District, if known:		
6. Federal Department/Agency:			7. Federal Program Name/Description:		
			CFDA Number, if applicable:		
8. Federal Action Number, if known:			9. Award Amount, if known:		
			\$ _____		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
<p>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>			Signature:		
			Print Name:		
			Title:		
			Telephone No.:		Date:
Federal Use Only:					Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

REVISED JULY 2012

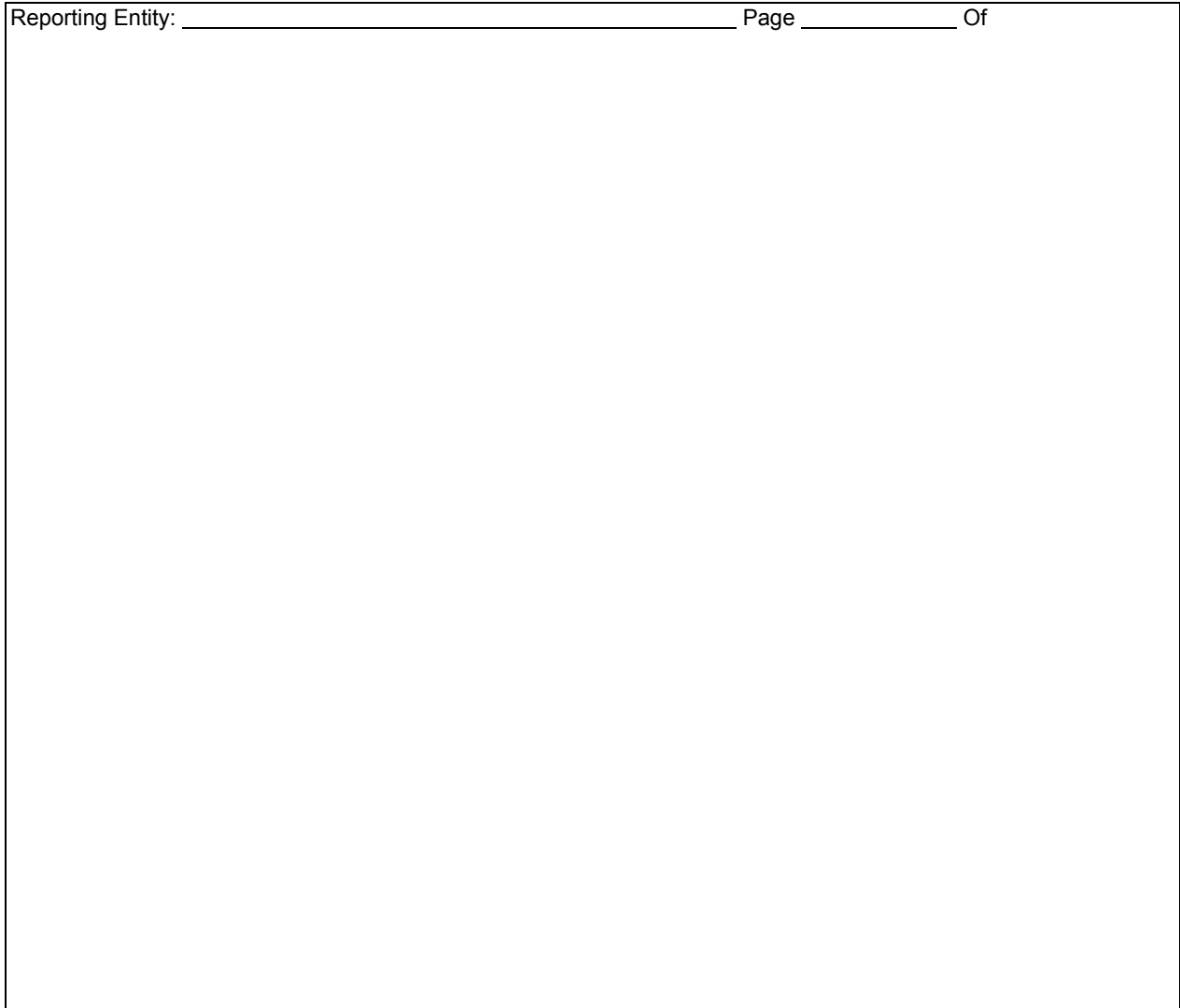
REQUIREMENTS REGARDING LOBBYING ACTIVITIES ON FEDERAL AID CONTRACTS

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by
OMB
0348-0046

Continuation Sheet

Reporting Entity: _____ Page _____ Of _____



Authorized for Local Reproduction - Standard Form LLL

NON-COLLUSIVE BIDDING CERTIFICATIONS

REQUIRED BY SECTION 139-D, STATE FINANCE LAW and SECTION 103-D OF GENERAL MUNICIPAL LAW

“Section 139-d, SFL and Section 103-d, GML, “Statement of non-collusion in bids to the state.”

1. Every bid hereafter made to the state or any public department, agency, or official thereof, where competitive bidding is required by statute, rule, or regulation, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury:

Non-collusive bidding certification.

(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.

(b) A bid shall not be considered for award nor shall any award be made where (a)(1)(2) and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (a)(1)(2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the state, public department, or agency to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of subparagraph one (a).

2. Any bid hereafter made to the state or any public department, agency, or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, or regulation, and where such bid contains the certification referred to in subdivision one of this section, shall be deemed to have been authorized by the board of directors of the bidder and such authorization shall be deemed to have included the signing and submission of the bid and the inclusion therein of the certificate as to non collusion as the act and deed of the corporation."

REQUIRED BY TITLE 23, U. S. CODE, AND SECTION 112. A NON-COLLUSIVE BIDDING CERTIFICATION MUST BE INCLUDED IN EVERY BID PROPOSAL REGARDLESS OF WHETHER NYSDOT SPECIFICATIONS OR LOCAL SPECIFICATIONS ARE USED.

(A) 2

"By submission of this bid, the bidder does hereby tender to the Owner this sworn statement pursuant to Section 1128 of Title 23, U. S. Code-Highways and does hereby certify, in conformance with said Section 112 of Title 23, U. S. Code-Highways that the said Contractor has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the above contract."

REQUIRED BY TITLE 49, CFR, VOLUME 1, SUBTITLE A, PART 29

"The signatory to the proposal, being duly sworn, certifies that, EXCEPT AS NOTED BELOW, his/her company and any person associated therewith in the capacity of owner, partner, director, officer, or major stockholder (of five percent or more ownership):

1. Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
2. Has not been suspended, debarred, voluntarily excluded, or determined ineligible by any Federal agency within the past three years;
3. Does not have a proposed debarment pending; and
4. Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

EXCEPTIONS: The Contractor should list any relevant information, attaching additional sheets to the proposal if necessary. (Exceptions will not necessarily result in disapproval, but will be considered in determining responsibility. For any exception noted, the Contractor should indicate to whom it applies, the initiating agency, and the dates of actions. Providing false information may result in criminal prosecution or administrative sanctions).

THESE MUST BE INCLUDED IN ALL FEDERAL AID CONTRACTS. HOWEVER, THE NYS COLLUSIVE BIDDING CERTIFICATION AND MANY IN USE BY LOCAL GOVERNMENTS ARE ALMOST IDENTICAL AND ARE ACCEPTABLE.

THE FOLLOWING PAGES ARE THE REQUIRED CERTIFICATION REGARDING NON-COLLUSIVE BIDDING PROCEDURES AND THE CONTRACTOR'S ELIGIBILITY TO SUBMIT A BID UNDER FEDERAL LAW. THE LAST PAGE IS A GENERAL BIDDER INFORMATION FORM. ALL SHOULD BE INCLUDED IN THE CONTRACT DOCUMENTS, IMMEDIATELY FOLLOWING THE PAGE(S) WHICH CONTAINS THE NON-COLLUSIVE BIDDING REQUIREMENTS. BY SIGNING ONE OF THESE CERTIFICATIONS, THE CONTRACTOR CERTIFIES THAT HE UNDERSTANDS AND AGREES TO BE BOUND BY THE PROVISIONS OF THE FOLLOWING LAWS:

1. NEW YORK STATE FINANCE LAW, ARTICLE 9, SECTION 139-d
2. TITLE 49, CFR, PART 29
3. TITLE 23, U. S. CODE-HIGHWAYS, SECTION 112

THE CONTRACTOR SHOULD CHOOSE THE APPROPRIATE NOTARIZATION WHICH CORRESPONDS TO THE TYPE OF COMPANY (SOLE PROPRIETORSHIP, PARTNERSHIP, OR CORPORATION) THAT HE/SHE REPRESENTS OR IS AFFILIATED WITH. ALL BIDDERS SHOULD FILL OUT THE APPROPRIATE SECTION OF THE BIDDER INFORMATION SHEET.

BY EXECUTING THIS DOCUMENT, THE CONTRACTOR AGREES TO:

1. Perform all work listed in accordance with the Contract Documents at the unit prices bid; subject to the provisions of Section 104 -04, Standard Specifications, Construction and Materials, published by the New York State Department of Transportation, and dated May 4, 2006, if applicable;
2. All the terms and conditions of the non-collusive bidding certifications required by Section 139-d of the State Finance Law, and Section 112, Title 23, U.S. Code;
3. Certification of Specialty Items category selected, if contained in this proposal;
4. Certification of any other clauses required by this proposal and contained herein;
5. Certification, under penalty of perjury, as to the current history regarding suspensions, debarments, voluntary exclusions, determinations of ineligibility, indictments, convictions, or civil judgments required by 49 CFR Part 29.

Date:

(Legal Name of Person, Corporation, or Firm Which
is Submitting Bid or Proposal)

BY: _____
(Signature of Person Representing Above)

AS: _____
(Official Title of Signator in Above Firm)
(Acknowledgment by Individual Contractor, If a Corporation)

STATE OF NEW YORK)
) SS:
COUNTY OF)

On this _____ day of _____, 20____, before me
personally came _____, to me known and known
to me to be the person who executed the above instrument, who being duly sworn by me, did
depose and say that he/she resides at

_____, and that he/she is the
of the

the corporation described in and which executed the above instrument, and that he/she signed
his/her name thereto on behalf of said Corporation by order of the Board of Directors of said
Corporation.

Notary Public

(Acknowledgment by Co-Partnership Contractor)

STATE OF NEW YORK)
) SS:
COUNTY OF)

On this _____ day of _____, 20____, before
me
personally came _____, to me known and known
to
me to be the person described in and who executed the above instrument, who, being duly
sworn
by me, did for himself/herself depose and say that he/she is a member of the firm of
, consisting of himself/ herself and
, and that he/she executed the foregoing instrument in the firm name of
and that
he/she had authority to sign same, and did duly acknowledge to me that he/she executed same
as
the act and deed of said firm of _____ for the uses
and
purposes mentioned herein.

Notary Public

(Acknowledgment by Individual Contractor)

STATE OF NEW YORK)
) SS:
COUNTY OF)

On this _____ day of _____, 20_____,
before me personally came _____, to me known and

known to me to be described in and who executed the foregoing instrument, and that he/she
acknowledged that he/she executed the same.

Notary Public

NON-COLLUSIVE BIDDING CERTIFICATION BIDDER INFORMATION

Bidder to provide information listed below:

Bidder Address: _____
Street or P. O. Box No. _____

City

_____ State ZIP

Federal Identification No.: _____

Name of Contact Person: _____

Phone # of Contact Person: _____

If Bidder is a Corporation:

President's Name & Address:

Secretary's Name & Address:

Treasurer's Name & Address:

If Bidder is a Partnership:

Partner's Name & Address:

Partner's Name & Address:

If Bidder is a Sole Proprietorship:

Owner's Name & Address:

**REPORTING VIOLATIONS OF NON-COLLUSIVE BIDDING PROCEDURES,
MISCONDUCT, OR OTHER PROHIBITED CONTRACT ACTIVITIES**

U. S. DEPARTMENT OF TRANSPORTATION HOTLINE. Persons with knowledge of bid collusion (i.e., contractors, suppliers, workers, etc.) or other questionable contract related practices (inadequate materials, poor workmanship, theft of materials, etc.) are encouraged to report such activities by calling the U. S. D. O. T. HOTLINE. The HOTLINE number is 1-800-424-9071 and calls will be answered from 8:00 A.M. to 5:00 P.M. EST, Monday thru Friday. This HOTLINE is under the direction of the U.S.D.O.T.'s Inspector General. All information will be treated confidentially and the caller's anonymity will be respected.

NEW YORK STATE INSPECTOR GENERAL HOTLINE. Reports of New York State Governmental Misconduct may be made in strict confidence to the New York State Inspector General on the Toll Free Statewide HOTLINE or by writing to the Office of the Inspector General. The Toll Free Statewide HOTLINE telephone number is 1-800-367-4448 and calls will be answered between 8:00 A.M. and 4:30 P.M., Monday through Friday. The address of the Office of the State Inspector General is the State Capitol, Executive Chamber, Albany, New York 12224.

THIS IS REQUIRED IN ALL FEDERAL AID CONTRACTS.

REVISED JULY 2012

EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

**[SEE SECTION 102-11 OF THE
NEW YORK STATE
DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS]**

Appendix 12 – 1.15

GOALS FOR MINORITY PARTICIPATION IN THE CONSTRUCTION INDUSTRY

COUNTY	% GOAL	COUNTY	% GOAL	COUNTY	% GOAL
Albany	3.2	Herkimer	2.1	Richmond	*
Allegany	6.3	Jefferson	2.5	Rockland	22.6
Broome	1.1	Kings	*	St. Lawrence	2.5
Bronx	*	Lewis	2.5	Saratoga	3.2
Cattaraugus	6.3	Livingston	5.3	Schenectady	3.2
Cayuga	2.5	Madison	3.8	Schoharie	2.6
Chautauqua	6.3	Monroe	5.3	Schuyler	1.2
Chemung	2.2	Montgomery	3.2	Seneca	5.9
Chenango	1.2	Nassau	5.8	Steuben	1.2
Clinton	2.6	New York	*	Suffolk	5.8
Columbia	2.6	Niagara	7.7	Sullivan	17.0
Cortland	2.5	Oneida	2.1	Tioga	1.1
Delaware	1.2	Onondaga	3.8	Tompkins	1.2
Dutchess	6.4	Ontario	5.3	Ulster	17.0
Erie	7.7	Orange	17.0	Warren	2.6
Essex	2.6	Orleans	5.3	Washington	2.6
Franklin	2.5	Oswego	3.8	Wayne	5.3
Fulton	2.6	Otsego	1.2	Westchester	22.6
Genesee	5.9	Putnam	22.6	Wyoming	6.3
Greene	2.6	Queens	*	Yates	5.9
Hamilton	2.6	Rensselaer	3.2		

* The following goal ranges are applicable to the indicated trades in the Counties of Bronx, Kings, New York, Queens, and Richmond:

Electricians.....	9.0 to 10.2
Carpenters.....	27.6 to 32.0
Steam Fitters.....	2.2 to 13.5
Metal Lathers.....	26.0 to 28.6
Operating Engineers.....	25.6 to 26.0
Plumbers.....	12.0 to 14.5
Iron Workers (Structural).....	25.9 to 32.0
Elevator Constructors.....	5.5 to 6.5
Bricklayers.....	13.4 to 15.5
Asbestos Workers.....	22.8 to 28.0
Roofers.....	6.3 to 7.5
Iron Workers (Ornamental).....	22.4 to 23.0
Cement Masons.....	23.0 to 27.0
Glaziers.....	16.0 to 20.0
Plasterers.....	15.8 to 18.0
Teamsters.....	22.0 to 22.5
Boilermakers.....	13.0 to 15.5
All Others.....	16.4 to 17.5

GOALS FOR WOMEN

Female Goals - 6.9%

Goals for the utilization of women by Federal and Federally assisted construction contractors were last published on April 7, 1978 (43 CFR 4988, 149000). That April 7, 1978 publication included a 6.9% goal for the period from April 1, 1980 until March 31, 1981. Pursuant to 41 CFR 60-4.6, the 6.9% goal for female utilization is extended until further notice

**REQUIRED CONTRACT PROVISIONS
FEDERAL-AID CONSTRUCTION CONTRACTS**

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under

this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar

with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurance Required by 49 CFR 26.13(b):

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor

will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions

of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. (1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or

will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-

Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b.(1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and trainees

a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly

rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6. Subcontracts. The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility.

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

3. Withholding for unpaid wages and liquidated damages. The FHWA or the contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;

(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is

evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

1. Instructions for Certification – First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this

covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

* * * * *

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

**ATTACHMENT A - EMPLOYMENT AND MATERIALS
PREFERENCE FOR APPALACHIAN DEVELOPMENT
HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS
ROAD CONTRACTS**

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

APPENDIX B

TECHNICAL SPECIFICATIONS

- **Special Notes**
- **Special Specifications**

PIN 8761.66: Replacement of the Hill Boulevard Bridge over Barger Brook Tributary
PIN 8761.71: Replacement of the Veterans Road Culvert over Hallocks Mill Brook
Town of Yorktown, Westchester County, New York

SPECIAL NOTES

- 1. NYSDOT Standard Specifications**
- 2. Wage Rates**
- 3. Right-of-Way**
- 4. Superpave Hot Mix Asphalt**
- 5. Buy America**
- 6. Coordination with Utility Schedule**
- 7. Maintenance of Sanitary Sewer Flows**
- 8. 511 NY**

Special Note 1:
NYSDOT Standard Specifications

This project is a Federal Aid Contract which will be completed under the oversight of the New York State Department of Transportation's (NYSDOT) Region 8 Local Project Unit and shall be subject to the latest rendition of the Procedures for Locally Administered Federal Aid Projects (PLAFAP). This manual can be found online at the following link: <https://www.dot.ny.gov/plafap>

Except as modified herein, the current edition of the NYSDOT Standard Specifications, Construction and Materials (Section 100 and Sections 200-700) issued by the New York State Department of Transportation, Office of Engineering, including all revisions and addenda issued by NYSDOT prior to the date the Invitation to Bid is advertised shall govern the work to be done. All work contemplated under this contract is to be covered by and in conformity with the current NYSDOT Standard Specifications (Sections 200-700) except as modified by the contract plans.

Where the NYSDOT is mentioned in any capacity (including, but not limited to, Department, State, Commissioner of Transportation, DOT, or Director(s) of its subdivisions) as an approving authority with regard to materials, fabrication, inspections or other approvals, the approving authority shall be changed to the Town of Yorktown or its authorized representative.

Special Note 2:

NYS DOL Prevailing Wage Rates and Federal Davis-Bacon Wage Rates

The Contractor will be aware that the higher of the NYS DOL Prevailing Wage Rates and the Federal Davis-Bacon Wage Rates must be paid to the Contractors' and Subcontractors' employees. The current rates at the time of work completion shall be paid. The applicable rates can be found online at the following web addresses:

Federal Davis-Bacon Wage Rates: <http://www.wdol.gov/dba.aspx>

NYS DOL Prevailing Wage Rates:

<https://wpp.labor.state.ny.us/wpp/publicViewPWChanges.do?method=showIt>

The rates current as of the date of Advertisement have been included in this proposal for bidding purposes.

Special Note 3:
Right-of-way (ROW)

A. All work to be performed under this contract will be within the public Right-of-Way (ROW) in accordance with section 105-15 of the current NYSDOT Standard Specifications. The contractor is to assure himself that all work is being performed within the ROW, including but not limited to vehicle access; storage of equipment, materials, debris and waste; landscaping; vegetation removal and management; grading, seeding and the installation of turf; and the installation of any fences or protective barrier.

B. If contractor is unable to identify the limits of the Rights-of-Way when the contract calls for work in those vicinities, the contractor must contact the project engineer for definitive boundary determinations before any work may be initiated at those locations (current NYSDOT Standard Specifications sections 105-10 and 625).

C. In accordance with section 107-13 of the standard specifications, releases for any non-essential contract work outside of the existing Rights-of-Way, including plantings, landscaping or driveway enhancement, will be provided by the project engineer and in no instance are to be secured by the contractor. The contractor shall not invade upon private properties, lands or buildings outside of the rights-of-way for any reason without first securing written permission from the property owner (current NYSDOT Standard Specifications sections 105-15, 107-13).

D. The contractor will be held liable for any damages done. Any such injuries or damages shall be satisfactorily repaired or items replaced at the contractor's expense (current NYSDOT Standard Specifications section 107-08 and 107-13).

Special Note 4:
Superpave Hot Mix Asphalt

The Contractor should be aware that this is a performance-related specification in which the Contractor is responsible for compacting the pavement within a specified density range. In order to successfully compact the pavement to the specified density range, the Contractor must be prepared to select, operate, and control the paving and compaction equipment, to monitor the result, and to make necessary adjustments (without direction from the Engineer) to achieve the desired results. Written instructions for determining pavement density and core locations are available from the Regional Materials Engineer or the Director, Materials Bureau.

The Performance Graded asphalt binder used in the production of SUPERPAVE Hot Mix Asphalt mixtures shall be a 70-22 as defined by AASHTO Provisional Standard MP1 – Standard Specification for Performance Graded Asphalt Binder.

The mixtures design should be developed in accordance with the criteria specified in the SUPERPAVE Hot Mix Asphalt Items that is appropriate for an “Estimated Traffic” level of <30 “Million 80 kN ESALs”.

All Hot Mix Asphalt (HMA) is to be a NYSDOT approved mix from NYSDOT approved plants in accordance with current NYSDOT specifications.

Special Note 5:
Buy America

The Contractor should be aware that Buy America provisions are in effect on this project. The Contractor should reference the current NYSDOT Standard Specifications for complete details.

Special Note 6:
Coordination with the Utility Schedule

The Contractor shall become familiar with all provisions of Section 107-07, "Protection of Underground Facilities" of the Standard Specifications. The Contractor shall use the necessary precautions to prevent damage to pipes, conduits, and other underground facilities. All costs associated with verification of the location of underground facilities pursuant to 16 NYCRR 753 *Protection of Underground Facilities*, as amended, shall be included in the prices bid for the respective contract items involved.

The Contractor's attention is directed to Section 107-05 J, "Electrical Safety", of the Standard Specifications with regard to construction operations that could cause employees or the vehicles or equipment they are operating to come into contact with ("direct contact") or enter into dangerous proximity to ("indirect contact") energized electrical systems. Electrical systems shall be assumed to be energized high voltage until verified otherwise by the Utility. The Contractor shall identify and reference all potential electrical hazards and document such actions to the Engineer as part of the Project Safety and Health Plan.

All utility company forces and/or their subcontractors shall conduct their operations to ensure the safety and convenience of travelers and abutting property owners as well as the safety of all workers on the contract. Travelers include, but may not be limited to motorists, motorcyclists, bicyclists and pedestrians. All utility company forces and/or their subcontractors shall maintain public access to intersecting roads, business establishments, adjacent property, bus stops and transportation facilities for vehicles, pedestrians, and bicyclists. Additionally, while performing their work, all utility company forces and/or their subcontractors shall provide and maintain accommodations for safe pedestrian passage on at least one side of the roadway at all times, unless other temporary pedestrian accommodations are approved by the Engineer.

The Contractor must coordinate his schedule of operations with the various Utility owners involved with the project and shall verify utility information found in the contract documents.

Utility adjustment and/or relocations required by the various Utility owners in connection with **PIN 8761.66 – Replacement of the Hill Boulevard Bridge** include:

Con Edison (gas)

Con Edison gas facilities are located near the east curb line of the Hill Boulevard Bridge. Relocation of the 6" gas main to an elevation at least 5' below the proposed bridge excavation limit is scheduled to be performed prior to the Contractor beginning work on the site. Con Edison forces will complete the work no later than May 15, 2019. The Contractor is to coordinate directly with Con Edison before beginning excavation work to confirm elevation and location of the relocated gas main.

Town of Yorktown (sewer)

The Contractor shall field verify the location of the existing 10" gravity sewer main along the west curb line of the Hill Boulevard Bridge with respect to existing and proposed construction. The Contractor shall install a temporary sewer main and maintain sewer flow at all times during construction as indicated in the contract documents. The Contractor shall perform the proposed sewer main work as shown in the contract plans. The Contractor shall coordinate with the Engineer and the Town of Yorktown throughout these operations.

Town of Somers (sewer)

The Contractor shall field verify the locations of the existing 6" and 8" sanitary sewer force mains within the median of the Hill Boulevard Bridge with respect to existing and proposed construction. The Contractor shall install the permanent sewer mains as shown in the contract plans. Connections of the existing mains to the proposed mains shall proceed with no interruptions in service. The Contractor shall coordinate with the Engineer and the Town of Somers throughout these operations.

Town of Yorktown (water)

The Contractor shall field verify the locations of the existing 12" water main along the west curb line of the Hill Boulevard Bridge with respect to existing and proposed construction. The Contractor shall install the permanent water main as shown in the contract plans. Connection of the existing main to the proposed main shall proceed with no interruptions in service. The Contractor shall coordinate with the Engineer and the Town of Yorktown throughout these operations.

Utility adjustment and/or relocations required by the various Utility owners in connection with **PIN 8761.71 – Replacement of the Veterans Road Culvert** include:

Verizon Communications

Verizon shares ownership of the two utility poles in the project area with NYSEG. A support strand crosses Veterans Road between these existing poles at stations V11+61 and V12+44. This strand will be removed by Verizon forces and a new anchor will be installed on each of the utility poles.

Verizon's work shall proceed in a continuous manner from start to finish by Verizon forces for a duration of two (2) calendar weeks. Verizon shall be given two (2) calendar weeks' notice in order to proceed with their portion of the work.

CSC Holdings LLC

CSC Holdings LLC aerial wire crossing Veterans Road between two existing poles at stations V11+61 and V12+44 within the Town of Yorktown Right-of-Way as shown on the plans for the proposed transportation project are to be adjusted as follows:

The aerial wire is to be temporarily raised between the two existing poles in the project vicinity to achieve a minimum 22' vertical clearance. The wire shall be relocated by CSC Holdings LLC forces in a continuous manner from start to finish by CSC Holdings LLC's contractor for a duration of two (2) calendar weeks. CSC Holdings LLC shall be given two (2) calendar weeks' notice in order to proceed with their portion of the work.

New York State Electric and Gas Corporation

NYSEG Aerial electrical distribution lines crossing Veterans Road between two poles at stations V11+61 and V12+44 within the Town of Yorktown Right-of-Way as shown on the plans for the proposed transportation project are to be adjusted as follows: The electrical distribution lines are to be de-energized during crane operations necessary for the placement of the box culvert units. NYSEG shall be given two (2) calendar weeks' notice in order to proceed with their portion of the work.

Crown Castle International Corp.

Crown Castle aerial wire crosses Veterans Road between stations V11+61 and V12+44 within the Town of Yorktown Right-of-Way as shown on the plans for the proposed transportation project are to be adjusted as follows:

The aerial wire is to be temporarily relocated along the north side of Veterans Road. The wire shall be relocated by Crown Castle forces. Crown Castle's portion of the work shall proceed in a continuous manner from start to finish for a duration of two (2) calendar weeks. Crown Castle shall be given eight (8) calendar weeks' notice in order to proceed with their portion of the work.

Town of Yorktown (water)

The Contractor shall field verify the location of the existing 12" water main within the project limits of the Veterans Road Culvert with respect to existing and proposed construction. The Contractor shall install the permanent water main as shown in the contract plans. Connection of the existing main to the proposed main shall proceed with no interruptions in service. The Contractor shall coordinate with the Engineer and the Town of Yorktown throughout these operations.

General

The above time periods do not apply to any corrective work to repair damage done by the Contractor to existing utility facilities. Those repairs may require time beyond those mentioned above. Also, all time periods are exclusive of frost periods and may be further extended if other natural deterrents occur that the Engineer judges to justify such extension.

In addition to the above listed utility efforts, others may become necessary during the construction phase as a result of more precise location data or other changes that might develop. These relocations are to be performed by the utility companies coordinating with the Contractor. These additions are not subject to the above-mentioned time frames and the actual time frame is to be determined by the Engineer considering the utility companies' scheduling.

All known existing public and private utility lines within or adjacent to the site of the work are shown in their approximate locations on the contract plans. The Contractor is cautioned that these locations are not guaranteed, nor is there a guarantee that all such lines in existence have been shown on the plans.

The Contractor is referred to the provisions of the General Specifications that govern his responsibility for the protection and support of all utilities facilities encountered during his work. The Contractor shall conduct his operations as to prevent damage to such facilities. He shall make such explorations as may be necessary to determine the dimensions and locations of lines that may be subject to damage. Notification to the various owners of facilities shall be given in accordance with New York State Industrial Code 753.

The Contractor shall make good any damage to those utilities caused by his operations. If the nature of the damage is such as to endanger the satisfactory operations of the utilities and the necessary repairs are not immediately made by the Contractor, the work may be done by the respective owning companies and the cost thereof charged against the Contractor.

Prior to the commencement of construction, the Contractor shall meet with all the known public and private utility companies occupying the work site. The Contractor shall, at this meeting, inform the utility companies of his schedule of operations and so coordinate his work with these companies.

Contact Information:

Project Utility Contacts are listed below. They are subject to change throughout the project and it is the Contractor's responsibility to maintain the proper contacts for each agency for the life of the project.

<u>Con Edison (Gas)</u>	Rilwan Durosinmi (917) 418-6517 Mike Sanchik (718) 839-1514	<i>Supervisor</i> <i>Supervisor</i>
<u>NYSEG</u>	Rob McDonough (585) 484-2233	<i>Supervisor</i>
<u>CSC Holdings LLC</u>	Thomas Keenan (845) 296-3533	<i>Crew Chief</i>
<u>Crown Castle International</u>	Richard Pitz (845) 554-6091	<i>Supervisor</i>
<u>Verizon</u>	Thomas Mcardle (914) 741-8740	<i>Supervisor</i>
<u>Town of Yorktown Water</u>	Ken Rundle (914) 245-6111	<i>Superintendent</i>
<u>Town of Yorktown Sewer</u>	Ed Mahoney (914) 245-3510	<i>Superintendent</i>
<u>Town of Somers Sewer</u>	Adam Smith (914) 248-5181	<i>Superintendent</i>

**Special Note 7:
Maintenance of Sanitary Sewer Flows**

GENERAL

All work described in this special note shall be paid for under item 660.70000004 – Maintenance of Sanitary Sewer Flows.

1. The work includes requirements for implementing a temporary sanitary sewer bypass pumping system for the purpose of diverting existing sanitary sewage flow around work area until the permanent sanitary sewer system has been brought online.
2. The contractor is required to furnish all labor, materials, equipment, and incidentals required to maintain continuous and reliable sanitary sewer service in all sanitary sewer lines and service lateral connections during various phases of work, as required.
3. The contractor shall construct and maintain all temporary bypass sewers and be responsible for all bypass pumping of sewage required to prevent backing up of the sanitary sewer system and allow appropriate conditions to facilitate contract work and the engineer's inspection.
4. The Contractor shall immediately remove and dispose of all offensive matter spilled during the bypass pumping at his own expense. The Contractor shall also be responsible for paying any fines imposed as a result of spills or overflows that occur as a result of a bypass pumping system failure.
5. In the event of sewage spill, the contractor shall notify the engineer and the owner immediately. Any fines levied, civil or criminal actions taken against the owner, engineer and any of either entities agents due to a delay in the notification of a sewage spill by the contractor shall be considered a direct liability against the contractor.
6. Any fines levied, civil or criminal actions taken against the owner, engineer and any of either entities' agents due to a sewage spill related to the contractor's failure to provide/maintain adequate bypass pumping, shall be considered a direct liability against the contractor.
7. Contractor shall provide a redundant bypass pumping system, inclusive of a primary and secondary pump, intake and discharge conduit, pipe fittings and other equipment necessary to provide continuous sanitary sewage flow and prevent sanitary sewage backups and or discharges to all facilities serviced by the upstream sanitary sewer system. Additionally included shall be: an automatic warning system in case of pump failure and a float system to activate and deactivate pump operation as the influent dictates.
8. Primary bypass pumps shall be critically silenced when used in residential settings or areas where excessive noise levels would create a disturbance. Secondary or redundant bypass pumps do not have to be critically silenced.
9. Removal of equipment and restoration of surrounding area shall be included in the unit price bid for item 660.70000004.
10. The contractor shall be required to provide adequate bypass system delineation and protection from unwanted physical contact as depicted on the plan set and described herein.

SUBMITTALS

The following information shall be submitted to the engineer for approval:

Detailed plan and report with calculations of proposed pumping system. Required information shown on plan shall include:

1. General Information
 - a. Total system head, including static and dynamic head

- b. System elevations, shown in profile view including elevations of:
 - i. suction pipe
 - ii. discharge pipe
 - iii. system high point
 - iv. profile of the remaining system
 - c. System curve in a linear graph format showing:
 - i. comparison between pump flow rate and total system head (to be plotted against the pump curve)
 - d. Location of existing sanitary sewer system and proposed bypass system
 - i. The plan must clearly depict location and structure of influent manhole and discharge manhole (including invert elevations)
 - ii. type and size of sanitary sewer to be bypassed, including:
 - 1. existing pipe material
 - 2. existing pipe slope
 - 3. length of existing sewer to be bypassed
 - 4. influent structure type, size and depth
 - 5. discharge structure type, size and depth
 - 6. facilities/habitable structures located between influent and discharge manhole and all other facilities/habitable structures possibly affected by the existing sewer main being removed from service
 - 7. pump locations, staging area, pump access point, influent structure access point and discharge structure access point
 - 8. delineation and protection measures for pumps, piping, pipe supports, and structures to remain open to the atmosphere in order to facilitate access to suction and discharge structures
2. Pumps:
- a. Number of proposed pumps (2 minimum, primary and secondary)
 - b. Primary and secondary pump power supply (i.e.: electric, diesel)
 - i. Electric power supply shall be depicted, including
 - 1. Power “drop” (either from utility pole or underground conduit), meter location required/provided and provided electrical power rating
 - c. Pump power rating
 - d. Manufacturer’s operating instructions
 - e. Float system specifications
 - f. Automatic warning system specifications and operating description, including time elapsed from detected incident to alert sent
 - g. Method of noise control for each pump and/or generator
3. Piping:
- a. Total pipe length
 - b. Number, location and angles of bends/coupling
 - c. Pipe characteristics including: nominal diameter, pipe material, roughness characteristics and coupling/bend specifications
 - d. Location of suction and discharge piping, If buried bypass piping is required a cross sectional detail shall be provided showing depth of cover, backfill material and substrate
 - e. Bypass pipe supports and anchoring for bypass operations
 - f. Thrust and restraint sizes and locations
 - g. Bypass system supports for piping located within FEMA regulated flood zones, subject to fluctuation in flow velocity, volume and depth

- h. Sewer plugging method and type of plugs
- 4. Emergency Action Plan (shall include):
 - a. Emergency notification time frames and procedure
 - b. Plan for continuation of sanitary sewer bypass in case of redundant pump failure
 - i. Plan shall include delivery schedule of replacement pumps, piping and other necessary material
 - 1. The plan shall not be a replacement for standard system replacement parts that shall be kept on site for typical maintenance and breakdowns. Such parts and repairs shall be considered part of standard operations.
 - c. Primary pump repair procedure and schedule (while secondary pump is in operation)
 - d. Plan and schedule to remove bypass pumping system from flood prone areas when imminent disruption or destruction of bypass system is confirmed and where the result of the loss of pumps and other mechanical equipment will result in a negative impact on the health and safety of the general public.
 - i. The contractor shall direct his attention to the water-bodies located at the project site and be aware of the potential local and widespread issues due to sewage spills and transmission of other pollutants through the water-body.
 - ii. Extreme diligence shall be exhibited by the contractor when dealing of the above referenced emergency operations and all other heal, safety and environmental issues and shall be evident within the emergency action plan
 - iii. Immediate action shall be taken when the system becomes inoperable because of mechanical issues or becomes physically comprised by human or natural incidences
- 5. Schedule and operation procedures shall include:
 - a. Setup and breakdown of physical system including a detailed description of:
 - i. Bypass system installation
 - ii. Total time of bypass
 - iii. Transition procedures from existing system to bypass pumping system and bypass pumping system back to permanent system operation
 - iv. Live transitions operations between temporary and permanent systems if necessary.
 - 1. Contractor shall take necessary precautions to ensure sewage spills do not occur and minimize/negate handling of live sanitary sewer structures, pipes, pumps and appurtenances.
 - v. Notification procedures for:
 - 1. Sewage spills
 - 2. Pump failure
 - 3. Emergency system removal
 - 4. Other emergency maintenance affecting pump operation and discharge capacity
 - vi. Location of operational procedures document onsite

All submissions required herein shall be certified by a New York State Licensed Professional Engineer. Cost for certification shall be included in the unit price bid for item 660.70000004. Plans, report and calculations shall be submitted to the engineer for approval.

BYPASS AND BYPASS OPERATION REQUIREMENTS

1. Work Flow and Staging

- a. The contractor shall schedule and perform work in manner that does not cause or contribute to incidence of overflows, releases or spills of sewage from sanitary sewer system or sanitary sewer bypass system.
 - b. Where possible the contractor shall schedule maintenance, adjustments and or other activities that can interfere with pump operation during off peak time periods. Coordination with the owner and engineer will be necessary to establish acceptable time periods.
 - c. The contractor shall not schedule any routine maintenance or modification to the sanitary sewer bypass system during precipitation events greater than 0.5 inches in depth over a 24-hour period.
 - d. When modifications to the system are required, the contractor shall submit a schedule of such modifications to the engineer 48 hours prior the required operations. If scheduled operations overlap with a weather forecast dictating over 0.5 inches of rain in a 24-hour period, the request shall be denied unless deemed imperative to maintain bypass operation.
 - e. Emergency maintenance shall not be subject to weather forecasts. In these cases the contractor shall perform the operations in a responsible manner to be monitored by the engineer. Operations shall be carried out in a continuous manner to ensure that the bypass system is in peak operating condition and physically secured before precipitation impacts reach the site. Maintenance to the bypass system shall not be undertaken until all necessary materials have been delivered to the site unless delivery is imminent and commencing operations before delivery will have a public health and safety benefit.
 - f. Backup/secondary pumps are required to be in operation while maintenance is being performed on the primary system. This scenario applies to maintenance operations on secondary pump as well.
2. Manpower
- a. The contractor shall provide a qualified operator for the sanitary sewer bypass system.
 - b. An operator must be required onsite at all times during normal contract operations, during emergency operations and during time when maintenance is required.
 - c. Additional manpower is also required to assist operator in all operations.
 - i. Contractor shall be aware that operations can include complete bypass system removal pending emergency situation and shall be prepared to provide required manpower immediately.
 - d. The operator shall be capable of monitoring all required information and adjusting pump operation to operate within specified limits, as determined during onsite calibrations.
3. System calibration
- a. The bypass system shall be calibrated by the contractor and approved by the engineer when the system is placed online.
 - b. The system shall be calibrated to:
 - i. Maintain minimum sewage elevations in the influent/suction structure to provide positive pump suction while ensuring no sewage discharge/backflow into the upstream system and subsequent facilities/structures serviced by the sanitary sewer system.
 - ii. Ensure that the discharge structure and downstream system can handle the inflow from the bypass pump system
4. Monitoring

- a. The sanitary sewer bypass system must be monitored continuously during bypass operations either personally or by telemetry. Periodic system checks shall occur once every hour of time elapsed during daily operation to ensure a consistent operation, to be monitored by telemetry system during hours where personnel is not onsite.
- b. Telemetry/Warning System
 - i. The warning system shall be capable of placing a phone call or electronic mail message to multiple recipients and the time of pump distress or failure.
 - ii. Warning shall be sent immediately to the recipient
 - iii. The owner and engineer reserve the right to be included on the initial contact notification list
 - iv. The contractor shall provide a detailed description by email at the time of the warning notification and a summary report immediately after the situation has been assessed onsite.
 - v. The engineer will have ultimate approval of the proposed system maintenance, over the contractor if necessary.
- c. At time of emergency notifications either by personal observation or telemetry, the operator shall investigate the situation immediately and begin remedial operations. Notifications of such conditions shall be transmitted to the engineer and owner immediately.
- d. The contractor shall provide a competent bypass system operator within 30 minutes of emergency notification during times when construction personnel is not onsite. Additional personnel shall also be provided within 30 minutes of determination by contractor (emergency operator or other qualified personnel), owner or engineer.
- e. Periodic System checks shall include:
 - i. Sanitary sewage elevation at influent manhole
 - ii. Sanitary sewage elevation in discharge manhole
 - iii. Pump rotations per minute if applicable (RPM's)
 - iv. Number of pumps operating
 - v. Suction and discharge pipe security and integrity
 1. Special care shall be taken to monitor piping that is located at near or within a water body
 2. Piping subject to stream/river flow effects shall be checked for:
 - a. Horizontal and or vertical movement capable of lessening the integrity of the bypass system
 - b. Deflection in bypass piping caused by increased stream/river flow (vertical or horizontal)
 - vi. Notation of any issues and subsequent actions taken to remediate issues (if required)
 - vii. Ensure bypass pump system delineators, signage and protection systems are in force and remain adequate

CONTRACTORS RESPONSIBILITY FOR OVERFLOWS AND SPILLS

1. General
 - a. The contractor shall schedule and perform work in manner that does not cause or contribute to incidence of overflows, backflow, releases or spills of sewage from sanitary sewer system or bypass operation.
2. Notifications

- a. The Contractor shall immediately notify the owner and engineer should a sanitary sewer overflow (SSO) occur and take the necessary action to clean up and disinfect the spillage to the satisfaction of the owner and applicable regulatory agencies.
3. Liability
- a. The contractor shall be liable for any regulatory action (including: monetary, civil or criminal actions) caused by system failure, improper operation or negligence that creates a sewage spill.
 - b. Untimely notifications of sewage spills related to the contractors less than adequate operation of the sanitary sewage bypass system that causes regulatory action shall also be a liability borne solely on the contractor.

SYSTEM COMPONENTS AND MATERIALS

1. Mechanical Equipment (Pumps)
- a. Pumps shall be:
 - i. Fully automatic self-priming units that do not require the use of a supplemental priming system (Disallowed priming systems include but are not limited to foot-valves or vacuum pumps)
 - b. The system shall be a redundant system with a primary and secondary pump. The secondary pump to be used in a backup capacity only, and when necessary during extreme high flow scenarios.
 - c. Pumps shall be powered in the following manner:
 - i. Primary pump shall be electric powered (other power sources can be considered pending the engineer's approval)
 - ii. Secondary pump can be either electric powered or diesel powered
 - d. A sound attenuation enclosure shall be provided for any pumping system powered by other sources beyond electricity.
 - i. Pending project location and an adequate sound attenuation, the engineer can approve a diesel powered primary pump system with the owner's approval.
 - e. Pumps shall be capable of handling the cyclical nature of sanitary sewage effluent flows and be provided with:
 - i. Necessary float system to engage and disengage pump stop/start functions as influent dictates.
 - ii. Both primary and secondary pumps shall be equipped with a float system.
 - f. Secondary pump shall be offline from the primary pump, using a separate discharge line.
2. Telemetry/Warning System
- a. The warning system shall be capable of placing a phone call or electronic mail message to multiple recipients and the time of pump distress or failure
 - b. Time between alert messages sent and pump distress occurrence shall be less than 1 minute
3. Piping:
- a. General
 - i. Nominal pipe diameter as depicted on construction plans.
 - ii. If external loading is possible:
 - 1. The contractor shall take all procedures necessary to avoid traffic loading on bypass piping.
 - 2. If unavoidable, the contractor shall incorporate anticipated traffic loading, including traffic impact loading for design of traffic ramps or

covers, where vehicular crossings cannot be avoided. This information shall be included in the design report submitted to the engineer for approval. See the SUBMITTALS section of this note for other submission requirements.

3. Install system and maintain H-20 loading requirements while in use or as directed by the Engineer.
 - iii. Valves and Fittings:
 1. Required operating pressures shall be determined, according to flow calculations, pump sizes and system operating pressures.
 - iv. Polyethylene Plastic Pipe shall be:
 1. High density solid wall and following ASTM F714 Polyethylene (PE) Plastic Pipe; (SDR-DR) based on Outside Diameter, ASTM D1248 and ASTM D3550.
 2. Homogenous throughout, free of visible cracks, discoloration, pitting, varying wall thickness, holes, foreign material, blisters, or other deleterious faults.
 3. Assembled and joined at site using couplings or flanges to provide a leak proof joint.
 4. Threaded or solvent joints and connections are not permitted.
 - v. High-Density Polyethylene (HDPE) shall be.
 1. Homogenous throughout, free of visible cracks, discoloration, pitting, varying wall thickness, holes, foreign material, blisters, or other deleterious faults.
 2. Defective areas of pipe: Cut out and joints fused as stated herein.
 3. Threaded or solvent joints and connections are not permitted.
 4. Assembled and joined at site using couplings, flanges or butt-fusion method to provide leak proof joint. Follow manufacturer's instructions and ASTM D 2657.
 5. Fusing:
 - a. Fusing must be done by personnel certified as fusion technicians by the manufacturer of the HDPE pipe and/or fusing equipment.
 - b. Butt-fused joint: True alignment and uniform roll-back beads resulting from use of proper temperature and pressure.
 - c. Allow adequate cooling time before removal of pressure.
 - d. Watertight and have tensile strength equal to that of pipe.
 - e. Acceptance by Engineer before insertion.
- b. Suction Piping
- i. Suction piping shall be flexible in nature to conform with suction structure features and shall provide adequate flexibility to reach necessary suction depth
 - ii. Shall have flexible couplings and connectors
 - iii. Suction piping shall be pressure rated to meet or exceed pump requirements, operating pressures and be equivalent in strength to discharge piping.
 - iv. Determined according to pump size, flow calculations, and suction structure depth, as well as following manufacturer's specifications and recommendations.
 - v. Shall be abrasion resistant.

4. Plugs

- a. Provide pipeline plugs of adequate size to handle peak flow, to ensure total flow of main can be safely diverted around section to conduct repair operations.
- b. Selected and installed according to size of line to be plugged, pipe and manhole configurations, and based on specific site information.
- c. The contractor shall have available additional plugs onsite in the event of a plug failure.
- d. Plugs will be inspected before use for defects which may lead to failure.

HYDRAULIC DESIGN/PERFORMANCE REQUIREMENTS

1. Bypass pumping systems shall be designed to
 - a. Convey a peak flow of 2,200 GPM (two thousand two hundred gallons per minute)
 - i. Contractor shall be aware of design requirements and that additional system length will cause additional system head.
 - b. Automatically shut down when influent flow rate and sewage levels dictate necessity.
 - c. Operate full time, 24 hours per day/7 days per week

DELIVERY AND STORAGE

1. The contractor shall:
 - a. Transport, deliver, handle, and store pipe, fittings, pumps, ancillary equipment and all other materials to prevent damage
 - b. The contractor shall follow all applicable directions noted herein, contract documents and manufacturer's recommendations while procuring delivering and storing material.
2. Engineer's inspection
 - a. The engineer will inspect all material and equipment for proper operation and physical requirement defined herein before initiating work.
 - b. Material found to be defective or damaged due to manufacturing, shipment or contractor's storage shall be rejected.
 - c. All rejected materials shall be replaced by that contractor at his expense.
 - d. If the engineer deems repairable any portion of rejected material repairable, the contractor shall repair as recommended by the manufacturer and as approved by the engineer. If the engineer deems not material(s) not repairable, the contractor shall replace the material as directed before initiating work.

EXECUTION

1. Preparation for Installation
 - a. The contractor shall
 - i. Determining location of bypass pipelines for minimal disturbance to existing utilities.
 - ii. Field locate existing utilities in proposed bypass area.
 - iii. Obtain approvals for placement within public or private property.
 - iv. Obtain engineer's approval of system location, including all pumps, piping and appurtenances.
2. Installation and Removal Include:
 - a. Provisions and requirements must be reviewed by Engineer before starting construction.
 - b. Removing manhole sections or making connections to existing sewer and construction of temporary bypass pumping structures at access locations indicated on Drawings and as required to provide adequate suction lift.

- c. Plugging or blocking of sewage flows shall incorporate a primary and secondary plugging device. When plugging or blocking is no longer needed for performance of work, remove in a manner that permits the sewage flow to slowly return to normal, preventing surcharge or causing other downstream disturbances.
- d. When working inside manhole or force main, exercise caution. Follow OSHA, Local, State and Federal requirements. Take required measures to protect workforce against sewer gases and/or combustible or oxygen-deficient atmosphere and utilize appropriate confined space entry techniques.
- e. Installation of Bypass Pipelines:
 - i. Pipeline may be placed along shoulder of roads.
 - ii. Do not place in streets or sidewalks, except when crossing is necessary to reach discharge location
 - iii. When bypass pipeline crosses local streets and private driveways, place in roadway ramps or obtain permission by right of way owner to close street.
 - iv. When roadway ramps cannot be used, place bypass in trenches and cover with temporary pavement as approved by Engineer.
- f. During bypass pumping operation, protect sewer lines from damage inflicted by equipment.
- g. Proper delineation of sewer by pass pipe is required and shall be included in the unit price bid for item 660.7000004. Appropriate delineation can include:
 - i. FHWA approved traffic barrels in conjunction with construction fence
 - ii. Concrete barriers
 - iii. Lighted wooden saw horse type barricade
- h. Obtain engineer's approval of calibration once system is operations
- i. Immediately notify engineer and owner of emergency operations permitted herein.
 - i. Emergency operations that include removal of the bypass system creating a potential backup require approval and documentation of imminent emergency. (i.e. flooding).
- j. Upon completion of bypass pumping operations, and after the receipt of written permission from the engineer, the contractor shall remove piping, restore property to pre-construction condition and restore pavement disturbed by the work covered under this item. Written permission shall be granted after a license to operate the proposed sanitary sewer has been obtained from the Westchester County Health Department.

Special Note 8:

511 NY

To assist in keeping the 511NY system up-to-date, any scheduled work or activities on local roads which restrict the width, height, length or weight availability of the travel way or shoulder, may be reported to the Surface Transportation Controller (STC) using the Road Work Form (RWF). STC approval is not required, but notification to the STC (by email to dot.sm.r08.stc) located at the Hudson Valley Transportation Management Center (HVTMC) using the Road Work Form (RWF) may be necessary. The need to notify the STC shall be determined by the Engineer-in-Charge. All other lane closure notes and information in the contract documents shall also be followed.

REPLACEMENT OF THE HILL BLVD BRIDGE OVER BARGER BROOK TRIBUTARY**PIN 8761.66****LIST OF SPECIAL SPECIFICATIONS**

ITEM NUMBER	DESCRIPTION	UNIT
304.11000008	SUBBASE COURSE (MODIFIED)	CY
595.50000018	SHEET APPLIED WATERPROOFING MEMBRANE	SF
603.99010008	TRASH RACK	EA
615.01010108	MATERIAL FOR STREAM BED ESTABLISHMENT	CY
627.50140008	CUTTING PAVEMENT	LF
660.21100008	FURNISH & INSTALL STEEL CASING 10"	FT
660.21120008	FURNISH & INSTALL STEEL CASING 12"	FT
660.21160008	FURNISH & INSTALL STEEL CASING 16 NPS (OUTSIDE DIAMETER)	FT
660.70000004	MAINTENANCE OF SANITARY SEWER FLOWS	LS
664.01060004	DUCTILE IRON SEWER PIPE & FITTINGS, 6"	LF
664.01080004	DUCTILE IRON SEWER PIPE & FITTINGS, 8"	LF
664.01120004	DUCTILE IRON SEWER PIPE & FITTINGS, 12"	LF
664.05120003	BRIDGE MOUNTING OF SEWER PIPE, 12"	LF
664.40480006	PRECAST SANITARY SEWER MANHOLE (48" DIA)	LF
680.94010003	WATERTIGHT DISCONNECT BOX - NEMA 4X	EA
683.08020104	3G/4G LTE GATEWAY MODEM WITH ANTENNA	EA

REPLACEMENT OF VETERANS ROAD CULVERT OVER HALLOCKS MILL BROOK**PIN 8761.71****LIST OF SPECIAL SPECIFICATIONS**

ITEM NUMBER	DESCRIPTION	UNIT
304.11000008	SUBBASE COURSE (MODIFIED)	CY
595.50000018	SHEET APPLIED WATERPROOFING MEMBRANE	SF
603.63180915	PRECAST CONCRETE BOX CULVERT (FILL HEIGHT LESS THAN 24 IN) 18 FOOT SPAN, 9 FOOT RISE	LF
615.01010108	MATERIAL FOR STREAM BED ESTABLISHMENT	CY
627.50140008	CUTTING PAVEMENT	LF
660.21180008	FURNISH AND INSTALL STEEL CASING 18 NPS (OUTSIDE DIAMETER)	FT
680.94010003	WATERTIGHT DISCONNECT BOX - NEMA 4X	EA
683.08020104	3G/4G LTE GATEWAY MODEM WITH ANTENNA	EA

ITEM 304.11000008 - SUBBASE COURSE (MODIFIED)

DESCRIPTION:

All the provisions of Section 304 pertaining to Subbase Course, Type 1 shall apply. The contractor may at their option substitute Subbase Course, Type 2. If Subbase Course, Type 2 is substituted all the provisions of Section 304 pertaining to Subbase Course, Type 2 shall apply.

ITEM 595.50000018 – SHEET-APPLIED WATERPROOFING MEMBRANE

DESCRIPTION

Furnish and install a manually or machine-applied sheet waterproofing membrane in accordance with the contract documents. Include all surface preparation.

MATERIALS

Use a sheet-applied waterproofing membrane meeting the requirements of §717-02.

CONSTRUCTION DETAILS

General - On new structural concrete, the provisions of §557-3.11, Curing, shall be met prior to membrane system placement. Work will not be done during wet-weather conditions. No work will be done when the concrete structural slab surface temperature is below 50°F, or ambient temperatures are below 50°F. The concrete structural slab shall be surface dry at the time of application of the membrane. The Engineer will verify that atmospheric conditions are favorable for placement of the system based on the manufacturer's recommendations.

Arrange for the membrane manufacturer to have a competent technical representative at the job site during all phases of preparation and installation.

Supply Material Safety Data Sheets (MSDS) and approved Material Detail Sheets prepared by the membrane manufacturer to the Engineer a minimum of two (2) weeks prior to the scheduled commencement of work. The Material Detail Sheets will contain all material requirements and installation information for each specific waterproofing membrane. The Material Detail Sheets will be accessible at the Department's Approved List website for reference.

(Bridge Decks) – Begin work no less than (7) calendar days after placement of Portland cement concrete, Portland cement mortar, or epoxy mortar for structural concrete repair. The Engineer may waive the seven-day requirement if the areas of repair can sustain loads without damage or deformation. Subject to the concurrence of the Engineer, if an alternate concrete repair material is used, follow the manufacturer's instructions for allowable loading.

(Culverts) - Fill the joints between precast culvert sections flush to the culvert slab and sidewall surfaces with a grout conforming to §701-08 Vertical and Overhead Patching Material. In areas where the joints do not line up evenly, taper the grout with a maximum slope of 2:1, from the high side of the joint to the low side, to provide a smooth transition from one unit to the next.

Place the waterproofing membrane over the joints of precast or cast-in-place units following the guidelines of Chapter 19 of the Highway Design Manual, or as indicated on the contract plans and Material Detail Sheets.

1. On vertical surfaces, the waterproofing membrane will be covered with material conforming to §705-07 Premoulded Resilient Joint Filler.
2. On horizontal surfaces.

ITEM 595.50000018 – SHEET-APPLIED WATERPROOFING MEMBRANE

Membrane Protection (Culverts) – To protect the waterproofing membrane from punctures, the following procedures will be used:

- a. If select granular fill is specified over the culvert, a 6 inch thick protective layer of concrete sand, meeting the requirements of §703-07 Concrete Sand, will be placed on the membrane.

Or

- b. If asphalt pavement using aggregate larger than 3/8 inch is specified directly above the membrane, or if clearances don't allow for 6 inches of concrete sand, a 1 inch thick (minimum) course of HMA with a maximum nominal aggregate size of 3/8 inch will be placed on top of the membrane. The hot mix asphalt will be thoroughly compacted with mechanical tampers.

METHOD OF MEASUREMENT

This work will be measured as the number of square feet of sheet-applied, waterproofing membrane satisfactorily installed (measured to the nearest 1 sq ft.). No separate measurement of the vertical faces of curbs, joints, concrete barriers, headers, scuppers, or for the inside surfaces of subdrainage outlets, shall be made. No deductions will be made for holes less than 1 square foot in area.

BASIS OF PAYMENT

The unit price bid per square foot for this item shall include the cost of furnishing all labor, materials, and equipment necessary to complete the work.

No additional payments will be made for any re-priming done in conformance with the requirements of the manufacturer's detail sheets.

ITEM 603.63XXYY15 PRECAST CONCRETE BOX CULVERT (Fill Height Less than 2' – 0")

ITEM 603.64XXYY15 PRECAST CONCRETE BOX CULVERT (Fill Height 2' – 0" or Greater)

ITEM 603.65XXYY15 PRECAST CONCRETE BOX CULVERT (Bridge Size, Fill Height Less than 2' – 0")

ITEM 603.66XXYY15 PRECAST CONCRETE BOX CULVERT (Bridge Size, Fill Height 2' – 0" or Greater)

DESCRIPTION

This work shall consist of furnishing and placing single or multi-cell precast reinforced concrete box culvert sections of the type indicated in the plans in accordance with these specifications in the locations indicated and in a manner approved by the Engineer.

MATERIALS

Precast concrete box culvert shall meet the requirements of Section 706-17 Precast Concrete Box Culverts.

CONSTRUCTION DETAILS

- A. Inspection, Storage and Handling** – Precast box sections will be inspected at the construction site to determine any damage during shipment and for conformance to the dimensional tolerances. An additional inspection will be made prior to placement of precast box sections to determine any damage during storage.
- B. Installation**
 - 1. Excavation.** The requirements specified in Section 206 Trench, Culvert and Structure Excavation, that apply to culverts and storm drains shall govern, except as modified in the plans.
 - 2. Placement.** The precast manufacturer shall have a representative available to assist in the installation of the box culvert. Precast box sections shall be installed, true to line and grade, in accordance with the contract plans. Placement of the box sections shall start at the downstream end and proceed upstream, unless otherwise indicated in the contract plans.
 - 3. Joints.** Precast box sections shall be installed with the female end upstream and the male joints fully entered therein. The joint openings between adjacent precast units shall not exceed 3/4". The joints shall be sealed with a continuous gasket installed at the precast plant. Joints shall be drawn together with mechanical connectors, as shown on the approved working drawings. Culverts with a clear rise greater than 4' shall have a minimum of four connectors per joint. Smaller culverts shall have a minimum of two connectors per joint. The number of mechanical connectors supplied shall be equal to the number of connectors required per joint multiplied by the number of joints unless otherwise approved by the Engineer. After installation, connectors may be left on or removed at the contractor's option, unless otherwise noted in the contract plans. When the contract plans require, or the contractor chooses to leave the connectors in place, they shall be located so that they do not create an obstruction inside the culvert. Gaps which occur on the interior surfaces of the culvert due to misalignment or grade difference shall be filled as ordered by the Engineer, with an approved concrete repair material so as to produce a smooth continuous surface.

ITEM 603.63XXYY15 PRECAST CONCRETE BOX CULVERT (Fill Height Less than 2' – 0")

ITEM 603.64XXYY15 PRECAST CONCRETE BOX CULVERT (Fill Height 2' – 0" or Greater)

ITEM 603.65XXYY15 PRECAST CONCRETE BOX CULVERT (Bridge Size, Fill Height Less than 2' – 0")

ITEM 603.66XXYY15 PRECAST CONCRETE BOX CULVERT (Bridge Size, Fill Height 2' – 0" or Greater)

4. **Backfilling.** The types of materials to be used in backfilling and the procedure of placement shall conform to the contract plans and the applicable provisions of Subsection 203-3.15.

METHOD OF MEASUREMENT

The quantity to be measured for concrete box culvert sections shall be the number of linear feet (laying length) furnished and installed in the work. Linear feet (laying length) shall be measured by multiplying the number of whole units by the nominal length of each unit and adding, thereto to the length of any fractional units incorporated in the work. The nominal length of a unit or fractional unit shall be the inside measured length from one butting end to the other butting end measured along the bottom centerline of the unit.

BASIS OF PAYMENT

The quantity to be paid for shall be the number of linear feet of each size box culvert section incorporated in the work. The unit price bid shall include the cost of furnishing all labor, materials, equipment and installation supervision by the precast manufacturer's representative, necessary to satisfactorily complete the work. The cost of furnishing and installing headwalls and cut off walls shall also be included in the unit price bid.

Payment shall be made under Item 603.63XXYY15, 603.64XXYY15, 603.65XXYY15, and 603.66XXYY15, where XX and YY, as indicated in the itemized proposal shall mean the inside span and rise dimensions respectively in feet, to the nearest whole foot, of the precast section.

Maximum XX value = 24 feet

Maximum YY value = above 10 feet consult Materials Bureau.

ITEM 603.99010008 - TRASH RACK

DESCRIPTION:

This work shall consist of fabricating and installing trash racks as shown on the plans or as directed by the Engineer.

MATERIALS:

Materials used in this work shall meet the following requirements:

Bar Reinforcement, Grade 60	Section 709-01
Galvanizing (Type 1)	Section 719-01
Miscellaneous Metals	Section 715-01
Anchor Bolts, Nuts and Washers	Section 710-23
Expansion Bolt Anchors (if used)	Steel used in the expansion bolt anchors shall meet or exceed the requirements of U.S. Government GSA Specification FF-S-325, Group III, Type 1, or Group VIII, Type 1.

Expansion bolt anchors, when specified, shall be capable of resisting a direct tension loading for a given bolt size as noted in the following table:

BOLT SIZE (DIAMETER)

0.236 inch	1012 lb-force
0.314 inch to 0.394 inch	4047 lb-force
0.551 inch to 0.629 inch	8992 lb-force

CONSTRUCTION DETAILS:

The contractor shall fabricate and install trash racks as shown on the plan.

Welding work shall be performed in accordance with the requirements of Subsection 203 and 208 of the New York State Steel Construction Manual. All exposed steel shall be galvanized meeting the requirements of Section 719-01 (Type 1).

The contractor will be required to provide shop drawings which shall be subject to approval by the Regional Construction Engineer.

Equipment used to drill holes for expansion bolt anchors shall be approved by the Engineer prior to use. Methods used to drill expansion bolt anchor holes shall be satisfactory to the Engineer. Drilling by means of lubricant will not be permitted. Drilling methods shall not cause damage to the anchoring surface. Any damage caused by the contractor's operations shall be repaired in a manner satisfactory to the Engineer. Holes shall be dry, and shall have all foreign and loose material removed immediately prior to the insertion of the anchor.

METHOD OF MEASUREMENT:

The quantity to be paid for will be the number of completed trash racks installed.

BASIS OF PAYMENT:

The unit price bid shall include the cost of furnishing all labor, materials and equipment necessary to satisfactorily complete the work.

ITEM 615.01010108 - MATERIAL FOR STREAM BED ESTABLISHMENT

DESCRIPTION

This work shall consist of furnishing and installing material for new stream bed establishment along stream channels, water bodies, or culverts that meets material requirements as provided in the contract documents and in this specification, and is placed as shown in the Contract Documents and as directed by the Engineer.

DEFINITIONS

A. Stream Bed Material Mix: A list of particle size divisions, given in the Contract Documents, which illustrates the corresponding volume percentages of stones with diameters four inches and larger, and a Soil Matrix. A given Mix may be used at one or more locations as shown on the contract documents.

B. Soil Matrix: The portion of stockpiled material that encompasses all particles smaller than four inches in diameter.

C. Visual Evaluation. Using a visual means to verify stockpile conformance regarding the general shape and texture of the material, and for determining an acceptable general gradation for the entire stockpile, as described in this specification.

D. Gradation Analysis. Using a mechanical means to identify the actual distribution by weight of a sample's gradation.

MATERIALS

A. General. The material shall be of natural origin and consist of rounded to sub-rounded cobbles and stones within a Soil Matrix, similar in appearance and texture to the existing stream bed material in the project area. The material shall be substantially free of shale or products from crushing or blasting operations. Stones greater than four inches in diameter shall be generally free of fractured faces or any dimensions that are larger than the maximum size stated in the Stream Bed Material Mix. Material salvaged from the project site may be used if obtained from areas identified in the Contract Documents or as approved by the Engineer.

Stream Bed Material Mixes shall be as specified in the Contract Documents.

B. Stockpiles. A separate stockpile shall be established for each Stream Bed Material Mix provided in the Contract Documents. Stockpiles shall contain a minimum of 30 cubic yards (unless the specified quantity for that Stream Bed Material Mix is less, in which case the minimum size shall be the specified quantity), shall have a height of at least four feet, and shall be trimmed to uniform surfaces and slopes. Each stockpile shall be identified with a durable and legible sign placed prior to evaluation and sampling.

C. Visual Evaluation. The Department will evaluate each stockpile for reasonably close conformance with MATERIALS, Part A, and the following gradation ranges:

ITEM 615.01XXNN08 - MATERIAL FOR STREAM BED ESTABLISHMENT

TABLE 620-A ACCEPTABLE GRADATION RANGES FOR STREAM BED MATERIAL MIX	
Size Designation	Percent of Total Stockpile by Volume
8 in. to Maximum Stone Size	Within 5% Of Volume Percentage In Contract Documents
4 in. to 8 in.	Within 10% Of Volume Percentage In Contract Documents
Less than 4 in. (“soil matrix”)	Within 10% Of Volume Percentage In Contract Documents

D. Sampling and Gradation Analysis: Unless otherwise indicated in the contract documents, a gradation analysis of the Soil Matrix shall also be performed. The Soil Matrix shall conform, as specified in the contract documents, to Type 1, Type 2 or Type 3 gradation, below. If no type is specified, gradation shall be Type 1. This Soil Matrix will be sampled and tested by the Department for reasonably close conformance with the specified gradation(s).

Soil Matrix Gradations:

1. Type 1

Sieve Size Designation	Percentage of Soil Passing by Weight
4 in.	100
1.00 in.	25 – 60
No. 10	5 – 40
No. 100	0 – 15

2. Type 2

Sieve Size Designation	Percentage Passing by Weight
4 in.	100
½ in.	40 – 85
No. 20	15 – 50
No. 100	0 – 20

3. Type 3: As specified in the Contract Documents.

BASIS OF ACCEPTANCE

Material For Stream Bed Establishment stockpiles will be accepted based on a satisfactory visual evaluation of the total stockpile plus a satisfactory gradation analysis performed on the Soil Matrix for that stockpile, unless the gradation analysis is waived, in which case acceptance will be on the visual evaluation alone..

The Engineer will furnish the Contractor with written results. If rejected, the Contractor may appeal the rejection by following the process described in the Department’s manual “*Procedure for the Control and Quality Assurance of Granular Materials*”.

CONSTRUCTION DETAILS

Work Plan: The Contractor shall submit a work plan to the Engineer describing the methodology and equipment that will be utilized to complete the stockpiling and placing of the

ITEM 615.01XXNN08 - MATERIAL FOR STREAM BED ESTABLISHMENT

streambed materials. The work plan shall also identify the Contractor's protection of all watercourses from water-borne sediment or other pollutants. No work shall commence in the streambed until the Engineer has reviewed and provided the Contractor with written acceptance of the work plan.

Placement: Material for Stream Bed Establishment shall be placed in accordance with the plans and details shown in the contract documents. The surface on which stream bed establishment is to be performed shall be de-watered and free of objectionable material. Material shall be loosely placed in a manner to minimize segregation, with final placement as approved by the Engineer. A top surface shall be established which contains small mounds and minor depressions that results in an uneven surface. After placement, Material for Stream Bed Establishment shall be thoroughly wetted prior to exposure to normal water flow conditions.

METHOD OF MEASUREMENT

This work will be measured as the number of cubic yards of Material for Stream Bed Establishment satisfactorily furnished and installed, to the nearest cubic yard. Any necessary excavation will be covered under a separate pay item.

BASIS OF PAYMENT

The unit price bid shall include the cost of furnishing all labor, materials, and equipment necessary to satisfactorily complete the work.

Payment will be made under:

Item No.	Item	Pay Unit
615.01010108	Material For Stream Bed Establishment	CY

ITEM 627.50140008 - CUTTING PAVEMENT

DESCRIPTION:

The contractor shall cut existing asphalt pavement, concrete pavement, asphalt surface course, or asphalt concrete overlay on concrete pavement at the locations indicated and detailed on the plans and as directed by the Engineer.

MATERIALS:

None specified.

CONSTRUCTION DETAILS:

Existing pavement and overlay shall be cut perpendicular to the roadway surface along neat lines, and to the depth indicated on the plans and typical sections, using appropriate equipment. After the pavement has been cut through, the Contractor may use pry bars, pneumatic tools or other methods, to pry loose the pavement to be removed from the pavement that is to remain. A pavement breaker may be used to break up the pavement to be removed after the pavement has been completely cut through and completely free from the pavement to remain.

When pavement cutting is called for in the Contract documents, if a neat vertical face with minimal shatter is obtained by performing an adjacent operation (such as milling) which eliminates the need to perform a separate pavement cutting operation, payment will be made for both the pavement cutting item and the item for the adjacent operation.

Any existing pavements and curbs not indicated to be removed that are damaged by the contractor's operations, shall be repaired at no additional cost to the State. Pavement cutting that the contractor chooses to do for his/her own convenience shall not receive any additional payment from the State.

METHOD OF MEASUREMENT:

The quantity to be measured will be the number of linear feet of pavement cutting satisfactorily completed.

BASIS OF PAYMENT:

The unit price bid per linear foot of pavement cutting shall include the cost of all labor, materials, and equipment necessary to satisfactorily complete the work.

Payment for prying, breaking, removal and disposal of cut pavement shall be made through other appropriate items.

ITEM 660.21XX0008 - FURNISH & INSTALL STEEL CASING

DESCRIPTION

Under this item the contractor shall furnish and install steel casing of the sizes indicated and at the locations shown on the plan or as ordered by the Engineer.

The work shall include the installation of the casing pipe, and all extra work involved in the placement of the carrier pipe in the casing including the furnishing and installing of the insulated casing spacers and end seals.

MATERIALS

The casing pipe shall be bar steel casing pipe American Petroleum Institute (API) 5L Grade B seamless, electric welded pipe or approved equal. The pipe wall thickness shall be schedule 40 or as directed by the Engineer. The pipe ends shall be prepared for butt welding and beveled at 37 ½ degrees. Casing spacers shall be as indicated on the plans.

CONSTRUCTION DETAILS

All casing pipe shall be laid true to line and grade and shall have a full, firm and even bearing.

Bedding, filling and backfilling shall be in accordance with the NYS Department of Transportation Specifications - Section 203-3.15, Fill and Backfill at Structures, Culverts, Pipes, Conduits and Direct Burial Cables.

Movement of construction equipment and all other vehicles and loads over and adjacent to any pipe shall be done at the contractor's risk. When determined by the Engineer, any pipe that is damaged or disturbed through any cause, shall be replaced as directed by the Engineer, at the expense of the contractor and at no cost to the State. Welding shall be done by a certified welder. The ends of the casing shall be sealed and made waterproof in a workmanlike manner.

METHOD OF MEASUREMENT

This work will be measured as the number of linear feet of casing measured along its axis in its final position.

BASIS OF PAYMENT

The unit price bid shall include the cost of furnishing all labor, equipment and materials necessary to complete the work to the satisfaction of the Engineer, including welding, installation of casing, installation of casing spacers and any extra work involved in the placement of the carrier pipe in the casing.

Excavation will be paid for under the appropriate Trench and Culvert Excavation Item in Section 206 of the Standard Specifications.

Any special backfill will be paid for under Item 203.07, Selected Granular Fill.

ITEM 660.21XX0008 - FURNISH & INSTALL STEEL CASING

BASIS OF PAYMENT - cont'd

Carrier pipe installed within the casing will be paid for under its respective item.

Payment will be made under:

<u>ITEM NO.</u>	<u>ITEM</u>	<u>PAY UNIT</u>
660.21080008	Furnish & Install Steel Casing 8 NPS (O.D.)	Linear Feet
660.21100008	Furnish & Install Steel Casing 10 NPS (O.D.)	Linear Feet
660.21120008	Furnish & Install Steel Casing 12 NPS (O.D.)	Linear Feet
660.21140008	Furnish & Install Steel Casing 14 NPS (O.D.)	Linear Feet
660.21160008	Furnish & Install Steel Casing 16 NPS (O.D.)	Linear Feet
660.21180008	Furnish & Install Steel Casing 18 NPS (O.D.)	Linear Feet
660.21200008	Furnish & Install Steel Casing 20 NPS (O.D.)	Linear Feet
660.21240008	Furnish & Install Steel Casing 24 NPS (O.D.)	Linear Feet
660.21260008	Furnish & Install Steel Casing 26 NPS (O.D.)	Linear Feet
660.21280008	Furnish & Install Steel Casing 28 NPS (O.D.)	Linear Feet
660.21300008	Furnish & Install Steel Casing 30 NPS (O.D.)	Linear Feet
660.21320008	Furnish & Install Steel Casing 32 NPS (O.D.)	Linear Feet
660.21360008	Furnish & Install Steel Casing 36 NPS (O.D.)	Linear Feet
660.21380008	Furnish & Install Steel Casing 38 NPS (O.D.)	Linear Feet
660.21420008	Furnish & Install Steel Casing 42 NPS (O.D.)	Linear Feet
660.21440008	Furnish & Install Steel Casing 44 NPS (O.D.)	Linear Feet

XX = Outer diameter pipe size in NPS.

ITEM 660.70000004 - MAINTENANCE OF SANITARY SEWER FLOWS

DESCRIPTION

This work shall consist on maintaining the flow of the sanitary sewer main as shown in the contract documents.

MATERIALS

The materials used to maintain the sewer main flows shall be as specified in the contract documents.

CONSTRUCTION DETAILS

Construction details shall be as specified in the contract documents.

METHOD OF MEASUREMENT

This work will be measured on a lump sum basis.

BASIS OF PAYMENT

The lump sum price bid for Maintenance of Sanitary Sewer Flows shall include the cost of all labor, materials, and equipment necessary to complete the work.

Progress payments will be made as detailed in the contract documents.

ITEM 664.01040004 - DUCTILE IRON SEWER PIPE & FITTINGS, 4"
ITEM 664.01060004 - DUCTILE IRON SEWER PIPE & FITTINGS, 6"
ITEM 664.01080004 - DUCTILE IRON SEWER PIPE & FITTINGS, 8"
ITEM 664.01100004 - DUCTILE IRON SEWER PIPE & FITTINGS, 10"
ITEM 664.01120004 - DUCTILE IRON SEWER PIPE & FITTINGS, 12"
ITEM 664.01140004 - DUCTILE IRON SEWER PIPE & FITTINGS, 14"
ITEM 664.01160004 - DUCTILE IRON SEWER PIPE & FITTINGS, 16"
ITEM 664.01180004 - DUCTILE IRON SEWER PIPE & FITTINGS, 18"
ITEM 664.01200004 - DUCTILE IRON SEWER PIPE & FITTINGS, 20"
ITEM 664.01240004 - DUCTILE IRON SEWER PIPE & FITTINGS, 24"
ITEM 664.01300004 - DUCTILE IRON SEWER PIPE & FITTINGS, 30"
ITEM 664.01360004 - DUCTILE IRON SEWER PIPE & FITTINGS, 36"
ITEM 664.01420004 - DUCTILE IRON SEWER PIPE & FITTINGS, 42"

DESCRIPTION: Under this item, the Contractor shall furnish and install cement lined, ductile iron sewer pipe and fittings and make all necessary connections to new and existing mains in accordance with the specification, as shown on the plans or as directed by the Engineer.

MATERIALS: As specified in the contract documents.

CONSTRUCTION DETAILS: As specified in the contract documents.

METHOD OF MEASUREMENT: The quantity will be measured as the number of feet of new sewer pipe (including all necessary connections and fittings) furnished and installed in accordance with the plans, specifications and as directed by the Engineer.

BASIS OF PAYMENT: The unit price bid shall include the cost of furnishing all labor, materials and equipment necessary to complete the work including, but not limited to fittings, plugs, connections, and leakage tests.

Excavation, backfill, sheeting and specials will be paid for under their respective items.

Progress payments will be made at the unit price bid for 80 percent of the quantity of pipe installed. The remaining 20 percent will be paid for when the testing of the system has been completed.

ITEM 664.05120003 - BRIDGE MOUNTING OF SEWER PIPE, 12"
ITEM 664.05140003 - BRIDGE MOUNTING OF SEWER PIPE, 14"
ITEM 664.05160003 - BRIDGE MOUNTING OF SEWER PIPE, 16"
ITEM 664.05180003 - BRIDGE MOUNTING OF SEWER PIPE, 18"
ITEM 664.05200003 - BRIDGE MOUNTING OF SEWER PIPE, 20"
ITEM 664.05240003 - BRIDGE MOUNTING OF SEWER PIPE, 24"

DESCRIPTION:

This work shall consist of the installation of sewer supply utilities in accordance with these specifications, the contract documents and the standard sheets.

MATERIALS:

As specified in the contract documents.

CONSTRUCTION DETAILS:

Sewer pipe shall be installed on a bridge in accordance with the contract plans. This shall include but, is not limited to, expansion devices, rollers, chairs, connectors, insulation, insulation covering and sleeves.

METHOD OF MEASUREMENT:

The quantity to be measured for payment will be in feet to the nearest 1/2 foot from a point 5 feet behind the back surface of each structure abutment or backwall, or to points indicated in the contract documents for installations that do not pass through an abutment or backwall.

BASIS OF PAYMENT:

The unit price bid shall include the cost of all labor, materials and equipment necessary to complete the work, including, but not limited to, expansion devices, rollers, chairs, connectors, insulation, insulation covering and sleeves, except that structural utility support members and leak testing of the pipe will be paid for separately.

ITEM 664.40XX0006 - PRECAST SANITARY SEWER MANHOLE

DESCRIPTION

This specification covers the requirements for furnishing and installing precast sanitary sewer manholes as shown on the plans and in accordance with these specifications. The work shall conform to the requirements of NYSDOT Section 604 – Drainage Structures with the following modifications:

MATERIALS

Under Section 604-2.01 Drainage Structure and Manholes, **ADD** the following:

“Exterior coating for manhole shall be either Mobil Mo-Tar 4, Rust-Oleum 9300 Epoxy System or approved equal.

Precast reinforced concrete top slab and/or precast landing if required shall be manufactured in accordance with the detail shown on the contract plans. The concrete used in the manufacturing of these slabs shall be minimum 4000 psi concrete as specified under Section 706-04, "Precast Concrete Drainage Units" of the NYSDOT Standard Specifications.”

Pipe Connections into the Sanitary Sewer Manholes shall be as follows

- a. The precast reinforced concrete manhole base shall be provided with circular openings at the locations and elevations for the proper connection of pipes. The pipe connections shall be sealed with flexible manhole seal assemblies.
- b. The flexible manhole seal assemblies shall be installed in accordance with the recommendations of the seal assembly manufacturer and shall conform to ASTM C923.
- c. Flexible manhole seal assemblies shall permit at least an eight (8) degree deflection from the centerline of the opening in any direction while maintaining a watertight connection.
- d. The flexible manhole seal assemblies shall be as manufactured by Interpace Corp. (Lock Joint Flexible Manhole sleeve), National Pollution Control Systems, Inc. (Kor-N-Seal) or Press-Seal Gasket Corp. or approved equal.

A cast-in-place concrete invert shall be formed within the precast concrete manhole base as shown on the contract drawings with Class A concrete.

CONSTRUCTION DETAILS

At the end of Section 604-3.02 Concrete Drainage Structure and Manholes, **ADD** the following:

Manhole Bases

For precast manhole bases, the area underneath the manhole base shall be excavated to the required elevation. The soil below the base shall not be disturbed. The manhole base shall then be lowered into the trench and checked for proper bearing on the subgrade, proper elevation and orientation to receive the incoming and outgoing sewers at the designated invert elevation. If the invert elevation varies by more than plus or minus ½ inch from the designated invert elevation, the base shall be removed and reset.

ITEM 664.40XX0006 - PRECAST SANITARY SEWER MANHOLE

Cast In Place Inverts

The concrete invert fill shall be installed following the connection of all sewer pipes to the manhole. The invert fill shall be true to the sewer pipe invert elevations, with smooth channels of uniform cross section and slope, either straight or with a continuous curve between inlet and outlet of pipes. The concrete invert fill shall be placed in accordance with dimensions and details shown on the Contract Plans.

To eliminate free fall conditions in a manhole resulting from invert elevation differentials between incoming and outgoing pipes, the Contractor shall form and construct suitable channels in the bottom of the manhole connecting the inverts.

The complete exterior, flow channel, and bench shall receive a prime and finish coat of the specified coating. Application shall be in strict conformance with the manufacturer's recommendations.

Masonry Collar

The precast concrete pavers or precast concrete collar be constructed on the Precast Concrete Top Slab to bring the manhole frame and cover to the proper grade in accordance with the detail on the Contract Plans. The minimum height shall be 4 inches and the maximum height shall not exceed 16 inches.

Following the placement of the pavers, a ½ inch layer of Masonry mortar shall be applied to the exterior surface of the brick and trowelled to a smooth finish.

Leakage Tests

For leakage test purposes, a section of sewer line shall be construed as being that portion of a sewer line between two (2) consecutive manholes inclusive of upstream manhole and appurtenances unless otherwise specified.

The Contractor shall be required to notify the Engineer not less than forty-eight (48) hours prior to the time he intends to begin testing at any particular location.

Prior to undertaking any repairs, the Engineer's written approval of method and material to be used in the repair shall be secured. Items which in the opinion of the Engineer cannot be repaired shall be replaced.

- a. All gravity and pressure sewer lines, including but not limited to pipe, fittings, manholes, risers, stubs, specials and appurtenances shall be tested for water tightness as hereinafter specified.
- b. The Contractor shall furnish all necessary material, equipment, labor and other facilities required to satisfactorily perform the tests and shall make all necessary repairs or replacements and retests as required at his own expense.
- c. The Contractor is warned that the Engineer may refuse to allow exfiltration testing, or void those already underway if, in his judgment, heavy rain or rainwater inflow will distort test results. Retests of the affected lines shall be done at no cost to the County, State or other agency having jurisdiction. No claims for delays will be considered by the County, State or other agency having jurisdiction, in the event testing is suspended by the Engineer, as specified above.
- d. All sewer pipes and manholes must be clean prior to any work described in this section. They shall be free from dirt, debris, sand, stones, etc. and accumulated water must be removed.

ITEM 664.40XX0006 - PRECAST SANITARY SEWER MANHOLE

- e. The testing of new manholes will be performed using the water exfiltration test or air test. Air pressure testing on manholes shall be done in accordance with ASTM C1244. This specification describes the testing process for an exfiltration test.
- f. Prior to the exfiltration test, all pipes in the new manhole to be tested shall be plugged. All plugs shall be installed in the presence of the Engineer or his representative. Each new manhole shall be filled with water to a level not less than 4 feet above the exterior crown of the upstream pipe or above the normal groundwater level whichever is higher.
- g. A twenty four (24) hour stabilization period will be required prior to taking measurements. Should the water level during the stabilization period drop below the test level as specified above, the Contractor, in the presence of the Engineer or his representative shall add make-up water for water lost during the stabilization period to increase the water level to the required height for the test.
- h. The actual test period shall begin following the stabilization period. Addition of make-up water will not be allowed once the test has begun. *Any deviation* from the aforementioned will *void* the test.
- i. The test shall be conducted for a period of at least two (2) hours. The Engineer or his representative will take three (3) readings of the water level at the beginning of the test period, and another three (3) readings of the water level at the end of the test period. The average of the readings will be used by the Engineer to calculate the leakage quantity.
- j. The maximum allowable quantity of exfiltration from any manhole under test shall not exceed 0.25 gallons per foot diameter of manhole per foot of water depth measured from the invert of the downstream pipe per twenty-four (24) hours.

Prior to making any repairs, the Contractor shall submit to the Engineer, in writing, the proposed method of repair and secure his written approval of methods and material to be incorporated in the repair. The Engineer shall be the sole judge as to whether the pipes or manholes shall be repaired or replaced.

All repairs and retesting must be made in the presence of a representative of the Engineer and to the satisfaction of the Engineer.

Should a section or sections of pipe, or manholes fail to meet the leakage criteria, the Contractor shall at no cost to the County, State, or other agency having jurisdiction, locate the leaks and repair pipe and manholes, as necessary, until the leakage is within the permitted allowance.

Regardless of the results of the infiltration test, it is required that all visible leaks be repaired.

The injection of gel, sealant, or any other product to seal cracks, porous section, or any other structural defect of the pipe or manhole will not be permitted.

All tests and repairs shall be repeated as many times as necessary, at no cost to the County,

ITEM 664.40XX0006 - PRECAST SANITARY SEWER MANHOLE

State or other agency having jurisdiction, until the requirements hereinbefore specified have been met.

METHOD OF MEASUREMENT

The quantity to be measured under this item will be the number of linear feet of height, measured to the nearest ¼ foot, from the bottom of the manhole base to the top of the masonry collar.

BASIS OF PAYMENT

The unit price bid per linear foot shall include the cost of all labor, equipment, and materials necessary to complete the work including flexible gaskets between manhole sections, concrete invert fill, precast top slab and landings, and all necessary testing and any repairs to the manhole required in connection with the sewerage tests on the manhole.

Manhole frames and covers will be paid for under separate items.

Excavation (dewatering included in Excavation), backfill, select fill, geotextile and any necessary sheeting will be paid for under separate items.

Payment will be made under:

Item No.	Description	Pay Unit
664.40480006	Precast Sanitary Sewer Manhole (48 inch DIA.)	Linear Foot
664.40600006	Precast Sanitary Sewer Manhole (60 inch DIA.)	Linear Foot
664.40720006	Precast Sanitary Sewer Manhole (72 inch DIA.)	Linear Foot
664.40840006	Precast Sanitary Sewer Manhole (84 inch DIA.)	Linear Foot
664.40960006	Precast Sanitary Sewer Manhole (96 inch DIA.)	Linear Foot

ITEM 680.94010003 - WATERTIGHT DISCONNECT BOX - NEMA 4X

DESCRIPTION - Under this item, the Contractor shall furnish and install a watertight disconnect box as shown on the plans, or the standard sheets or as ordered by the Engineer.

MATERIALS - The watertight disconnect box shall consist of a circuit breaker enclosed in a lockable corrosion resistant cabinet that complies with the requirements of NEMA 4X, and is approved for use by Underwriters Laboratory.

The amperage of the circuit breaker supplied in the disconnect box shall be at least 10 amperes higher than the main circuit breaker contained in the control cabinet being serviced, but shall not exceed the maximum amperage allowed for the service entrance cable being used, as specified by the most current National Electrical Code.

The watertight cabinet supplied shall be of a construction such that its hinged cover can be locked by a standard padlock.

CONSTRUCTION DETAILS - The disconnect box shall be attached to the pole or cabinet as shown on the plans, or the standard sheet or as ordered by the Engineer.

Once installed, the Contractor shall keep the disconnect box padlocked until the signal installation is accepted by NYSDOT. During this time, the EIC shall be provided with a key which will open the Contractor's padlock. Once the installation is accepted, the maintaining agency will install its own padlock and the Contractor's lock and key will be returned.

METHOD OF MEASUREMENT - This item will be measured for payment as the number of watertight disconnect boxes furnished, installed and accepted by the Engineer-in-Charge.

BASIS OF PAYMENT - The unit price bid shall include the cost of all labor, material and equipment necessary to complete the work as shown on the plans, on the standard sheets, or as ordered by the Engineer.

ITEM 683.08020104 – 3G/4G LTE GATEWAY MODEM WITH ANTENNA

DESCRIPTION

Under this item the Contractor shall furnish and install a 3G/4G LTE/GPS gateway modem at the location(s) specified in the contract documents or as shown on the plans.

Each unit shall include an externally mounted antenna that can be installed on the exterior of a cabinet or pole as shown in the contract documents. Unless otherwise specified, or as directed by the Engineer, the antenna shall be mechanically bolted to prevent unauthorized removal and sealed to prevent water from entering the cabinet. Each external antenna shall be compatible with 4G LTE, 3G, and 2G cellular frequencies and include two integrated high gain MIMO cellular/4G antennas with a GPS connector in a single weather tight unit. The connector style shall be matched to the cellular modem provided.

The Contractor shall provide the Engineer all appropriate information necessary to provision the modem with any of the carriers listed below so that NYSDOT can activate the modem(s). NYSDOT will supply SIM cards where applicable.

MATERIALS

General:

The modem and antenna shall be ruggedized and suitable for outdoor use, capable of operating under a variety of power options including solar applications. In locations where solar is the primary power source the modem shall be capable of monitoring the voltage and powering down as needed to conserve battery life.

Operating Requirements:

Power:

- Input Voltage: 7 to 36 VDC
- LTE Idle Power: 900 mW (75 mA @ 12 VDC)
- Standby Mode Power: 53 mW (4.4 mA @ 12 VDC) triggered on low voltage, I/O or periodic timer
- Low voltage disconnect to prevent battery drain (for solar applications)
- Configurable I/O pin on power connector
- Digital Input ON Voltage: 2.7 to 36 VDC
- Analog Input: 0.5-36 VDC

Environmental:

- Operating Temperature: -22°F to +158°F
- Storage Temperature: --40°F to +185°F
- Humidity: 90% RH @ 60°C
- Military Spec MIL-STD-810G conformance to shock, vibration, thermal shock, and humidity
- IP64 rated ingress protection
- Hazardous Environments: Class 1 Div 2

Cellular WAN:

ITEM 683.08020104 – 3G/4G LTE GATEWAY MODEM WITH ANTENNA

- Supported Carriers: Verizon, AT&T, Sprint, T-Mobile USA, US Cellular, Rogers, Bell, Telus
- Supported Frequency Bands LTE: 1900(B2), AWS(B4), 850(B5), 700(B13), 700(B17), 1900(B25)
- WCDMA: 2100(B1), 1900(B2), AWS(B4), 850(B5), 900(B8)
- EV-DO/CDMA: 800(BC0), 1900(BC1), 1700(BC10)
- GSM/GPRS/EDGE: Quad-band
- Dual SIM Interfaces (2FF)

Data Interfaces:

- 10/100/1000 Ethernet (RJ45)
- RS-232 serial port (DB-9)
- USB 2.0 Micro-B Connector
- 3 SMA antenna connectors (primary, diversity, GPS)
- Active GPS antenna support

LAN/Security Features:

- Network Address Translation (NAT)
- Port Forwarding with Host Port Routing
- NEMO/DMNR
- VRRP
- Dynamic DNS
- VPN IPsec, GRE, and OpenVPN Client
- Split Tunnel
- Multiple Subnets
- DNS, DNS Proxy
- DHCP Server
- IP Passthrough
- VLAN
- PPPoE
- Remote Authentication (LDAP, RADIUS, TACACS+)
- DMZ
- Inbound/Outbound Port filtering and MAC Address Filtering

External Antenna:

- Dual 3G/4G MIMO internal antenna's with integrated GPS
- Low profile with threaded bolt and gasket for external mounting
- Frequencies: Cellular/LTE = 824-896 MHz; 1850-1995 MHz; 698-798 MHz; 1710-1770 MHz; 2110-2170 MHz; 2570-2620 MHz
- GPS = 1575.42 MHz
- VSWR: 1.5:1 or less at resonant point
- Gain: 698-896 MHz: 3 dBi; 1710-2620 MHz: 4 dBi
- Radiation Pattern: OMNI Directional
- Polarization: Vertical

ITEM 683.08020104 – 3G/4G LTE GATEWAY MODEM WITH ANTENNA

CONSTRUCTION DETAILS

Once a unit has been completely installed it shall be the Contractors responsibility to make sure each antenna has been oriented to maximize the available signal. After the modem has been provisioned NYSDOT shall test each modem remotely for communications prior to acceptance. Any adjustments to the antenna that may be necessary to improve signal strength after the unit has been installed shall be done so by the Contractor at no additional cost to the State.

METHOD OF MEASUREMENT

This work will be measured as the number of EACH cellular modem with antenna that is satisfactorily furnished and installed.

BASIS OF PAYMENT

The unit price bid shall include the cost of furnishing all labor, materials, and equipment necessary to complete the work.

APPENDIX C

FEDERAL DAVIS-BACON WAGE RATES

"General Decision Number: NY20200017 02/28/2020

Superseded General Decision Number: NY20190017

State: New York

Construction Types: Building, Heavy, Highway and Residential

County: Westchester County in New York.

BUILDING CONSTRUCTION PROJECTS, RESIDENTIAL CONSTRUCTION PROJECTS (consisting of single family homes and apartments up to and including 4 stories), AND HEAVY AND HIGHWAY CONSTRUCTION PROJECTS

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.80 for calendar year 2020 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.80 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2020. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2020
1	02/07/2020
2	02/28/2020

ASBE0091-003 05/27/2019

Rates	Fringes
-------	---------

HAZARDOUS MATERIAL HANDLER (Duties limited to preparation, wetting, stripping, removal, scraping, vacuuming, bagging and disposing of all insulation materials whether they contain asbestos or not from mechanical systems).....\$ 42.62 Insulator/asbestos worker (Includes application of all insulating materials, protective coverings,	40.85
--	-------

coatings, and finishes to all
types of mechanical systems).....\$ 42.62 40.85

BOIL0005-001 01/01/2017

	Rates	Fringes
BOILERMAKER.....	\$ 55.23	33%+24.12+a

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day, Thanksgiving Day, Memorial Day, Independence Day, Labor Day and Good Friday, Friday after Thanksgiving, Christmas Eve Day and New Year's Eve

BRNY0001-003 06/01/2018

	Rates	Fringes
Pointer, cleaner and caulker.....	\$ 41.96	33.38

BRNY0004-001 07/01/2019

	Rates	Fringes
MARBLE MASON.....	\$ 59.44	36.88

BRNY0005-006 06/01/2018

HEAVY & HIGHWAY CONSTRUCTION

	Rates	Fringes
BRICKLAYER Bricklayers, Stone Masons, Cement Masons, Plasterers, Pointers, Caulkers and Cleaner.....	\$ 41.96	33.38

BRNY0005-007 06/01/2019

BUILDING/RESIDENTIAL CONSTRUCTION

	Rates	Fringes
Bricklayer, Cement Mason, Plasterer & Stonemason.....	\$ 42.09	34.50

BRNY0007-001 07/01/2019

	Rates	Fringes
TERRAZZO FINISHER.....	\$ 54.81	36.42
TERRAZZO WORKER/SETTER.....	\$ 56.41	36.44

BRNY0020-001 07/01/2019

	Rates	Fringes
MARBLE FINISHER.....	\$ 47.41	34.64

BRNY0024-001 01/01/2018

	Rates	Fringes
--	-------	---------

BRICKLAYER

MARBLE POLISHERS.....\$ 40.89 26.69

BRNY0052-001 12/03/2018

Rates Fringes

Tile Layer.....\$ 51.40 27.81

BRNY0088-001 07/01/2019

Rates Fringes

TILE FINISHER.....\$ 54.81 36.42

CARP0279-001 07/01/2019

Rates Fringes

Carpenters:

Building.....\$ 45.30 30.55

Heavy & Highway.....\$ 45.30 30.55

Residential.....\$ 36.23 24.47

CARP0740-001 07/01/2019

Rates Fringes

MILLWRIGHT.....\$ 54.20 53.06

CARP1556-007 07/01/2019

Rates Fringes

Diver Tender.....\$ 49.14 50.98

Diver.....\$ 69.22 50.98

CARP1556-009 07/01/2019

Rates Fringes

Dock Builder & Piledrivermen.....\$ 54.63 50.98

CARP1556-011 07/01/2019

Rates Fringes

Carpenters:

TIMBERMEN.....\$ 50.05 50.28

CARP2287-001 07/01/2015

Rates Fringes

Carpenters:

Soft Floor Layers.....\$ 50.50 45.18

ELEC0003-003 04/28/2016

Rates Fringes

ELECTRICIAN (Teledata
Technician).....\$ 50.75 43.704

a. \$2.00 per hour not to exceed \$14.00 per day.

ELEC1249-001 05/16/2019

	Rates	Fringes
ELECTRICIAN (LIGHTING AND TRAFFIC SIGNAL WORK Including any and all Fiber Optic Cable necessary for Traffic Signal Systems, Traffic monitoring systems and Road Weather Information systems)		
Flagman.....	\$ 30.10	6.75%+24.15
Ground Digging Machine Operator.....	\$ 45.14	6.75%+24.15
Ground Truck Driver.....	\$ 40.13	6.75%+24.15
Tractor, Trailer Unit.....	\$ 40.13	6.75%+24.15
Lineman & Technician.....	\$ 50.16	6.75%+24.15
Mechanic.....	\$ 40.13	6.75%+24.15

FOOTNOTE:

a. PAID HOLIDAYS: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, President's Day, Good Friday, Decoration Day, Election Day for the President of the United States and Election Day for the Governor of the State of New York provided the employee works two days before and two days after the holiday

ELEC1249-006 05/06/2019

	Rates	Fringes
ELECTRICIAN (LINE CONSTRUCTION)		
Substation and switching structures pipetype cable, underground fuil and gas filled transmission conduit and cable installation, fiber optic ground wire, fiber optic shield wire or any other like product having ground protection or fiber optic capabilities, maintenance jobs or projects; rail-road catenary installation and maintenance bonding of rails; Overhead & underground distribution work & Maintenance; Overhead and under- ground transmission line work:		
Cable Splicer.....	\$ 60.29	6.75%+24.15
Flagman.....	\$ 32.89	6.75%+24.15
Groundman digging machine operator.....	\$ 49.33	6.75%+24.15
Groundman truck driver (tractor trailer unit).....	\$ 43.85	6.75%+24.15
Groundman truck driver;....	\$ 43.85	6.75%+24.15
Lineman & Technician.....	\$ 54.81	6.75%+24.15
Mechanic.....	\$ 43.85	6.75%+24.15

PAID HOLIDAYS:

a. New Year's Day, President's Day, Memorial Day, Good Friday, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and Election Day for the President of the United States and Election Day for the Governor of New York State, provided the employee works two days before or two days after the holiday.

ELEC1249-009 01/01/2019

	Rates	Fringes
ELECTRICIAN (LINE CONSTRUCTION)		
TELEPHONE, CATV FIBEROPTICS CABLE AND EQUIPMENT		
Cable Splicer.....	\$ 32.78	3%+4.93
Groundman.....	\$ 16.49	3%+4.93
Installer Repairman-Teledata Lineman/Technician-Equipment Operator.....	\$ 31.12	3%+4.93

ELEV0001-002 03/17/2018

	Rates	Fringes
ELEVATOR MECHANIC		
Elevator Constructor.....	\$ 64.48	42.103+a+b
Modernization and Repair....	\$ 50.49	40.399+a+b

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day, Good Friday, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.

b. PAID VACATION: An employee who has worked less than 5 years shall receive vacation pay credit on the basis of 4% of his hourly rate for all hours worked; an employee who has worked 5 to 15 years shall receive vacation pay credit on the basis of 6% of his hourly rate for all hours worked; an employee who has worked 15 or more years shall receive vacation pay credit on the basis of 8% of his hourly rate for all hours worked.

ELEV0138-003 01/01/2020

WESTCHESTER COUNTY (Towns of Bedford, Cortland, Lewisboro, Mt. Kisco, North Salem, Pound Ridge, Somers, and Yorktown)

	Rates	Fringes
ELEVATOR MECHANIC.....	\$ 60.49	34.765+a+b

FOOTNOTE:

a. Vacation: 6%/under 5 years based on regular hourly rate for all hours worked. 8%/over 5 years based on regular hourly

rate for all hours worked.

b. PAID HOLIDAYS: New Year's Day; Memorial Day; Independence Day; Labor Day; Veterans' Day; Thanksgiving Day; the Friday after Thanksgiving Day; and Christmas Day.

ENGI0137-005 03/06/2017

BUILDING & RESIDENTIAL CONSTRUCTION

	Rates	Fringes
Power equipment operators:		
GROUP 1-A.....	\$ 53.95	28.52+a
GROUP 1-B.....	\$ 49.68	28.52+a
GROUP 2-A.....	\$ 52.03	28.52+a
GROUP 3-A.....	\$ 50.11	28.52+a
GROUP 3-B.....	\$ 47.67	28.52+a
GROUP 4-A.....	\$ 49.60	28.52+a
GROUP 4-B.....	\$ 41.85	28.52+a
GROUP 5.....	\$ 45.17	28.52+a
GROUP 5-A.....	\$ 56.63	28.52+a
GROUP 5-B.....	\$ 42.83	28.52+a
GROUP 6.....	\$ 44.92	28.52+a

NOTES: Hazmat: 20% above regular rate
Pumping operation Premium .50

Crane Operators (100-149 ft) 2.00

Crane Operators (149 ft +) 3.00

Loader Operators (over 5 cu y) .50

Shovel Operators (over 4 cu yd)1.00

FOOTNOTE:

a. New Years Day, Memorial Day, Independence Day, Labor Day
Thanksgiving Day, Christmas Day, plus Lincoln's Birthday,
Washington's Birthday, Good Friday, Columbus Day, November
Election Day, Veteran's Day.

POWER EQUIPMENT OPERATORS CLASSIFICATION

GROUP 1-A: Carrier- trailer horse; concret-portable hoist;
crane & hoist engineer-steel (concrete, material, super
structure sub- structure); derrick (stone-steel); elevator
& cage; hoist- single/double or triple drum; hoist-portable
mobile unit; hoist engineer-concert (crane-derrick-mine
hoist); hoist engineer- material; overhead crane; power
house plant; telephies (cableway); whirly; maintenance
engineer; Lull hlift or similar; hydraulic crane 25 ton
and over; cherry picker 25 tons and over; backhoe Oliver
88; fordson; dynahoe; dual purpose and similar machines;
Barber Green Loader-euclid loader or similar type; conway
or similar mucking macking machines; dragline; gradall;
shovel; backhoe etc. (crawler or truck); front end loaders;
hydraulic boom; jersey spreader; lift slab console;
letournequ or tounapull (scrapers over 20 yds struck);
mucking machines; pavement breaker (air ram); paver
(concrete); road boring machine; road mix machines; ross
carrier and similar machines; post hole digger; shovel
(tunnels); side boom; spreader (asphalt);
scoopmobile-tractor-shovel over 1 1/2 yds. trenching
machines vermeer concrete saw trencher and similar; tractor
type demolition equipment; winch truck (a frame); hydraulic

crane over 10 ton up to 25 ton); cherry picker over 10 ton up to 25 ton)

GROUP 1-B: Compressor (steel erection); pulse meter and push button buzz box; elevator; mechanic (outside) all types; welder; scrapers 20 yds struck and under; machine pulling sheep's foot roller; vibratory rollers; roller 4 tons and over.

GROUP 2-A: Compactor self-propelled; grader; bulldoze D7 and similar tractors with a draw bar horsepower of 100 or over; bulldozer D6 and under; welder; scraper 20 yds struck and under; machine pulling sheep's foot roller; vibratory rollers.

GROUP 3-A: Asphalt plant; boiler (high pressure); concrete mixing plants; concrete pump; firemen; forklift; forklift (electric); joy drill or similar tractor drilling machine; loader - 1 1/2 yards and under; locomotive (all sizes); mixer concrete - 21E and over; portable asphalt plant; portable batch plant; portable crusher; quarry master; stone crusher; well drilling machine and well point system; cherry picker under 10 tons; hydraulic crane under 10 tons; concert buffy; one yard an up ride on dumper (benford or similar).

GROUP 3-B: Compressor over 125 cu. feet; conveyor belt machine regardless of size; lighting unit (portable & generator); welding machine (steel erection and excavation); and compressor plant; stud machine; ladder hoist.

GROUP 4-A: Air tractor drill; batch plant; bending machine; concrete breaker; concrete spreader; curb cutter machine; farm tractor (all types); finishing machine-concrete; hepavac clean air machine (all similar types: removal of asbestos etc.); material hopper-sand-stone-cement; mixer-concrete-under 21E; mulching grass spreader; pump-gypsum, etc., pump-plaster-grout -fireproofing; shop mechanic (not employed on job site); roller under 4 ton; spreading and fine grading machine; steel cutting machine; syphon pump-air-steam; tar joint machine; turbo jet burner or similar equipment; vibrator (1 to 5); fine grading machine; roof hoist (tugger hoist); television cameras-water- sewer-gas-etc.

GROUP 4-B: Compressor to 125 feet; dust; dust collector; heater all types; pump; pump station (water and sewer); steam jenny; sweeper; chipper; mulcher.

GROUP 5: Motorized roller (walk behind)

GROUP 5-A: Master Mechanic

GROUP 5-B: Utility Man

GROUP 6: Warehouse Man

ENGI0137-006 03/06/2017

HEAVY & HIGHWAY

Rates

Fringes

Power equipment operators:

GROUP 1.....	\$ 58.54	28.15+a
GROUP 1-A.....	\$ 51.68	28.15+a
GROUP 1-B.....	\$ 54.42	28.15+a
GROUP 2-A.....	\$ 49.52	28.15+a
GROUP 2-B.....	\$ 51.05	28.15+a
GROUP 3.....	\$ 48.67	28.15+a
GROUP 4-A.....	\$ 44.29	28.15+a
GROUP 4-B.....	\$ 38.13	28.15+a
GROUP 5.....	\$ 54.69	28.15+a
GROUP 5-A-1.....	\$ 54.69	28.15+a
GROUP 5-A-2.....	\$ 66.22	28.15+a
GROUP 5-A-3.....	\$ 63.97	28.15+a
GROUP 5-A-4.....	\$ 60.03	28.15+a
GROUP 5-A-5.....	\$ 50.65	28.15+a

POWER EQUIPMENT OPERATORS CLASSIFICATIONS (HEAVY & HIGHWAY)

GROUP 1: Boom Truck; Cherry Picker; Clamshell; Crane, (Crawler, Truck); Dragline; Rough Terrain Crane

GROUP 1-A: Auger; Auto Grader; Dynahoe and Dual purpose and similar machines; Boat Captain; Boring Machine (all types); Bull Dozer-all sizes; Central Mix Plant Operator; Chipper-all types; Close circuit t.v.; Compactor with Blade; Concrete Portable Hoist; C.M.I. or similar; Conway or similar mucking machines; Gradall, Shovel Backhoe, etc. Grader; Derrick, (Stone- Steel; Elevator & cage, materials or passengers; Front end loaders over 1 1/2 yds.; Hoist Single, Double, Triple Drum, Hoist Portable Mobile Unit; Hoist Engineer-Concrete (Crane-Derrick-Mine Hoist); Hoist Engineer-Material, Hydraulic Boom; Letourneau or Tournapull (Scrapers over 20 yds. struck); Log Skidder; Movable Concrete Barrier Transfer & Transport Vehicle; mucking machines; overhead crane; paver (concrete); pulsemeter; push button (buzz box) elevator; road mix machines; Robot Hammer (brock or similar), Ross carrier and similar machines; shovels (tunnels); side boom; Slip Form Machine; spreader (asphalt); scoopmobile-tractor-shovel over 1 1/2 yards; trenching machines; telephies- vermeer concrete saw trencher and/or similar; tractor-type demolition equipment, Whirly

GROUP 1-B: Road Paver, Asphalt

GROUP 2-A: Ballast Regulators; Compactor self-propelled; Cow Tracks; Fusion Machine; Rail Anchor Machines; Roller 4 ton and over; Scrapers - 20 yards struck; Switch Tampers; Vibratory roller, etc.

GROUP 2-B: Mechanic (outside) all types

GROUP 3-A: Air tractor drill; asphalt plant; batch plant; boiler (high pressure; concrete breaker; concrete pump concrete spreader; curb cutter machine; farm tractor (all types); finishing machine (concrete); fine grading machine; fireman; forklift; forklift (electric); joy drill or similar tractor drilling machine; loader - 1 1/2 yards and under; locomotive (all sizes), maintenance engineer; machine pulling sheeps foot roller; material hopper; mixer concrete - 21-E and over; mulching grass spreader; portable asphalt plant, portable batch plant, portable crusher; powerhouse plant; quarry master; roller under 4 ton; spreading and fine grading machine; steel cutting machine; stone crusher; sweeper; turbojet burner or similar; well

drilling machine ; winch truck ""A"" frame. John Henry Drill or similar.

GROUP 4-A: Service men (fuel or grease truck).

GROUP 4-B: Oiler; Compressor - compressor plant; paint compressor-steel erection; conveyor belt machine; lighting unit (portable & generator); oiler; pumps - pump station-water-sewer- gypsum- plaster, etc.; roller-motorized (walk-behind); welding machine (steel erection excavation); well point system; bending machine; dust collector; mixer - concrete under 21-E; heater all types; steam jenny; syphon pump-air-steam; tar joint machine; vibrator (1 to 5); Compressor Truck Mounted (2-6)

GROUP 5: Oiler

GROUP 5-A-1: Master Mechanic

GROUP 5-A-2: Engineer - all tower cranes, all climbing cranes and all cranes of 100 ton capacity or greater (3900 Manitowac or similar) irrespective of manufacturer and regardless of how the same is rigged (except for pile rigs).

GROUP 5-A-3: Engineer-- Pile Driver

GROUP 5-A-4: Hoist Engineer- Steel -Sub Structure

GROUP 5-A-5: Jersey-spreader, pavement breaker (air ram); Post Hole Digger

NOTES:

Loader Operator (over 5 cu yds) .50
Shoval Operators (over 4 cu yd) 1.00
Hazmat premium over regular rate 20%

CRANES:

100 ft- 149 ft: receive \$2.00 more than Group 1 rate
149 ft and over receive \$3.00 more than Group 1 rate

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day; Lincoln's Birthday; Good Friday; Memorial Day; Independence Day; Labor Day; Veterans Day; Columbus Day; November Election Day; Thanksgiving Day; and Christmas Day

IRON0040-001 07/01/2019

WESTCHESTER COUNTY

	Rates	Fringes
IRONWORKER, STRUCTURAL.....	\$ 51.45	78.42

IRON0046-003 07/01/2019

	Rates	Fringes
IRONWORKER METALLIC LATHERS AND REINFORCING IRONWORKERS.....	\$ 44.65	46.67

IRON0197-001 07/01/2019

	Rates	Fringes
IRONWORKER		
STONE DERRICKMAN.....	\$ 50.91	54.11

IRON0580-001 07/01/2019

	Rates	Fringes
IRONWORKER, ORNAMENTAL.....	\$ 45.15	55.62

LAB00060-002 03/31/2019

HEAVY/HIGHWAY

	Rates	Fringes
Laborers:		
GROUP 1.....	\$ 42.17	22.23+a
GROUP 2.....	\$ 40.82	22.23+a
GROUP 3.....	\$ 40.42	22.23+a
GROUP 4.....	\$ 40.07	22.23+a
GROUP 5.....	\$ 39.72	22.23+a
GROUP 6.....	\$ 33.37	22.23+a
GROUP 7.....	\$ 41.72	22.23+a
SHAFT AND TUNNEL IN FREE		
AIR		
GROUP 1.....	\$ 48.15	29.25+a
GROUP 2.....	\$ 50.30	29.25+a
GROUP 4.....	\$ 56.70	29.25+a

LABORERS CLASSIFICATIONS (HEAVY/HIGHWAY):

- GROUP 1: Blasters.
- GROUP 2: Burner, Jumbo Driller, Joy Driller, Wagon Driller, Air Track Driller, Hydraulic Driller, Concrete Form Aligner, Concrete Form and Curb Form Highway (Steel), Asphalt Screedman, Asphalt Raker.
- GROUP 3: Asphalt Curb Machine Operator, Jeeper Operator, Pavement Breaker Operator, Power Saw Operator, Jack Hammer Driller. All types of pneumatic tools gasoline driller, concrete saw, gunniting, railroad spike puller and sandblasting, pipe layer, deck winches on scows, power buggy operator, power wheelbarrow operator.
- GROUP 4: General concrete laborers-anything pertaining to concrete, aggregate or concrete material handling, puddlers, asphalt worker, rock scalers, vibrator operator, bit grinder, concrete grinder, air tampers and all tampers not covered by any other classification, form pin puller, pumps and their operation, service of air power, epoxy and waterproofing worker, fine grade person between forms, barco rammer, guard and guide rail and link fence, steel kings.
- GROUP 5: Common laborers, signal person and pit person , truck spotters, powder person, landscape and nursery person, dump person.
- GROUP 6: Flagperson
- GROUP 7: Asbestos and Toxic Waste laborer

SHAFT AND TUNNEL IN FREE AIR CLASSIFICATIONS

- GROUP 1: Outside laborers
- GROUP 2: Blaster, Concrete and form setters, drill runners, air tuggers, chippers, pneumatic tools, and source of airpower, pumps and their operations, vibrator operators, Puddlers, Chuck tenders, nippers, concrete laborers tunnel sewer and water pipeliners, boring, Laborers, Powder

carriers, signalmen, and Brakemen
GROUP 4: Miners

FOOTNOTE: a. PAID HOLIDAYS: New Year's Day, Lincoln's
Birthday, Washington's Birthday, Good Friday, Memorial Day,
Independence Day, Labor Day, Columbus Day, November
Election Day, Veterans' Day, Thanksgiving Day and Christmas
Day.

LABO0235-001 05/01/2016

BUILDING

	Rates	Fringes
LABORER.....	\$ 33.30	26.25

LABO0235-002 05/01/2016

RESIDENTIAL

	Rates	Fringes
LABORER.....	\$ 26.80	19.55

PAIN0009-003 05/01/2019

	Rates	Fringes
PAINTER		
GLAZIERS.....	\$ 46.05	43.37
Painters, Paperhanger, Drywall Finishers & Lead Abatement Worker.....	\$ 45.70	27.67
Spray, Scaffold, Sandblasting.....	\$ 48.70	27.67

PAIN0806-001 10/01/2018

	Rates	Fringes
Painters:		
Structural Steel and Bridge.	\$ 49.50	41.88

PLUM0021-003 05/01/2018

	Rates	Fringes
Plumber and Steamfitter		
Zone 1.....	\$ 55.66	34.11

ROOF0008-003 07/01/2019

	Rates	Fringes
ROOFER.....	\$ 43.50	33.87

SFNY0669-002 04/01/2019

	Rates	Fringes
SPRINKLER FITTER.....	\$ 45.42	25.54

SHEE0038-001 07/01/2019

	Rates	Fringes
Sheet metal worker.....	\$ 44.74	42.51

TEAM0456-001 07/01/2018

HEAVY & HIGHWAY CONSTRUCTION

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 43.47	29.17+a
GROUP 2.....	\$ 40.72	29.17+a
GROUP 3.....	\$ 41.17	29.17+a
GROUP 4.....	\$ 41.34	29.17+a
GROUP 5.....	\$ 40.72	29.17+a
GROUP 6.....	\$ 41.47	29.17+a
GROUP 7.....	\$ 42.22	29.17+a
GROUP 8.....	\$ 42.59	29.17+a
GROUP 9.....	\$ 42.09	29.17+a
GROUP 10.....	\$ 42.72	29.17+a
GROUP 11.....	\$ 42.47	29.17+a

Hazardous/Toxic Waste - An additional 20% of the basic hourly wage rate set forth in this wage determination.

CLASSIFICATION DESCRIPTIONS

- GROUP 1: Lowboy (carrying equipment)
- GROUP 2: Straight jobs: 6-Wheeler, 10-Wheeler, A-Frame Trucks (inside cab), Winch Truck (inside cab), Dynamite Truck, Seeding Truck, Mulching Truck, Agitator Truck, Water Truck, Cement Trucks (all types), Suburbans, Station Wagons, Cars, Pickups.
- GROUP 3: Fuel and tire trucks.
- GROUP 4: Tractor trailers (all types)
- GROUP 5: 14 Wheeler
- GROUP 6: Athey wagon, Belly dumps, Articulated Dumps, Trailer wagons.
- GROUP 7: Darts.
- GROUP 8: RXS
- GROUP 9: Off Road Equipment (Under 40 Tons): Euclid
- GROUP 10: Off Road Equipment (Over 40 Tons) Euclid, DJB
- GROUP 11: Off Road Equipment (Under 40 Tons) DJB

a. PAID HOLIDAYS: New Year's Day, Lincoln's Birthday, President's Day, Decoration Day, Independence Day, Labor Day, November Election Day, Thanksgiving Day, Day after Thanksgiving and Christmas Day, provided employee works two or more days in the calendar week in which the holiday falls.

PAID VACATION: 4 weeks paid vacation after 20 years of service and 30 days of employment in current contract year; 3 weeks after 10 years of seniority service; 3 weeks after 10 years and 60 days of employment in contract year, 3 weeks and 1 day after 16 years of seniority service, 3 weeks and 2 days after 17 years of seniority service; 3 weeks and 3 days after 18 years of seniority service; 3 weeks and 4 days after 19 years of seniority service; The third week and every additional day shall be granted to employee in the calendar year in which he completes his tenth or other years of seniority service; 2 weeks after 130 days of employment in the calendar year; 2 weeks after

5 years and 90 days seniority service in calander year; 1 week and 1 additional day for each additional 18 days of employment not exceeding 10 days in any one calander year after 90 days of employment. Casual employees 1 day for every 18 days of employment. An employee who does not qualify for vacation shall be paid pro rata on a daily basis. Holiday shall be counted as days worked for vacation benefits.

LEGAL SERVICES FUND: Employer shall contribute \$.20 to the fund on the same basis for all hours paid to employees in the form of holiday pay or vacation pay. In addition to the benefits paid for Health-Welfare and Pension for up to 40 hours worked an additional \$.25 is paid for each hour worked. The employer shall grant 3 calendar days off without loss of pay to an employee who has death in his/her immediate family, inclusive of the day of the funeral.

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

=====
Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or

""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on

a wage determination matter
* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

=====
END OF GENERAL DECISION"

APPENDIX D

NYS PREVAILING WAGE RATE SCHEDULE



Andrew M. Cuomo, Governor

Roberta Reardon, Commissioner

Town of Yorktown
Erica Gambino, Engineer
555 Pleasantville Road
Briarcliff Manor NY 10510

Schedule Year 2019 through 2020
Date Requested 03/02/2020
PRC# 2020002781

Location Yorktown Heights
Project ID# 8761.66 & .71
Project Type Replacement of Hill Blvd. Bridge over Barger Brook Tributary and Veterans Rd. Culvert over Hallocks Mill Brook.

PREVAILING WAGE SCHEDULE FOR ARTICLE 8 PUBLIC WORK PROJECT

Attached is the current schedule(s) of the prevailing wage rates and prevailing hourly supplements for the project referenced above. A unique Prevailing Wage Case Number (PRC#) has been assigned to the schedule(s) for your project.

The schedule is effective from July 2019 through June 2020. All updates, corrections, posted on the 1st business day of each month, and future copies of the annual determination are available on the Department's website www.labor.ny.gov. Updated PDF copies of your schedule can be accessed by entering your assigned PRC# at the proper location on the website.

It is the responsibility of the contracting agency or its agent to annex and make part, the attached schedule, to the specifications for this project, when it is advertised for bids and /or to forward said schedules to the successful bidder(s), immediately upon receipt, in order to insure the proper payment of wages.

Please refer to the "General Provisions of Laws Covering Workers on Public Work Contracts" provided with this schedule, for the specific details relating to other responsibilities of the Department of Jurisdiction.

Upon completion or cancellation of this project, enter the required information and mail **OR** fax this form to the office shown at the bottom of this notice, **OR** fill out the electronic version via the NYSDOL website.

NOTICE OF COMPLETION / CANCELLATION OF PROJECT

Date Completed: _____ Date Cancelled: _____

Name & Title of Representative: _____

Phone: (518) 457-5589 Fax: (518) 485-1870
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12240

General Provisions of Laws Covering Workers on Article 8 Public Work Contracts

Introduction

The Labor Law requires public work contractors and subcontractors to pay laborers, workers, or mechanics employed in the performance of a public work contract not less than the prevailing rate of wage and supplements (fringe benefits) in the locality where the work is performed.

Responsibilities of the Department of Jurisdiction

A Department of Jurisdiction (Contracting Agency) includes a state department, agency, board or commission; a county, city, town or village; a school district, board of education or board of cooperative educational services; a sewer, water, fire, improvement and other district corporation; a public benefit corporation; and a public authority awarding a public work contract.

The Department of Jurisdiction (Contracting Agency) awarding a public work contract MUST obtain a Prevailing Rate Schedule listing the hourly rates of wages and supplements due the workers to be employed on a public work project. This schedule may be obtained by completing and forwarding a "Request for wage and Supplement Information" form (PW 39) to the Bureau of Public Work. The Prevailing Rate Schedule MUST be included in the specifications for the contract to be awarded and is deemed part of the public work contract.

Upon the awarding of the contract, the law requires that the Department of Jurisdiction (Contracting Agency) furnish the following information to the Bureau: the name and address of the contractor, the date the contract was let and the approximate dollar value of the contract. To facilitate compliance with this provision of the Labor Law, a copy of the Department's "Notice of Contract Award" form (PW 16) is provided with the original Prevailing Rate Schedule.

The Department of Jurisdiction (Contracting Agency) is required to notify the Bureau of the completion or cancellation of any public work project. The Department's PW 200 form is provided for that purpose.

Both the PW 16 and PW 200 forms are available for completion [online](#).

Hours

No laborer, worker, or mechanic in the employ of a contractor or subcontractor engaged in the performance of any public work project shall be permitted to work more than eight hours in any day or more than five days in any week, except in cases of extraordinary emergency. The contractor and the Department of Jurisdiction (Contracting Agency) may apply to the Bureau of Public Work for a dispensation permitting workers to work additional hours or days per week on a particular public work project.

There are very few exceptions to this rule. Complete information regarding these exceptions is available on the ["Request for a dispensation to work overtime" form \(PW30\)](#) and ["4 Day / 10 Hour Work Schedule" form \(PW 30.1\)](#).

Wages and Supplements

The wages and supplements to be paid and/or provided to laborers, workers, and mechanics employed on a public work project shall be not less than those listed in the current Prevailing Rate Schedule for the locality where the work is performed. If a prime contractor on a public work project has not been provided with a Prevailing Rate Schedule, the contractor must notify the Department of Jurisdiction (Contracting Agency) who in turn must request an original Prevailing Rate Schedule form the Bureau of Public Work. Requests may be submitted by: mail to NYSDOL, Bureau of Public Work, State Office Bldg. Campus, Bldg. 12, Rm. 130, Albany, NY 12240; Fax to Bureau of Public Work (518) 485-1870; or electronically at the NYSDOL website www.labor.ny.gov.

Upon receiving the original schedule, the Department of Jurisdiction (Contracting Agency) is REQUIRED to provide complete copies to all prime contractors who in turn MUST, by law, provide copies of all applicable county schedules to each subcontractor and obtain from each subcontractor, an affidavit certifying such schedules were received. If the original schedule expired, the contractor may obtain a copy of the new annual determination from the NYSDOL website www.labor.ny.gov.

The Commissioner of Labor makes an annual determination of the prevailing rates. This determination is in effect from July 1st through June 30th of the following year. The annual determination is available on the NYSDOL website www.labor.ny.gov.

Payrolls and Payroll Records

Every contractor and subcontractor MUST keep original payrolls or transcripts subscribed and affirmed as true under penalty of perjury. As per Article 6 of the Labor law, contractors and subcontractors are required to establish, maintain, and preserve for not less than six (6) years, contemporaneous, true, and accurate payroll records. At a minimum, payrolls must show the following information for each person employed on a public work project: Name, Address, Last 4 Digits of Social Security Number, Classification(s) in which the worker was employed, Hourly wage rate(s) paid, Supplements paid

or provided, and Daily and weekly number of hours worked in each classification.

The filing of payrolls to the Department of Jurisdiction is a condition of payment. Every contractor and subcontractor shall submit to the Department of Jurisdiction (Contracting Agency), within thirty (30) days after issuance of its first payroll and every thirty (30) days thereafter, a transcript of the original payrolls, subscribed and affirmed as true under penalty of perjury. The Department of Jurisdiction (Contracting Agency) shall collect, review for facial validity, and maintain such payrolls.

In addition, the Commissioner of Labor may require contractors to furnish, with ten (10) days of a request, payroll records sworn to as their validity and accuracy for public work and private work. Payroll records include, by are not limited to time cards, work description sheets, proof that supplements were provided, cancelled payroll checks and payrolls. Failure to provide the requested information within the allotted ten (10) days will result in the withholding of up to 25% of the contract, not to exceed \$100,000.00. If the contractor or subcontractor does not maintain a place of business in New York State and the amount of the contract exceeds \$25,000.00, payroll records and certifications must be kept on the project worksite.

The prime contractor is responsible for any underpayments of prevailing wages or supplements by any subcontractor.

All contractors or their subcontractors shall provide to their subcontractors a copy of the Prevailing Rate Schedule specified in the public work contract as well as any subsequently issued schedules. A failure to provide these schedules by a contractor or subcontractor is a violation of Article 8, Section 220-a of the Labor Law.

All subcontractors engaged by a public work project contractor or its subcontractor, upon receipt of the original schedule and any subsequently issued schedules, shall provide to such contractor a verified statement attesting that the subcontractor has received the Prevailing Rate Schedule and will pay or provide the applicable rates of wages and supplements specified therein. (See NYS Labor Laws, Article 8 . Section 220-a).

Determination of Prevailing Wage and Supplement Rate Updates Applicable to All Counties

The wages and supplements contained in the annual determination become effective July 1st whether or not the new determination has been received by a given contractor. Care should be taken to review the rates for obvious errors. Any corrections should be brought to the Department's attention immediately. It is the responsibility of the public work contractor to use the proper rates. If there is a question on the proper classification to be used, please call the district office located nearest the project. Any errors in the annual determination will be corrected and posted to the NYSDOL website on the first business day of each month. Contractors are responsible for paying these updated rates as well, retroactive to July 1st.

When you review the schedule for a particular occupation, your attention should be directed to the dates above the column of rates. These are the dates for which a given set of rates is effective. To the extent possible, the Department posts rates in its possession that cover periods of time beyond the July 1st to June 30th time frame covered by a particular annual determination. Rates that extend beyond that instant time period are informational ONLY and may be updated in future annual determinations that actually cover the then appropriate July 1st to June 30th time period.

Withholding of Payments

When a complaint is filed with the Commissioner of Labor alleging the failure of a contractor or subcontractor to pay or provide the prevailing wages or supplements, or when the Commissioner of Labor believes that unpaid wages or supplements may be due, payments on the public work contract shall be withheld from the prime contractor in a sufficient amount to satisfy the alleged unpaid wages and supplements, including interest and civil penalty, pending a final determination.

When the Bureau of Public Work finds that a contractor or subcontractor on a public work project failed to pay or provide the requisite prevailing wages or supplements, the Bureau is authorized by Sections 220-b and 235.2 of the Labor Law to so notify the financial officer of the Department of Jurisdiction (Contracting Agency) that awarded the public work contract. Such officer MUST then withhold or cause to be withheld from any payment due the prime contractor on account of such contract the amount indicated by the Bureau as sufficient to satisfy the unpaid wages and supplements, including interest and any civil penalty that may be assessed by the Commissioner of Labor. The withholding continues until there is a final determination of the underpayment by the Commissioner of Labor or by the court in the event a legal proceeding is instituted for review of the determination of the Commissioner of Labor.

The Department of Jurisdiction (Contracting Agency) shall comply with this order of the Commissioner of Labor or of the court with respect to the release of the funds so withheld.

Summary of Notice Posting Requirements

The current Prevailing Rate Schedule must be posted in a prominent and accessible place on the site of the public work project. The prevailing wage schedule must be encased in, or constructed of, materials capable of withstanding adverse weather conditions and be titled "PREVAILING RATE OF WAGES" in letters no smaller than two (2) inches by two (2) inches.

The "Public Work Project" notice must be posted at the beginning of the performance of every public work contract, on each job site.

Every employer providing workers' compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

Every employer subject to the NYS Human Rights Law must conspicuously post at its offices, places of employment, or employment training centers, notices furnished by the State Division of Human Rights.

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post on the jobsite notices furnished by the NYS Department of Labor.

Apprentices

Employees cannot be paid apprentice rates unless they are individually registered in a program registered with the NYS Commissioner of Labor. The allowable ratio of apprentices to journeyworkers in any craft classification can be no greater than the statewide building trade ratios promulgated by the Department of Labor and included with the Prevailing Rate Schedule. An employee listed on a payroll as an apprentice who is not registered as above or is performing work outside the classification of work for which the apprentice is indentured, must be paid the prevailing journeyworker's wage rate for the classification of work the employee is actually performing.

NYSDOL Labor Law, Article 8, Section 220-3, require that only apprentices individually registered with the NYS Department of Labor may be paid apprenticeship rates on a public work project. No other Federal or State Agency of office registers apprentices in New York State.

Persons wishing to verify the apprentice registration of any person must do so in writing by mail, to the NYSDOL Office of Employability Development / Apprenticeship Training, State Office Bldg. Campus, Bldg. 12, Albany, NY 12240 or by Fax to NYSDOL Apprenticeship Training (518) 457-7154. All requests for verification must include the name and social security number of the person for whom the information is requested.

The only conclusive proof of individual apprentice registration is written verification from the NYSDOL Apprenticeship Training Albany Central office. Neither Federal nor State Apprenticeship Training offices outside of Albany can provide conclusive registration information.

It should be noted that the existence of a registered apprenticeship program is not conclusive proof that any person is registered in that program. Furthermore, the existence or possession of wallet cards, identification cards, or copies of state forms is not conclusive proof of the registration of any person as an apprentice.

Interest and Penalties

In the event that an underpayment of wages and/or supplements is found:

- Interest shall be assessed at the rate then in effect as prescribed by the Superintendent of Banks pursuant to section 14-a of the Banking Law, per annum from the date of underpayment to the date restitution is made.
- A Civil Penalty may also be assessed, not to exceed 25% of the total of wages, supplements, and interest due.

Debarment

Any contractor or subcontractor and/or its successor shall be ineligible to submit a bid on or be awarded any public work contract or subcontract with any state, municipal corporation or public body for a period of five (5) years when:

- Two (2) willful determinations have been rendered against that contractor or subcontractor and/or its successor within any consecutive six (6) year period.
- There is any willful determination that involves the falsification of payroll records or the kickback of wages or supplements.

Criminal Sanctions

Willful violations of the Prevailing Wage Law (Article 8 of the Labor Law) may be a felony punishable by fine or imprisonment of up to 15 years, or both.

Discrimination

No employee or applicant for employment may be discriminated against on account of age, race, creed, color, national origin, sex, disability or marital status.

No contractor, subcontractor nor any person acting on its behalf, shall by reason of race, creed, color, disability, sex or national origin discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates (NYS Labor Law, Article 8, Section 220-e(a)).

No contractor, subcontractor, nor any person acting on its behalf, shall in any manner, discriminate against or intimidate any employee on account of race, creed, color, disability, sex, or national origin (NYS Labor Law, Article 8, Section 220-e(b)).

The Human Rights Law also prohibits discrimination in employment because of age, marital status, or religion.

There may be deducted from the amount payable to the contractor under the contract a penalty of \$50.00 for each calendar day during which such person was discriminated against or intimidated in violation of the provision of the contract (NYS Labor Law, Article 8, Section 220-e(c)).

The contract may be cancelled or terminated by the State or municipality. All monies due or to become due thereunder may be forfeited for a second or any subsequent violation of the terms or conditions of the anti-discrimination sections of the contract (NYS Labor Law, Article 8, Section 220-e(d)).

Every employer subject to the New York State Human Rights Law must conspicuously post at its offices, places of employment, or employment training centers notices furnished by the State Division of Human Rights.

Workers' Compensation

In accordance with Section 142 of the State Finance Law, the contractor shall maintain coverage during the life of the contract for the benefit of such employees as required by the provisions of the New York State Workers' Compensation Law.

A contractor who is awarded a public work contract must provide proof of workers' compensation coverage prior to being allowed to begin work.

The insurance policy must be issued by a company authorized to provide workers' compensation coverage in New York State. Proof of coverage must be on form C-105.2 (Certificate of Workers' Compensation Insurance) and must name this agency as a certificate holder.

If New York State coverage is added to an existing out-of-state policy, it can only be added to a policy from a company authorized to write workers' compensation coverage in this state. The coverage must be listed under item 3A of the information page.

The contractor must maintain proof that subcontractors doing work covered under this contract secured and maintained a workers' compensation policy for all employees working in New York State.

Every employer providing worker's compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

Unemployment Insurance

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post on the jobsite notices furnished by the New York State Department of Labor.



Andrew M. Cuomo, Governor

Roberta Reardon, Commissioner

Town of Yorktown
Erica Gambino, Engineer
555 Pleasantville Road
Briarcliff Manor NY 10510

Schedule Year 2019 through 2020
Date Requested 03/02/2020
PRC# 2020002781

Location Yorktown Heights
Project ID# 8761.66 & .71
Project Type Replacement of Hill Blvd. Bridge over Barger Brook Tributary and Veterans Rd. Culvert over Hallocks Mill Brook.

Notice of Contract Award

New York State Labor Law, Article 8, Section 220.3a requires that certain information regarding the awarding of public work contracts, be furnished to the Commissioner of Labor. One "Notice of Contract Award" (PW 16, which may be photocopied), **MUST** be completed for **EACH** prime contractor on the above referenced project.

Upon notifying the successful bidder(s) of this contract, enter the required information and mail **OR** fax this form to the office shown at the bottom of this notice, **OR** fill out the electronic version via the NYSDOL website.

Contractor Information

All information must be supplied

Federal Employer Identification Number: _____		
Name: _____		
Address: _____ _____		
City: _____	State: _____	Zip: _____
Amount of Contract: \$ _____	Contract Type:	
Approximate Starting Date: ____/____/____	<input type="checkbox"/> (01) General Construction	
Approximate Completion Date: ____/____/____	<input type="checkbox"/> (02) Heating/Ventilation	
	<input type="checkbox"/> (03) Electrical	
	<input type="checkbox"/> (04) Plumbing	
	<input type="checkbox"/> (05) Other : _____	

Phone: (518) 457-5589 Fax: (518) 485-1870
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12240

Social Security Numbers on Certified Payrolls:

The Department of Labor is cognizant of the concerns of the potential for misuse or inadvertent disclosure of social security numbers. Identity theft is a growing problem and we are sympathetic to contractors' concern regarding inclusion of this information on payrolls if another identifier will suffice.

For these reasons, the substitution of the use of the last four digits of the social security number on certified payrolls submitted to contracting agencies on public work projects is now acceptable to the Department of Labor. This change does not affect the Department's ability to request and receive the entire social security number from employers during its public work/ prevailing wage investigations.

Construction Industry Fair Play Act: Required Posting for Labor Law Article 25-B § 861-d

Construction industry employers must post the "Construction Industry Fair Play Act" notice in a prominent and accessible place on the job site. Failure to post the notice can result in penalties of up to \$1,500 for a first offense and up to \$5,000 for a second offense. The posting is included as part of this wage schedule. Additional copies may be obtained from the NYS DOL website, www.labor.ny.gov. <https://labor.ny.gov/formsdocs/ui/IA999.pdf>

If you have any questions concerning the Fair Play Act, please call the State Labor Department toll-free at 1-866-435-1499 or email us at: dol.misclassified@labor.ny.gov .

Worker Notification: (Labor Law §220, paragraph a of subdivision 3-a)

This provision is an addition to the existing wage rate law, Labor Law §220, paragraph a of subdivision 3-a. It requires contractors and subcontractors to provide written notice to all laborers, workers or mechanics of the *prevailing wage rate* for their particular job classification *on each pay stub**. It also requires contractors and subcontractors to *post a notice* at the beginning of the performance of every public work contract *on each job site* that includes the telephone number and address for the Department of Labor and a statement informing laborers, workers or mechanics of their right to contact the Department of Labor if he/she is not receiving the proper prevailing rate of wages and/or supplements for his/her job classification. The required notification will be provided with each wage schedule, may be downloaded from our website www.labor.ny.gov or be made available upon request by contacting the Bureau of Public Work at 518-457-5589. *In the event the required information will not fit on the pay stub, an accompanying sheet or attachment of the information will suffice.

**To all State Departments, Agency Heads and Public Benefit Corporations
IMPORTANT NOTICE REGARDING PUBLIC WORK ENFORCEMENT FUND**

Budget Policy & Reporting Manual

B-610

Public Work Enforcement Fund

effective date December 7, 2005

1. Purpose and Scope:

This Item describes the Public Work Enforcement Fund (the Fund, PWEF) and its relevance to State agencies and public benefit corporations engaged in construction or reconstruction contracts, maintenance and repair, and announces the recently-enacted increase to the percentage of the dollar value of such contracts that must be deposited into the Fund. This item also describes the roles of the following entities with respect to the Fund:

- New York State Department of Labor (DOL),
- The Office of the State of Comptroller (OSC), and
- State agencies and public benefit corporations.

2. Background and Statutory References:

DOL uses the Fund to enforce the State's Labor Law as it relates to contracts for construction or reconstruction, maintenance and repair, as defined in subdivision two of Section 220 of the Labor Law. State agencies and public benefit corporations participating in such contracts are required to make payments to the Fund.

Chapter 511 of the Laws of 1995 (as amended by Chapter 513 of the Laws of 1997, Chapter 655 of the Laws of 1999, Chapter 376 of the Laws of 2003 and Chapter 407 of the Laws of 2005) established the Fund.

3. Procedures and Agency Responsibilities:

The Fund is supported by transfers and deposits based on the value of contracts for construction and reconstruction, maintenance and repair, as defined in subdivision two of Section 220 of the Labor Law, into which all State agencies and public benefit corporations enter.

Chapter 407 of the Laws of 2005 increased the amount required to be provided to this fund to .10 of one-percent of the total cost of each such contract, to be calculated at the time agencies or public benefit corporations enter into a new contract or if a contract is amended. The provisions of this bill became effective August 2, 2005.

**To all State Departments, Agency Heads and Public Benefit Corporations
IMPORTANT NOTICE REGARDING PUBLIC WORK ENFORCEMENT FUND**

OSC will report to DOL on all construction-related ("D") contracts approved during the month, including contract amendments, and then DOL will bill agencies the appropriate assessment monthly. An agency may then make a determination if any of the billed contracts are exempt and so note on the bill submitted back to DOL. For any instance where an agency is unsure if a contract is or is not exempt, they can call the Bureau of Public Work at the number noted below for a determination. Payment by check or journal voucher is due to DOL within thirty days from the date of the billing. DOL will verify the amounts and forward them to OSC for processing.

For those contracts which are not approved or administered by the Comptroller, monthly reports and payments for deposit into the Public Work Enforcement Fund must be provided to the Administrative Finance Bureau at the DOL within 30 days of the end of each month or on a payment schedule mutually agreed upon with DOL.

Reports should contain the following information:

- Name and billing address of State agency or public benefit corporation;
- State agency or public benefit corporation contact and phone number;
- Name and address of contractor receiving the award;
- Contract number and effective dates;
- Contract amount and PWEF assessment charge (if contract amount has been amended, reflect increase or decrease to original contract and the adjustment in the PWEF charge); and
- Brief description of the work to be performed under each contract.

Checks and Journal Vouchers, payable to the "New York State Department of Labor" should be sent to:

Department of Labor
Administrative Finance Bureau-PWEF Unit
Building 12, Room 464
State Office Campus
Albany, NY 12240

Any questions regarding billing should be directed to NYSDOL's Administrative Finance Bureau-PWEF Unit at (518) 457-3624 and any questions regarding Public Work Contracts should be directed to the Bureau of Public Work at (518) 457-5589.

Required Notice under Article 25-B of the Labor Law

**Attention All Employees, Contractors and Subcontractors:
You are Covered by the Construction Industry Fair Play Act**

The law says that you are an employee unless:

- You are free from direction and control in performing your job, **and**
- You perform work that is not part of the usual work done by the business that hired you, **and**
- You have an independently established business.

Your employer cannot consider you to be an independent contractor unless all three of these facts apply to your work.

It is against the law for an employer to misclassify employees as independent contractors or pay employees off the books.

Employee Rights: If you are an employee, you are entitled to state and federal worker protections. These include:

- Unemployment Insurance benefits, if you are unemployed through no fault of your own, able to work, and otherwise qualified,
- Workers' compensation benefits for on-the-job injuries,
- Payment for wages earned, minimum wage, and overtime (under certain conditions),
- Prevailing wages on public work projects,
- The provisions of the National Labor Relations Act, and
- A safe work environment.

It is a violation of this law for employers to retaliate against anyone who asserts their rights under the law. Retaliation subjects an employer to civil penalties, a private lawsuit or both.

Independent Contractors: If you are an independent contractor, **you must pay all taxes and Unemployment Insurance contributions required by New York State and Federal Law.**

Penalties for paying workers off the books or improperly treating employees as independent contractors:

- **Civil Penalty** First offense: Up to \$2,500 per employee
 Subsequent offense(s): Up to \$5,000 per employee
- **Criminal Penalty** First offense: Misdemeanor - up to 30 days in jail, up to a \$25,000 fine and debarment from performing public work for up to one year.
 Subsequent offense(s): Misdemeanor - up to 60 days in jail or up to a \$50,000 fine and debarment from performing public work for up to 5 years.

If you have questions about your employment status or believe that your employer may have violated your rights and you want to file a complaint, call the Department of Labor at (866) 435-1499 or send an email to dol.misclassified@labor.ny.gov. All complaints of fraud and violations are taken seriously. You can remain anonymous.

Employer Name:

IA 999 (09/16)

Attention Employees

THIS IS A: **PUBLIC WORK PROJECT**

If you are employed on this project as a **worker, laborer, or mechanic** you are entitled to receive the **prevailing wage and supplements rate** for the classification at which you are working.

Chapter 629 of the Labor Laws of 2007:

These wages are set by law and must be posted at the work site. They can also be found at:
www.labor.ny.gov

If you feel that you have not received proper wages or benefits, please call our nearest office.*

Albany	(518) 457-2744	Patchogue	(631) 687-4882
Binghamton	(607) 721-8005	Rochester	(585) 258-4505
Buffalo	(716) 847-7159	Syracuse	(315) 428-4056
Garden City	(516) 228-3915	Utica	(315) 793-2314
New York City	(212) 932-2419	White Plains	(914) 997-9507
Newburgh	(845) 568-5156		

* For New York City government agency construction projects, please contact the Office of the NYC Comptroller at (212) 669-4443, or www.comptroller.nyc.gov – click on Bureau of Labor Law.

Contractor Name: _____

Project Location: _____

Requirements for OSHA 10 Compliance

Article 8 §220-h requires that when the advertised specifications, for every contract for public work, is \$250,000.00 or more the contract must contain a provision requiring that every worker employed in the performance of a public work contract shall be certified as having completed an OSHA 10 safety training course. The clear intent of this provision is to require that all employees of public work contractors, required to be paid prevailing rates, receive such training "prior to the performing any work on the project."

The Bureau will enforce the statute as follows:

All contractors and sub contractors must attach a copy of proof of completion of the OSHA 10 course to the first certified payroll submitted to the contracting agency and on each succeeding payroll where any new or additional employee is first listed.

Proof of completion may include but is not limited to:

- Copies of bona fide course completion card (*Note: Completion cards do not have an expiration date.*)
- Training roster, attendance record or other documentation from the certified trainer pending the issuance of the card.
- Other valid proof

**A certification by the employer attesting that all employees have completed such a course is not sufficient proof that the course has been completed.

Any questions regarding this statute may be directed to the New York State Department of Labor, Bureau of Public Work at 518-457-5589.

WICKS

Public work projects are subject to the Wicks Law requiring separate specifications and bidding for the plumbing, heating and electrical work, when the total project's threshold is \$3 million in Bronx, Kings, New York, Queens and, Richmond counties; \$1.5 million in Nassau, Suffolk and Westchester counties; and \$500,000 in all other counties.

For projects below the monetary threshold, bidders must submit a sealed list naming each subcontractor for the plumbing, HVAC and electrical and the amount to be paid to each. The list may not be changed unless the public owner finds a legitimate construction need, including a change in specifications or costs or the use of a Project Labor Agreement (PLA), and must be open to public inspection.

Allows the state and local agencies and authorities to waive the Wicks Law and use a PLA if it will provide the best work at the lowest possible price. If a PLA is used, all contractors shall participate in apprentice training programs in the trades of work it employs that have been approved by the Department of Labor (DOL) for not less than three years. They shall also have at least one graduate in the last three years and use affirmative efforts to retain minority apprentices. PLA's would be exempt from Wicks, but deemed to be public work subject to prevailing wage enforcement.

The Commissioner of Labor shall have the power to enforce separate specification requirements on projects, and may issue stop-bid orders against public owners for non-compliance.

Other new monetary thresholds, and similar sealed bidding for non-Wicks projects, would apply to certain public authorities including municipal housing authorities, NYC Construction Fund, Yonkers Educational Construction Fund, NYC Municipal Water Finance Authority, Buffalo Municipal Water Finance Authority, Westchester County Health Care Association, Nassau County Health Care Corp., Clifton-Fine Health Care Corp., Erie County Medical Center Corp., NYC Solid Waste Management Facilities, and the Dormitory Authority.

Contractors must pay subcontractors within a 7 days period.

(07.19)

Introduction to the Prevailing Rate Schedule

Information About Prevailing Rate Schedule

This information is provided to assist you in the interpretation of particular requirements for each classification of worker contained in the attached Schedule of Prevailing Rates.

Classification

It is the duty of the Commissioner of Labor to make the proper classification of workers taking into account whether the work is heavy and highway, building, sewer and water, tunnel work, or residential, and to make a determination of wages and supplements to be paid or provided. It is the responsibility of the public work contractor to use the proper rate. If there is a question on the proper classification to be used, please call the district office located nearest the project. District office locations and phone numbers are listed below.

Prevailing Wage Schedules are issued separately for "General Construction Projects" and "Residential Construction Projects" on a county-by-county basis.

General Construction Rates apply to projects such as: Buildings, Heavy & Highway, and Tunnel and Water & Sewer rates.

Residential Construction Rates generally apply to construction, reconstruction, repair, alteration, or demolition of one family, two family, row housing, or rental type units intended for residential use.

Some rates listed in the Residential Construction Rate Schedule have a very limited applicability listed along with the rate. Rates for occupations or locations not shown on the residential schedule must be obtained from the General Construction Rate Schedule. Please contact the local Bureau of Public Work office before using Residential Rate Schedules, to ensure that the project meets the required criteria.

Payrolls and Payroll Records

Contractors and subcontractors are required to establish, maintain, and preserve for not less than six (6) years, contemporaneous, true, and accurate payroll records.

Every contractor and subcontractor shall submit to the Department of Jurisdiction (Contracting Agency), within thirty (30) days after issuance of its first payroll and every thirty (30) days thereafter, a transcript of the original payrolls, subscribed and affirmed as true under penalty of perjury.

Paid Holidays

Paid Holidays are days for which an eligible employee receives a regular day's pay, but is not required to perform work. If an employee works on a day listed as a paid holiday, this remuneration is in addition to payment of the required prevailing rate for the work actually performed.

Overtime

At a minimum, all work performed on a public work project in excess of eight hours in any one day or more than five days in any workweek is overtime. However, the specific overtime requirements for each trade or occupation on a public work project may differ. Specific overtime requirements for each trade or occupation are contained in the prevailing rate schedules.

Overtime holiday pay is the premium pay that is required for work performed on specified holidays. It is only required where the employee actually performs work on such holidays.

The applicable holidays are listed under HOLIDAYS: OVERTIME. The required rate of pay for these covered holidays can be found in the OVERTIME PAY section listings for each classification.

Supplemental Benefits

Particular attention should be given to the supplemental benefit requirements. Although in most cases the payment or provision of supplements is straight time for all hours worked, some classifications require the payment or provision of supplements, or a portion of the supplements, to be paid or provided at a premium rate for premium hours worked. Supplements may also be required to be paid or provided on paid holidays, regardless of whether the day is worked. The Overtime Codes and Notes listed on the particular wage classification will indicate these conditions as required.

Effective Dates

When you review the schedule for a particular occupation, your attention should be directed to the dates above the column of rates. These are the dates for which a given set of rates is effective. The rate listed is valid until the next effective rate change or until the new annual determination which takes effect on July 1 of each year. All contractors and subcontractors are required to pay the current prevailing rates of wages and supplements. If you have any questions please contact the Bureau of Public Work or visit the New York State Department of Labor website (www.labor.ny.gov) for current wage rate information.

Apprentice Training Ratios

The following are the allowable ratios of registered Apprentices to Journey-workers.

For example, the ratio 1:1,1:3 indicates the allowable initial ratio is one Apprentice to one Journeyworker. The Journeyworker must be in place on the project before an Apprentice is allowed. Then three additional Journeyworkers are needed before a second Apprentice is allowed. The last ratio repeats indefinitely. Therefore, three more Journeyworkers must be present before a third Apprentice can be hired, and so on.

Please call Apprentice Training Central Office at (518) 457-6820 if you have any questions.

Title (Trade)	Ratio
Boilermaker (Construction)	1:1,1:4
Boilermaker (Shop)	1:1,1:3
Carpenter (Bldg.,H&H, Pile Driver/Dockbuilder)	1:1,1:4
Carpenter (Residential)	1:1,1:3
Electrical (Outside) Lineman	1:1,1:2
Electrician (Inside)	1:1,1:3
Elevator/Escalator Construction & Modernizer	1:1,1:2
Glazier	1:1,1:3
Insulation & Asbestos Worker	1:1,1:3
Iron Worker	1:1,1:4
Laborer	1:1,1:3
Mason	1:1,1:4
Millwright	1:1,1:4
Op Engineer	1:1,1:5
Painter	1:1,1:3
Plumber & Steamfitter	1:1,1:3
Roofer	1:1,1:2
Sheet Metal Worker	1:1,1:3
Sprinkler Fitter	1:1,1:2

If you have any questions concerning the attached schedule or would like additional information, please contact the nearest BUREAU of PUBLIC WORK District Office or write to:

New York State Department of Labor
Bureau of Public Work
State Office Campus, Bldg. 12
Albany, NY 12240

District Office Locations:	Telephone #	FAX #
Bureau of Public Work - Albany	518-457-2744	518-485-0240
Bureau of Public Work - Binghamton	607-721-8005	607-721-8004
Bureau of Public Work - Buffalo	716-847-7159	716-847-7650
Bureau of Public Work - Garden City	516-228-3915	516-794-3518
Bureau of Public Work - Newburgh	845-568-5287	845-568-5332
Bureau of Public Work - New York City	212-932-2419	212-775-3579
Bureau of Public Work - Patchogue	631-687-4882	631-687-4902
Bureau of Public Work - Rochester	585-258-4505	585-258-4708
Bureau of Public Work - Syracuse	315-428-4056	315-428-4671
Bureau of Public Work - Utica	315-793-2314	315-793-2514
Bureau of Public Work - White Plains	914-997-9507	914-997-9523
Bureau of Public Work - Central Office	518-457-5589	518-485-1870

Westchester County General Construction

Boilermaker **03/01/2020**

JOB DESCRIPTION Boilermaker

DISTRICT 4

ENTIRE COUNTIES

Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester

WAGES

Per Hour:	07/01/2019	01/01/2020
Boilermaker	\$ 59.17	\$ 61.24
Repairs & Renovations	59.17	61.24

SUPPLEMENTAL BENEFITS

Per Hour:	07/01/2019	01/01/2020
Boilermaker	32% of hourly	32% of hourly
Repair \$ Renovations	Wage Paid + \$ 25.35	Wage Paid + \$ 25.38

NOTE: "Hourly Wage Paid" shall include any and all premium(s) pay.

Repairs & Renovation Includes replacement of parts and repairs & renovation of existing unit.

OVERTIME PAY

See (D, O) on OVERTIME PAGE
 Repairs & Renovation see (B,E,Q)

HOLIDAY

Paid: See (8, 16, 23, 24) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 11, 12, 15, 16, 22, 23, 24, 25) on HOLIDAY PAGE

NOTE: *Employee must work in pay week to receive Holiday Pay.
 **Employee gets 4 times the hourly wage rate for working Labor Day.

REGISTERED APPRENTICES

Wage per hour:
 (1/2) Year Terms at the following percentage of Boilermaker's Wage

1st	2nd	3rd	4th	5th	6th	7th
65%	70%	75%	80%	85%	90%	95%

Supplemental Benefits Per Hour:

	07/01/2019	01/01/2020
Apprentice(s)	32% of Hourly Wage Paid Plus Amount Below	32% of Hourly Wage Paid Plus Amount Below
1st Term	\$ 19.38	\$ 19.41
2nd Term	20.24	20.26
3rd Term	21.08	21.11
4th Term	21.94	21.96
5th Term	22.79	22.82
6th Term	23.65	23.68
7th Term	24.48	24.52

NOTE: "Hourly Wage Paid" shall include any and all premium(s)

4-5

Carpenter **03/01/2020**

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester

WAGES

Per hour: 07/01/2019

Piledriver	\$ 54.63
Dockbuilder	\$ 54.63

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker \$ 51.63

OVERTIME PAY

See (B, E2, O) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE.

Paid: for 1st & 2nd yr.

Apprentices See (5,6,11,13,25)

Overtime: See (5,6,11,13,25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

Wages per hour

(1)year terms:

	1st	2nd	3rd	4th
	\$21.85	\$27.32	\$35.51	\$43.70

Supplemental benefits per hour:

All Terms: \$ 33.97

8-1556 Db

Carpenter

03/01/2020

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, Westchester

WAGES

Per hour: 07/01/2019

Carpet/Resilient

Floor Coverer \$ 50.50

INCLUDES HANDLING & INSTALLATION OF ARTIFICIAL TURF AND SIMILAR TURF INDOORS/OUTDOORS.

SUPPLEMENTAL BENEFITS

Per hour:

\$ 45.83

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (18, 19) on HOLIDAY PAGE.

Paid for 1st & 2nd yr.

Apprentices See (5,6,11,13,16,18,19,25)

Overtime: See (5,6,11,13,16,18,19,25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

Wage per hour - (1) year terms:

	1st	2nd	3rd	4th
	\$20.20	\$25.25	\$32.83	\$40.40

Supplemental benefits per hour - all apprentice terms:

\$ 31.09

8-2287

Carpenter

03/01/2020

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester

WAGES

Per Hour: 07/01/2019

Marine Construction:

Marine Diver \$ 69.22
Marine Tender 49.14

SUPPLEMENTAL BENEFITS

Per Hour:

Journeyworker \$ 51.58

OVERTIME PAY

See (B, E, E2, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (18, 19) on HOLIDAY PAGE
Overtime: See (5, 6, 10, 11, 13, 16, 18, 19) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wages per hour:
One (1) year terms.

1st year \$ 21.85
2nd year 27.32
3rd year 35.51
4th year 43.70

Supplemental Benefits
Per Hour:

All terms \$ 33.97

8-1456MC

Carpenter

03/01/2020

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester

WAGES

Per hour: 07/01/2019

Building
Millwright \$ 54.20

SUPPLEMENTAL BENEFITS

Per hour:

Millwright \$ 53.66

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (18,19) on HOLIDAY PAGE.
Overtime See (5,6,8,11,13,18,19,25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

Wages per hour:

One (1) year terms:

1st. 2nd. 3rd. 4th.
\$29.16 \$34.46 \$39.76 \$50.36

Supplemental benefits per hour:

One (1) year terms:

1st.	2nd.	3rd.	4th.
\$34.51	\$38.16	\$42.46	\$49.12

8-740.1

Carpenter

03/01/2020

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

WAGES

Per Hour:

07/01/2019

Timberman

\$ 50.05

SUPPLEMENTAL BENEFITS

Per Hour:

07/01/2019

\$ 50.88

OVERTIME PAY

See (B, E, E2, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE.

Paid: for 1st & 2nd yr.

Apprentices See (5,6,11,13,25)

Overtime: See (5,6,11,13,25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

Wages per hour:

One (1) year terms:

1st	2nd	3rd	4th
\$20.02	\$25.03	\$32.53	\$40.04

Supplemental benefits per hour:

All terms \$ 33.61

8-1556 Tm

Carpenter

03/01/2020

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Westchester

PARTIAL COUNTIES

Orange: South of but including the following, Waterloo Mills, Slate Hill, New Hampton, Goshen, Blooming Grove, Mountainville, east to the Hudson River.

Putnam: South of but including the following, Cold Spring, TompkinsCorner, Mahopac, Croton Falls, east to Connecticut border.

Suffolk: West of Port Jefferson and Patchogue Road to Route 112 to the Atlantic Ocean.

WAGES

Per hour: 07/01/2019 10/18/2019

Core Drilling:

Driller \$ 40.44 \$41.19

Driller Helper 32.12 32.62

Note: Hazardous Waste Pay Differential:

For Level C, an additional 10% above wage rate per hour

For Level B, an additional 10% above wage rate per hour

For Level A, an additional 10% above wage rate per hour

Note: When required to work on water: an additional \$ 0.50 per hour.

SUPPLEMENTAL BENEFITS

Per hour: 07/01/2019 10/18/2019

Driller and Helper \$ 26.70 \$ 27.95

OVERTIME PAY

OVERTIME: See (B,E,K*,P,R**) on OVERTIME PAGE.

HOLIDAY

Paid: See (5,6) on HOLIDAY PAGE.

Overtime: * See (5,6) on HOLIDAY PAGE.

** See (8,10,11,13) on HOLIDAY PAGE.

8-1536-CoreDriller

Carpenter - Building / Heavy&Highway

03/01/2020

JOB DESCRIPTION Carpenter - Building / Heavy&Highway

DISTRICT 11

ENTIRE COUNTIES

Putnam, Rockland, Westchester

WAGES

WAGES:(per hour)

	07/01/2019	07/01/2020	07/01/2021
BUILDING/HEAVY & HIGHWAY/TUNNEL:		Additional	Additional
Carpenter	\$ 37.69	\$ 0.40	\$ 0.40
	+ 7.61*		

* Amount paid on all hours, it is not subject to overtime premium

SHIFT DIFFERENTIAL: When it is mandated by a Government Agency irregular or off shift can be worked. The Carpenter shall receive an additional fifteen percent (15%) of wage plus applicable benefits.

NOTE:Carpenters employed in the removal or abatement of asbestos or any toxic or hazardous material or required to work near asbestos or any toxic or hazardous material and required to wear protective equipment shall receive two (2) hours extra pay per day, plus applicable supplemental benefits.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker \$ 31.13

OVERTIME PAY

BUILDING:

See (B, E, Q) on OVERTIME PAGE.

HEAVY&HIGHWAY/TUNNEL:

See (B, E, P, *R, **T, X) on OVERTIME PAGE.

*R applies to Heavy&Highway/Tunnel Overtime Holiday Code 25 with benefits at straight time rate.

**T applies to Heavy&Highway/Tunnel Overtime Holiday Codes 5 & 6 with benefits at straight time rate.

HOLIDAY

BUILDING:

Paid: See (1) on HOLIDAY PAGE.

Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE.

Holidays that fall on Sunday will be observed Monday.

HEAVY&HIGHWAY/TUNNEL:

Paid: See (5, 6, 25) on HOLIDAY PAGE including benefits.

Overtime: See (5, 6, 25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

1 year terms at the following wage rates:

Indentured after July 1 2016

1st	2nd	3rd	4th	5th
\$18.85	\$22.61	\$24.50	\$26.38	\$30.15
+ 3.55*	+ 3.55*	+ 3.55*	+ 3.55*	+ 3.55*

Indentured before July 1 2016

1st	2nd	3rd	4th
\$18.85	\$22.61	\$26.38	\$30.15
+ 3.55*	+ 3.55*	+ 3.55*	+ 3.55*

* Amount paid on all hours, it is not subject to overtime premium

SUPPLEMENTAL BENEFITS per hour:

All terms \$ 16.33

11-279.1B/HH

Electrician

03/01/2020

JOB DESCRIPTION Electrician

DISTRICT 9

ENTIRE COUNTIES

Bronx, Kings, New York, Queens, Richmond, Westchester

WAGES

Per hour: 07/01/2019

Service Technician \$ 32.40

Service and Maintenance on Alarm and Security Systems.

Maintenance, repair and /or replacement of defective (or damaged) equipment on, but not limited to, Burglar - Fire - Security - CCTV - Card Access - Life Safety Systems and associated devices. (Whether by service contract of T&M by customer request.)

SUPPLEMENTAL BENEFITS

Per hour:
Journeyworker: \$ 16.10

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
Overtime: See (5, 6, 11, 15, 16, 25, 26) on HOLIDAY PAGE

9-3H

Electrician

03/01/2020

JOB DESCRIPTION Electrician

DISTRICT 8

ENTIRE COUNTIES

Westchester

WAGES

Per hour: 07/01/2019

Electrician/A-Technician \$ 52.75

Teledata \$ 52.75

Note: On a job where employees are required to work on bridges over navigable waters, transmission towers, light poles, bosun chairs, swinging scaffolds, etc. 40 feet or more above the water or ground or under compressed air, or tunnel projects under construction or where assisted breathing apparatus is required, they will be paid at the rate of time and one-half for such work except on normal pole line or building construction work.

SUPPLEMENTAL BENEFITS

Per hour: 7/01/2019
Journeyworker \$ 50.55

OVERTIME PAY

See (A, G, *J, P) on OVERTIME PAGE

*NOTE: Emergency work on Sunday and Holidays is at the time and one-half overtime rate.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
Overtime: See (5, 6, 8, 11, 15, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

(1) year terms at the following wage rates:

07/01/2019
1st term \$ 13.00
2nd term 15.00
3rd term 17.00
4th term 19.00

MIJ 1-12 months	23.00
MIJ 13-18 months	26.50

Supplemental Benefits per hour:

	07/01/2019
1st term	\$ 9.49
2nd term	12.39
3rd term	13.73
4th term	15.06
MIJ 1-12 months	12.08
MIJ 13-18 months	13.38

8-3/W

Electrician **03/01/2020**

JOB DESCRIPTION Electrician

DISTRICT 8

ENTIRE COUNTIES

Westchester

WAGES

07/01/2019

Electrician	\$ 26.50
H - Telephone	\$ 26.50

Electrical and Teledata work of limited scope, consisting of repairs and /or replacement of defective electrical and teledata equipment.
 - Includes all work necessary to retrofit, service, maintain and repair all kinds of lighting fixtures and local lighting controls and washing and cleaning of foregoing fixtures.

See Electrician/A Technician classification for all new installations of wiring, conduit, junction boxes and light fixtures.

SUPPLEMENTAL BENEFITS

07/01/2019

Electrician &	
H - Telephone	\$ 13.38

OVERTIME PAY

See (B, G, *J, P) on OVERTIME PAGE

*Note: Emergency work on Sunday and Holidays is at the time and one-half overtime rate.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 11, 15, 16, 25) on HOLIDAY PAGE

8-3m

Elevator Constructor **03/01/2020**

JOB DESCRIPTION Elevator Constructor

DISTRICT 4

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk

PARTIAL COUNTIES

Rockland: Entire County except for the Township of Stony Point

Westchester: Entire County except for the Townships of Bedford, Lewisboro, Cortland, Mt. Kisco, North Salem, Pound Ridge, Somers and Yorktown.

WAGES

Per hour:

	07/01/2019	03/17/2020
Elevator Constructor	\$ 66.95	\$ 69.56
Modernization & Service/Repair	\$ 52.44	\$ 54.56

SUPPLEMENTAL BENEFITS

Per Hour:

Elevator Constructor	\$ 40.93	\$ 41.92
Modernization & Service/Repairs	\$ 39.90	\$ 40.86

OVERTIME PAY

Constructor See (D, M, T) on OVERTIME PAGE.

Modern/Service See (B, F, S) on OVERTIME PAGE.

HOLIDAY

Paid: See (5, 6, 8, 11, 15, 16, 25) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 11, 15, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

WAGES PER HOUR:

*Note:1st Term is based on Average wage of Constructor & Modernization.
 Terms 2 thru 4 Based on Journeymans wage of classification Working in.

1 YEAR TERMS:

1st Term*	2nd Term	3rd Term	4th Term
50%	55%	65%	75%

SUPPLEMENTAL BENEFITS

Elevator Constructor

1st Term	\$ 32.72	\$ 33.38
2nd Term	33.51	34.20
3rd Term	34.80	35.55
4th Term	36.09	36.89

Modernization &
 Service/Repair

1st Term	\$ 32.66	\$ 33.33
2nd Term	33.13	33.82
3rd Term	34.36	35.09
4th Term	35.58	36.36

4-1

Elevator Constructor

03/01/2020

JOB DESCRIPTION Elevator Constructor

DISTRICT 1

ENTIRE COUNTIES

Columbia, Dutchess, Greene, Orange, Putnam, Sullivan, Ulster

PARTIAL COUNTIES

Delaware: Towns of Andes, Bovina, Colchester, Davenport, Delhi, Harpersfield, Hemdon, Kortright, Meredith, Middletown, Roxbury, Hancock & Stamford

Rockland: Only the Township of Stony Point.

Westchester: Only the Townships of Bedford, Lewisboro, Cortland, Mt. Kisco, North Salem, Pound Ridge, Somers and Yorktown.

WAGES

Per Hour	07/01/2019	01/01/2020
Mechanic	\$ 58.57	\$ 60.49
Helper	70% of Mechanic Wage Rate	70% of Mechanic Wage Rate

Four (4), ten (10) hour days may be worked for New Construction and Modernization Work at straight time during a week, Monday thru Thursday or Tuesday thru Friday.

***Four (4), ten (10) hour days are not permitted for Contract Work/Repair Work

NOTE - In order to use the '4 Day/10 Hour Work Schedule' as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule', form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour	07/01/2019	01/01/2020
Journeyman/Helper	\$ 33.705*	\$ 34.825*

(*)Plus 6% of regular hourly if less than 5 years of service. Plus 8% of regular hourly rate if more than 5 years of service.

OVERTIME PAY

See (D, O) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 15, 16) on HOLIDAY PAGE
Overtime: See (5, 6, 15, 16) on HOLIDAY PAGE

Note: When a paid holiday falls on Saturday, it shall be observed on Friday. When a paid holiday falls on Sunday, it shall be observed on Monday.

REGISTERED APPRENTICES

Wages per hour:				
0-6 mo*	6-12 mo	2nd yr	3rd yr	4th yr
50 %	55 %	65 %	70 %	80 %

(*)Plus 6% of the hourly rate, no additional supplemental benefits.

Supplemental Benefits per hour worked:

Same as Journeyman/Helper

1-138

Glazier **03/01/2020**

JOB DESCRIPTION Glazier

DISTRICT 8

ENTIRE COUNTIES

Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester

WAGES

Per hour: 7/01/2019

Glazier	\$ 56.25
*Scaffolding	57.25
Glass Tinting & Window Film	28.74
**Repair & Maintenance	28.74

*Scaffolding includes swing scaffold, mechanical equipment, scissor jacks, man lifts, booms & buckets 24' or more, but not pipe scaffolding.

**Repair & Maintenance- All repair & maintenance work on a particular building, whenever performed, where the total cumulative contract value is under \$148,837. All Glass tinting, window film, regardless of material or intended use, and all affixing of decals to windows or glass.

SUPPLEMENTAL BENEFITS

Per hour: 7/01/2019

Journeyworker	\$ 33.39
Glass tinting & Window Film	19.39
Repair & Maintenance	19.39

OVERTIME PAY

See (B,H,V) on OVERTIME PAGE.

For 'Repair & Maintenance' and 'Glass Tinting & Window Film' see (B, B2, I, S) on overtime page.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
Overtime: See (4, 6, 16, 25) on HOLIDAY PAGE

For 'Repair & Maintenance' and 'Glass Tinting & Window Film' Only

Paid: See(5, 6, 16, 25)
Overtime: See(5, 6, 16, 25)

REGISTERED APPRENTICES

Wage per hour:
(1) year terms at the following wage rates:

7/01/2019

1st term	\$ 19.44
2nd term	27.59
3rd term	33.35
4th term	44.77

Supplemental Benefits:
 (Per hour)

1st term	\$ 15.86
2nd term	22.12
3rd term	24.41
4th term	28.76

8-1087 (DC9 NYC)

Insulator - Heat & Frost

03/01/2020

JOB DESCRIPTION Insulator - Heat & Frost

DISTRICT 8

ENTIRE COUNTIES
 Dutchess, Orange, Putnam, Rockland, Westchester

WAGES

Per hour: 07/01/2019

Insulator	\$ 54.00
Discomfort & Additional Training**	\$ 56.94
Fire Stop Work*	\$ 28.94

* Applies on all exclusive Fire Stop Work (When contract is for Fire Stop work only). No apprentices on these contracts only.

**Applies to work requiring; garb or equipment worn against the body not customarily worn by insulators; psychological evaluation; special training, including but not limited to "Yellow Badge" radiation training

Note: Additional \$0.50 per hour for work 30 feet or more above floor or ground level.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker	\$ 33.35
Discomfort & Additional Training	\$ 35.27
Fire Stop Work: Journeyworker	\$ 17.02

OVERTIME PAY
 See (B, E, E2, Q, *T) on OVERTIME PAGE

HOLIDAY
 Paid: See (1) on HOLIDAY PAGE

Note: Last working day preceding Christmas and New Years day, workers shall work no later than 12:00 noon and shall receive 8 hrs pay.

Overtime: See (2*, 4, 6, 16, 25) on HOLIDAY PAGE.

*Note: Labor Day triple time if worked.

REGISTERED APPRENTICES

(1) year terms:

Insulator Apprentices:

1st	2nd	3rd	4th
\$ 28.94	\$ 33.95	\$ 38.96	\$ 43.98

Discomfort & Additional Training Apprentices:

1st	2nd	3rd	4th
\$ 30.41	\$ 35.71	\$ 41.02	\$ 46.33

Supplemental Benefits paid per hour:

Insulator Apprentices:

1st term	\$ 17.02
2nd term	20.28
3rd term	23.55
4th term	26.82

Discomfort & Additional Training Apprentices:

1st term	\$ 17.98
2nd term	21.43
3rd term	24.90
4th term	28.36

8-91

Ironworker

03/01/2020

JOB DESCRIPTION Ironworker

DISTRICT 9

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

WAGES

Per Hour: 07/01/2019

Ironworker Rigger \$ 62.84

Ironworker Stone
 Derrickman \$ 62.84

SUPPLEMENTAL BENEFITS

Per hour: \$ 39.79

OVERTIME PAY

See (B, D1, *E, Q, **V) on OVERTIME PAGE

*Time and one-half shall be paid for all work on Saturday up to eight (8) hours and double time shall be paid for all work thereafter.

** Benefits same premium as wages on Holidays only

HOLIDAY

Paid: See (18) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 25) on HOLIDAY PAGE

*Work stops at schedule lunch break with full day's pay.

REGISTERED APPRENTICES

Wage per hour:

1/2 year terms at the following hourly wage rate:

	1st	2nd	3rd	4th	5th	6th
07/01/2018	\$31.42	\$31.42	\$44.54	\$43.07	\$54.41	\$54.41

Supplemental benefits:

Per hour:	\$19.97	\$19.97	\$30.02	\$30.02	\$30.02	\$30.02
-----------	---------	---------	---------	---------	---------	---------

9-197D/R

Ironworker

03/01/2020

JOB DESCRIPTION Ironworker

DISTRICT 4

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

WAGES

Per Hour: 07/01/2019 01/01/2020

Ornamental \$ 45.15 \$ 45.40

Chain Link Fence \$ 45.15 \$ 45.40

Guide Rail \$ 45.15 \$ 45.40

SUPPLEMENTAL BENEFITS

Per hour:
 Journeyworker: \$ 56.05 \$ 57.05

OVERTIME PAY

See (B, B1, Q, V) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

Apprentices hired before 8/31/2018:

(1/2) year terms at the following percentage of Journeyman's wage.

4th 5th
 70% 80%

Supplemental Benefits per hour:

4th Term	\$ 48.15	\$ 49.00
5th Term	50.78	51.68

Apprentices Hired after 9/1/18:
 1 year terms

1st Term	\$ 20.663	\$ 21.13
2nd Term	24.22	24.77
3rd Term	TBD	36.32
4th Term	TBD	TBD

Supplemental Benefits per hour:

1st Term	\$ 17.89	\$ 17.89
2nd Term	19.14	19.14
3rd Term	TBD	51.68
4th Term	TBD	TBD

4-580-Or

Ironworker **03/01/2020**

JOB DESCRIPTION Ironworker

DISTRICT 4

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

WAGES

PER HOUR:

07/01/2019	01/01/2020
------------	------------

Ironworker:

Structural	\$ 51.45	\$ 51.95
Bridges		
Machinery		

SUPPLEMENTAL BENEFITS

PER HOUR:

Journeyman	\$ 78.43	\$ 80.35
------------	----------	----------

OVERTIME PAY

See (B, B1, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 18, 19) on HOLIDAY PAGE

REGISTERED APPRENTICES

WAGES PER HOUR:

6 month terms at the following rate:

1st	\$26.82	\$27.07
2nd	\$27.42	\$27.67
3rd - 6th	\$28.03	\$28.28

Supplemental Benefits

PER HOUR:

All Terms	\$54.54	\$55.38
-----------	---------	---------

4-40/361-Str

Ironworker **03/01/2020**

JOB DESCRIPTION Ironworker

DISTRICT 4

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

PARTIAL COUNTIES

Rockland: Southern section - south of Convent Road and east of Blue Hills Road.

WAGES

Per hour:	07/01/2019
Reinforcing & Metal Lathing	\$ 56.23
"Base" Wage	\$ 54.65 plus \$ 1.58

"Base" Wage is used to calculate overtime hours only.

SUPPLEMENTAL BENEFITS

Per hour:	
Reinforcing & Metal Lathing	\$ 35.30

OVERTIME PAY

See (B, E, Q, *X) on OVERTIME PAGE
 *Only \$22.00 per Hour for non worked hours

Supplemental Benefit Premiums for Overtime Hours worked:

Time & One Half	\$ 41.55
Double Time	\$ 47.80

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 11, 13, 18, 19, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

(1) year terms at the following wage rates:
 Wages Per Hour:

1st term	2nd term	3rd term	4th Term
\$ 26.38	\$ 30.38	\$ 35.38	\$ 37.38

SUPPLEMENTAL BENEFITS

Per Hour:			
1st term	2nd term	3rd term	4th Term
\$ 15.37	\$ 17.37	\$ 19.33	\$ 20.33

4-46Reinf

Laborer - Building	03/01/2020
---------------------------	-------------------

JOB DESCRIPTION Laborer - Building

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

WAGES

	07/01/2019
Laborer	\$ 39.90
Laborer - Asbestos & Hazardous Materials Removal	\$ 41.55*

* Abatement/Removal of:
 - Lead based or lead containing paint on materials to be repainted is classified as Painter.
 - Asbestos containing roofs and roofing material is classified as Roofer.

NOTE: Upgrade/Material condition work plan for work performed during non-outage under a wage formula of 90% wage/100% fringe benefits at nuclear power plants.

SUPPLEMENTAL BENEFITS

Per hour:	07/01/2019
Journeyworker	\$ 26.30

OVERTIME PAY

See (B, E, E2, Q, *V) on OVERTIME PAGE

*Note: For Sundays and Holidays worked benefits are at the same premium as wages.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

LABORER ONLY

Hourly terms at the following wage:

Level A	Level B	Level C	Level D	Level E
0-1000	1001-2000	2001-3000	3001-4000	4001+
\$ 23.90	\$ 27.50	\$ 31.50	\$ 38.00	\$ 39.80

Supplemental Benefits per hour:

Apprentices

Level A	\$ 12.35
Level B	15.20
Level C	17.80
Level D	18.20
Level E	26.40

8-235/B

Laborer - Heavy&Highway

03/01/2020

JOB DESCRIPTION Laborer - Heavy&Highway

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

WAGES

PUTNAM: APPLIES TO ALL HEAVY & HIGHWAY WORK EXCLUDING HIGHWAYS, STREETS, AND BRIDGES

GROUP I: Blaster and Quarry Master

GROUP II: Burner, Drillers(jumbo, joy, wagon, air track, hydraulic), Drill Operator, Self Contained Rotary Drill, Curbs/ Asphalt Screedman/Raker, Bar Person.

GROUP III: Pavement Breakers, Jeeper Operator, Jack Hammer, Pneumatic Tools (all), Gas Driller, Guniting, Railroad Spike Puller, Pipelayer, Chain Saw, Deck winches on scows, Power Buggy Operator, Power Wheelbarrow Operator, Bar Person Helper.

GROUP IV: Concrete Laborers, Asph. Worker, Rock Scaler, Vibrator Oper., Bit Grinder, Air Tamper, Pumps, Epoxy (adhesives, fillers and troweled on), Barco Rammer, Concrete Grinder, Crack Router Operator, Guide Rail-digging holes and placing concrete and demolition when not to be replaced, distribution of materials and tightening of bolts.

GROUP V: Drillers Helpers, Common Laborer, Mason Tenders, Signal Person, Pit Person, Truck Spotter, Powder Person, Landscape/Nursery Person, Dump Person, Temp. Heat.

GROUP VIA: Asbestos/Toxic Waste Laborer-All removal (Roads, Tunnels, Landfills, etc.) Confined space laborer

Wages:(per hour)	07/01/2019	03/29/2020 Additional
GROUP I	\$43.28*	\$ 2.25
GROUP II	41.93*	
GROUP III	41.53*	
GROUP IV	41.18*	
GROUP V	40.83*	
GROUP VIA	42.83*	
Operator Qualified		
Gas Mechanic	53.28*	
Flagperson	34.48*	

*NOTE: To calculate overtime premiums, deduct \$0.10 from above wages

SHIFT WORK: A shift premium will be paid on Public Work contracts for off-shift or irregular shift work when mandated by the NYS D.O.T. or other Governmental Agency contracts. Employees shall receive an additional 15% per hour above current rate for all regular and irregular shift work. Premium pay shall be calculated using the 15% per hour differential as base rate.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker:

First 40 Hours	
Per Hour	\$23.32
Over 40 Hours	
Per Hour	17.42

OVERTIME PAY

See (B, E, P, R, S) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

NOTE: For Holiday Overtime: 5, 6 - Code 'S' applies
 For Holiday Overtime: 8, 9, 15, 25 - Code 'R' applies

REGISTERED APPRENTICES

	1st term	2nd term	3rd term	4th term
	1-1000hrs	1001-2000hrs	2001-3000hrs	3001-4000hrs
07/01/2019	\$ 23.26	\$ 27.44	\$ 31.62	\$ 35.71

Supplemental Benefits per hour:

1st term	\$ 3.85 - After 40 hours: \$ 3.60
2nd term	\$ 3.95 - After 40 hours: \$ 3.60
3rd term	\$ 4.45 - After 40 hours: \$ 4.00
4th term	\$ 5.00 - After 40 hours: \$ 4.50

8-60H/H

Laborer - Tunnel

03/01/2020

JOB DESCRIPTION Laborer - Tunnel

DISTRICT 11

ENTIRE COUNTIES

Columbia, Dutchess, Greene, Orange, Otsego, Putnam, Rockland, Sullivan, Ulster, Westchester

PARTIAL COUNTIES

Chenango: Townships of Columbus, Sherburne and New Berlin.

Delaware: Townships of Andes, Bovina, Middletown, Roxbury, Franklin, Hamden, Stamford, Delhi, Kortright, Harpersfield, Merideth and Davenport.

WAGES

Class 1: All support laborers/sandhogs working above the shaft or tunnel.

Class 2: All laborers/sandhogs working in the shaft or tunnel.

Class 4: Safety Miners

Class 5: Site work related to Shaft/Tunnel

WAGES: (per hour)

	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Class 1	\$ 49.05	\$ 50.45	\$ 51.95	\$ 53.45
Class 2	51.20	52.60	54.10	55.60
Class 4	57.60	59.00	60.50	62.00
Class 5	41.00	42.25	43.50	44.80

Toxic and hazardous waste, lead abatement and asbestos abatement work will be paid an additional \$ 3.00 an hour.

SHIFT DIFFERENTIAL...On all Government mandated irregular shift work:

- Employee shall be paid at time and one half the regular rate Monday through Friday.
- Saturday shall be paid at 1.65 times the regular rate.
- Sunday shall be paid at 2.15 times the regular rate.

SUPPLEMENTAL BENEFITS

Per hour:

Benefit 1	\$ 31.03	\$ 32.15	\$ 33.25	\$ 34.45
Benefit 2	46.48	48.15	49.80	51.60

Benefit 3	61.93	64.15	66.35	68.75
-----------	-------	-------	-------	-------

Benefit 1 applies to straight time hours, paid holidays not worked.
 Benefit 2 applies to over 8 hours in a day (M-F), irregular shift work hours worked, and Saturday hours worked.
 Benefit 3 applies to Sunday and Holiday hours worked.

OVERTIME PAY

See (B, E, Q, X) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 15, 25) on HOLIDAY PAGE
 Overtime: See (5, 6, 15, 16, 25) on HOLIDAY PAGE

When a recognized Holidays falls on Saturday or Sunday, holidays falling on Saturday shall be recognized or observed on Friday and holidays falling on Sunday shall be recognized or observed on Monday. Employees ordered to work on the Saturday or Sunday of the holiday or on the recognized or the observed Friday or Monday for those holidays falling on Saturday or Sunday shall receive double time the established rate and benefits for the holiday.

REGISTERED APPRENTICES

FOR APPRENTICE RATES, refer to the appropriate Laborer Heavy & Highway wage rate contained in the wage schedule for the County and location where the work is to be performed.

11-17/60/235/754Tun

Lineman Electrician	03/01/2020
----------------------------	-------------------

JOB DESCRIPTION Lineman Electrician

DISTRICT 6

ENTIRE COUNTIES

Westchester

WAGES

Below rates apply to electrical overhead and underground distribution and maintenance work and overhead and underground transmission line work, electrical substations, switching structures, continuous pipe-type underground fluid or gas filled transmission conduit and cable installations, maintenance jobs or projects, railroad catenary installations and maintenance, third rail installations, the bonding of rails and the installation of fiber optic cable. (Ref #14.04.01)

Includes Teledata Work performed within ten (10) feet of high voltage (600 volts or over) transmission lines.

Per hour:	07/01/2019	05/04/2020
Lineman, Tech, Welder	\$ 54.81	\$ 56.51
Crane, Crawler Backhoe	54.81	56.51
Cable Splicer-Pipe Type	60.29	62.16
Digging Mach Operator	49.33	50.86
Cert. Welder-Pipe Type	57.55	59.34
Tractor Trailer Driver	46.59	48.03
Groundman, Truck Driver	43.85	45.21
Equipment Mechanic	43.85	45.21
Flagman	32.89	33.91

Additional \$1.00 per hour for entire crew when a helicopter is used.

NOTE: THE FOLLOWING RATES WILL APPLY ON ALL CONTRACTING AGENCY MANDATED MULTIPLE SHIFTS OF AT LEAST FIVE (5) DAYS DURATION WORKED BETWEEN THE HOURS LISTED BELOW:

1ST SHIFT	8:00 AM TO 4:30 PM REGULAR RATE
2ND SHIFT	4:30 PM TO 1:00 AM REGULAR RATE PLUS 17.3%
3RD SHIFT	12:30 AM TO 9:00 AM REGULAR RATE PLUS 31.4%

**** IMPORTANT NOTICE ****

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday. Friday may be used as a make-up day.

*Effective 05/06/2013, Tuesday thru Friday may be worked with no make-up day.

NOTE - In order to use the '4 Day/10 Hour Work schedule', as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour worked (but also required on non-worked holidays):

Journeyman	\$ 24.15	\$ 24.90
	*plus 6.75% of hourly wage	*plus 6.75% of hourly wage

*The 6.75% is based on the hourly wage paid, straight time or premium time.

OVERTIME PAY

See (B, E, Q,) on OVERTIME PAGE. *Note* Double time for emergency work designated by the Dept of Jurisdiction.
 NOTE: WAGE CAP...Double the straight time hourly base wage shall be the maximum hourly wage compensation for any hour worked.
 Contractor is still responsible to pay the hourly benefit amount for each hour worked.

HOLIDAY

Paid See (5, 6, 8, 13, 25) on HOLIDAY PAGE plus Governor of NYS Election Day.
 Overtime See (5, 6, 8, 13, 25) on HOLIDAY PAGE plus Governor of NYS Election Day.

NOTE: All paid holidays falling on Saturday shall be observed on the preceding Friday. All paid holidays falling on Sunday shall be observed on the following Monday. Supplements for holidays paid at straight time.

REGISTERED APPRENTICES

WAGES: Per hour. 1000 hour terms.

	07/01/2019	05/04/2020
1st term	\$ 32.89	\$ 33.91
2nd term	35.63	36.73
3rd term	38.37	39.56
4th term	41.11	42.38
5th term	43.85	45.21
6th term	46.59	48.03
7th term	49.33	50.86

SUPPLEMENTAL BENEFITS: Same as Journeyman

6-1249aWest

Lineman Electrician - Teledata

03/01/2020

JOB DESCRIPTION Lineman Electrician - Teledata

DISTRICT 6

ENTIRE COUNTIES

Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

WAGES

Per hour:

For outside work, stopping at first point of attachment (demarcation).

	07/01/2019	01/01/2020	01/01/2021
Cable Splicer	\$ 32.78	\$ 33.77	\$ 34.78
Installer, Repairman	\$ 31.12	\$ 32.05	\$ 33.01
Teledata Lineman	\$ 31.12	\$ 32.05	\$ 33.01
Tech., Equip. Operator	\$ 31.12	\$ 32.05	\$ 33.01
Groundman	\$ 16.49	\$ 16.99	\$ 17.50

NOTE: EXCLUDES Teledata work within ten (10) feet of High Voltage (600 volts and over) transmission lines. For this work please see LINEMAN.

NOTE: THE FOLLOWING RATES WILL APPLY ON ALL CONTRACTING AGENCY MANDATED MULTIPLE SHIFTS OF AT LEAST FIVE (5) DAYS DURATION WORKED:

1ST SHIFT	REGULAR RATE
2ND SHIFT	REGULAR RATE PLUS 10%
3RD SHIFT	REGULAR RATE PLUS 15%

SUPPLEMENTAL BENEFITS

Per hour:

Journeyman	\$ 4.73	\$ 4.73	\$ 4.73
	*plus 3% of wage paid	*plus 3% of wage paid	*plus 3% of wage paid

*The 3% is based on the hourly wage paid, straight time rate or premium rate.

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

NOTE: WAGE CAP...Double the straight time hourly base wage shall be the maximum hourly wage compensation for any hour worked. Contractor is still responsible to pay the hourly benefit amount for each hour worked.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 16) on HOLIDAY PAGE

6-1249LT - Teledata

Lineman Electrician - Traffic Signal, Lighting **03/01/2020**

JOB DESCRIPTION Lineman Electrician - Traffic Signal, Lighting **DISTRICT 6**

ENTIRE COUNTIES

Westchester

WAGES

Lineman/Technician shall perform all overhead aerial work. A Lineman/Technician on the ground will install all electrical panels, connect all grounds, install and connect all electrical conductors which includes, but is not limited to road loop wires; conduit and plastic or other type pipes that carry conductors, flex cables and connectors, and to oversee the encasement or burial of such conduits or pipes.

A Groundman/Groundman Truck Driver shall: Build and set concrete forms, handle steel mesh, set footer cages, transport concrete in a wheelbarrow, hand or machine concrete vibrator, finish concrete footers, mix mortar, grout pole bases, cover and maintain footers while curing in cold weather, operate jack hammer, operate hand pavement breaker, tamper, concrete and other motorized saws, as a drill helper, operate and maintain generators, water pumps, chainsaws, sand blasting, operate mulching and seeding machine, air tools, electric tools, gas tools, load and unload materials, hand shovel and/or broom, prepare and pour mastic and other fillers, assist digger operator equipment operator in ground excavation and restoration, landscape work and painting. Only when assisting a lineman technician, a groundman/truck driver may assist in installing conduit, pipe, cables and equipment.

A flagger's duties shall consist of traffic control only.
 (Ref #14.01.03)

Per hour:

	07/01/2019	05/04/2020
Lineman, Technician	\$ 50.16	\$ 51.61
Crane, Crawler Backhoe	50.16	51.61
Certified Welder	52.67	54.19
Digging Machine	45.14	46.45
Tractor Trailer Driver	42.64	43.87
Groundman, Truck Driver	40.13	41.29
Equipment Mechanic	40.13	41.29
Flagman	30.10	30.97

Above rates are applicable for installation, testing, operation, maintenance and repair on all Traffic Control (Signal) and Illumination (Lighting) projects, Traffic Monitoring Systems, and Road Weather Information Systems. Includes digging of holes for poles, anchors, footer foundations for electrical equipment; assembly of all electrical materials or raceway; placing of fish wire; pulling of cables, wires or fiber optic cable through such raceways; splicing of conductors; dismantling of such structures, lines or equipment.

NOTE: THE FOLLOWING RATES WILL APPLY ON ALL CONTRACTING AGENCY MANDATED MULTIPLE SHIFTS OF AT LEAST FIVE (5) DAYS DURATION WORKED BETWEEN THE HOURS LISTED BELOW:

1ST SHIFT	8:00 AM TO 4:30 PM REGULAR RATE
2ND SHIFT	4:30 PM TO 1:00 AM REGULAR RATE PLUS 17.3%
3RD SHIFT	12:30 AM TO 9:00 AM REGULAR RATE PLUS 31.4%

**** IMPORTANT NOTICE ****

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday. Friday may be used as a make-up day.

*Effective 05/06/2013, Tuesday thru Friday may be worked with no make-up day.

NOTE - In order to use the '4 Day/10 Hour Work schedule', as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour worked (but also required on non-worked holidays):

Journeyman	\$ 24.15	\$ 24.90
	*plus 6.75% of	*plus 6.75% of

hourly wage hourly wage

*The 6.75% is based on the hourly wage paid, straight time rate or premium rate.
 Supplements paid at STRAIGHT TIME rate for holidays.

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE. *Note* Double time for emergency work designated by the Dept. of Jurisdiction.
 NOTE: WAGE CAP...Double the straight time hourly base wage shall be the maximum hourly wage compensation for any hour worked.
 Contractor is still responsible to pay the hourly benefit amount for each hour worked.

HOLIDAY

Paid: See (5, 6, 8, 13, 25) on HOLIDAY PAGE and Governor of NYS Election Day.
 Overtime: See (5, 6, 8, 13, 25) on HOLIDAY PAGE and Governor of NYS Election Day.

NOTE: All paid holidays falling on Saturday shall be observed on the preceding Friday. All paid holidays falling on Sunday shall be observed on the following Monday. Supplements for holidays paid at straight time.

REGISTERED APPRENTICES

WAGES: Per hour. 1000 hour terms.

	07/01/2019	05/04/2020
1st term	\$ 30.10	\$ 30.97
2nd term	32.60	33.55
3rd term	35.11	36.13
4th term	37.62	38.71
5th term	40.13	41.29
6th term	42.64	43.87
7th term	45.14	46.45

SUPPLEMENTAL BENEFITS: Same as Journeyman

6-1249aWestLT

Mason - Building

03/01/2020

JOB DESCRIPTION Mason - Building

DISTRICT 9

ENTIRE COUNTIES

Nassau, Rockland, Suffolk, Westchester

WAGES

Per hour:	07/01/2019	12/02/2019	06/01/2020 Additional
Tile Setters	\$ 58.95	\$ 59.57	\$0.88

SUPPLEMENTAL BENEFITS

Per Hour:	07/01/2019	12/02/2019
	\$ 24.56* + \$9.34	\$ 24.71* + \$9.45

* This portion of benefits subject to same premium rate as shown for overtime wages.

OVERTIME PAY

See (B, E, Q, V) on OVERTIME PAGE
 Work beyond 10 hours on Saturday shall be paid at double the hourly wage rate.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 11, 15, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wage per hour:

Tile Setters:
 (750 hour) term at the following wage rate:

Term:	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
	1-750	751-1500	1501-2250	2251-3000	3001-3750	3751-4500	4501-5250	5251-6000	6001-6750	6501-7000
07/01/2019	\$19.73	\$24.39	\$31.20	\$35.85	\$39.19	\$42.34	\$45.70	\$50.35	\$53.02	\$56.68
12/02/2019										

\$20.05	\$24.75	\$31.64	\$36.35	\$39.72	\$42.92	\$46.32	\$51.03	\$53.63	\$57.38
---------	---------	---------	---------	---------	---------	---------	---------	---------	---------

Supplemental Benefits per hour:

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$12.55*	\$12.55*	\$15.06*	\$15.06*	\$16.06*	\$17.56*	\$18.56*	\$18.56*	\$16.56*	\$21.81*
+\$0.65	+\$0.70	+\$0.80	+\$0.84	+\$1.22	+\$1.27	+\$1.62	+\$1.66	+\$5.88	+\$6.31

* This portion of benefits subject to same premium rate as shown for overtime wages.

9-7/52A

Mason - Building **03/01/2020**

JOB DESCRIPTION Mason - Building

DISTRICT 11

ENTIRE COUNTIES

Putnam, Rockland, Westchester

PARTIAL COUNTIES

Orange: Only the Township of Tuxedo.

WAGES

Per hour:

07/01/2019

Bricklayer	\$ 42.09
Cement Mason	42.09
Plasterer/Stone Mason	42.09
Pointer/Caulker	42.09

Additional \$1.00 per hour for power saw work

Additional \$0.50 per hour for swing scaffold or staging work

SHIFT WORK: When shift work or an irregular work day is mandated or required by state, federal, county, local or other governmental agency contracts, the following premiums apply:

- Irregular work day requires 15% premium
- Second shift an additional 15% of wage plus benefits to be paid
- Third shift an additional 25% of wage plus benefits to be paid

SUPPLEMENTAL BENEFITS

Per hour:

Journeyman	\$ 35.00
------------	----------

OVERTIME PAY

OVERTIME:

Cement Mason	See (B, E, Q, W) on OVERTIME PAGE.
All Others	See (B, E, Q) on OVERTIME PAGE.

HOLIDAY

Paid:	See (1) on HOLIDAY PAGE
Overtime:	See (5, 6) on HOLIDAY PAGE

Whenever any of the above holidays fall on Sunday, they will be observed on Monday. Whenever any of the above holidays fall on Saturday, they will be observed on Friday.

REGISTERED APPRENTICES

Wages per hour:

750 hour terms at the following percentage of Journeyman's wage

1st	2nd	3rd	4th	5th	6th	7th	8th
50%	55%	60%	65%	70%	75%	80%	85%

Supplemental Benefits per hour

750 hour terms at the following percentage of journeyman supplements

1st	2nd	3rd	4th	5th	6th	7th	8th
50%	55%	60%	65%	70%	75%	80%	85%

Apprentices indentured before June 1st, 2011 receive full journeyman benefits

Mason - Building

03/01/2020

JOB DESCRIPTION Mason - Building

DISTRICT 9

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

WAGES

Building:

	07/01/2019	01/01/2020	06/01/2020 Additional \$0.95
Wages per hour:			
Mosaic & Terrazzo Mechanic	\$56.41	\$ 56.81	
Mosaic & Terrazzo Finisher	\$54.81	\$ 55.21	

SUPPLEMENTAL BENEFITS

Per hour:

Mosaic & Terrazzo Mechanic	\$ 25.11* + \$11.13	\$25.36* + \$11.41
Mosaic & Terrazzo Finisher	\$ 25.11* + \$11.11	\$ 25.36* + \$11.39

*This portion of benefits subject to same premium rate as shown for overtime wages.

OVERTIME PAY

See (A, E, Q) on OVERTIME PAGE

Deduct \$6.60 from hourly wages before calculating overtime.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 11, 15, 16, 25) on HOLIDAY PAGE

Easter Sunday is an observed holiday. Holidays falling on a Saturday will be observed on that Saturday. Holidays falling on a Sunday will be celebrated on the Monday.

REGISTERED APPRENTICES

Wages per hour:

(750 Hour) terms at the following wage rate.

	1st	2nd	3rd	4th	5th	6th	7th	8th
07/01/2019	\$25.09	\$27.61	\$30.13	\$32.63	\$35.14	\$37.65	\$42.67	\$47.71

Supplemental benefits per hour:

07/01/2019	\$ 12.69* +\$9.01	\$ 13.95* +\$9.91	\$ 15.22* +\$10.80	\$ 16.49* +\$11.71	\$ 17.76* +\$12.61	\$ 19.02* +\$13.51	\$ 21.56* +\$15.31	\$ 24.04* +\$17.10
------------	----------------------	----------------------	-----------------------	-----------------------	-----------------------	-----------------------	-----------------------	-----------------------

Apprentices hired after 07/01/2017:

Wages Per hour:

	1st 0- 1500	2nd 1501- 3000	3rd 3001- 3750	4th 3751- 4500	5th 4501- 5250	6th 5251- 6000
07/01/2019	\$21.99	\$22.60	\$30.13	\$35.14	\$40.16	\$45.17

Supplemental Benefits per hour:

07/01/2019	\$4.46* +\$6.30	\$11.41* +\$8.01	\$15.22* +\$10.80	\$17.76* +\$12.61	\$20.29* +\$14.41	\$22.83* +\$16.22
------------	--------------------	---------------------	----------------------	----------------------	----------------------	----------------------

*This portion of benefits subject to same premium rate as shown for overtime wages.

Mason - Building **03/01/2020**

JOB DESCRIPTION Mason - Building **DISTRICT 9**

ENTIRE COUNTIES
 Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

WAGES

Per hour: 07/01/2019 01/01/2020 07/01/2020

Building-Marble Restoration: Additional
\$1.10

Marble, Stone & Terrazzo Polisher, etc \$ 42.81 \$ 43.82

SUPPLEMENTAL BENEFITS

Per Hour:
 Journeyworker:

Building-Marble Restoration:
 Marble, Stone & Polisher \$ 28.06 \$ 28.15

OVERTIME PAY

See (B, *E, Q, V) on OVERTIME PAGE
 *ON SATURDAYS, 8TH HOUR AND SUCCESSIVE HOURS PAID AT DOUBLE HOURLY RATE.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 11, 15, 25) on HOLIDAY PAGE
 1ST TERM APPRENTICE GETS PAID FOR ALL OBSERVED HOLIDAYS.

REGISTERED APPRENTICES

WAGES per hour:

900 hour term at the following wage:

	1st 1- 900	2nd 901- 1800	3rd 1801- 2700	4th 2701
07/01/2019	\$29.91	\$34.21	\$38.51	\$42.81
01/01/2020	\$30.68	\$35.05	\$39.43	\$43.82
Supplemental Benefits Per Hour:				
07/01/2019	\$ 25.52	\$ 26.37	\$ 27.21	\$ 28.06
01/01/2020	\$ 25.52	\$ 26.41	\$ 27.28	\$ 28.15

9-7/24-MP

Mason - Building **03/01/2020**

JOB DESCRIPTION Mason - Building **DISTRICT 9**

ENTIRE COUNTIES
 Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester

WAGES

Wages: 07/01/2019 12/30/2019 06/29/2020

Marble Cutters & Setters \$ 59.44 \$ 59.76 Additional
\$0.95

SUPPLEMENTAL BENEFITS

Per Hour:

Journeyworker \$ 36.73 \$36.88

OVERTIME PAY

See (B, E, Q, V) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 11, 15, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wage Per Hour:

750 hour terms at the following wage.

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
1-750	751-1500	1501-2250	2251-3000	3001-3750	3751-4500	4501-5250	5251-6000	6001-6751	6751-7500
07/01/2019 \$23.72	\$26.69	\$29.66	\$32.65	\$36.21	\$38.59	\$41.56	\$44.55	\$50.50	\$56.47
12/30/2019 \$23.91	\$26.88	\$29.86	\$32.88	\$35.85	\$38.83	\$41.81	\$44.83	\$50.78	\$56.78

Supplemental Benefits per hour:

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$19.94	\$21.36	\$22.79	\$24.17	\$25.59	\$27.01	\$28.43	\$29.82	\$32.66	\$35.46

9-7/4

Mason - Building **03/01/2020**

JOB DESCRIPTION Mason - Building

DISTRICT 9

ENTIRE COUNTIES
 Nassau, Rockland, Suffolk, Westchester

WAGES

Per hour:	07/01/2019	12/02/2019	06/01/2020 Additional
Tile Finisher	\$ 45.54	\$ 45.96	\$0.72

SUPPLEMENTAL BENEFITS

Per Hour:	07/01/2019	12/02/2019
	\$ 21.26* + \$9.17	\$ 21.46* + \$9.28

*This portion of benefits subject to same premium rate as shown for overtime wages

OVERTIME PAY

See (B, E, Q, *V) on OVERTIME PAGE
 Work beyond 10 hours on a Saturday shall be paid at double the hourly wage rate.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 11, 15, 16, 25) on HOLIDAY PAGE

9-7/88A-tf

Mason - Building **03/01/2020**

JOB DESCRIPTION Mason - Building

DISTRICT 9

ENTIRE COUNTIES
 Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

WAGES

Per hour:	07/01/2019	01/01/2020	07/01/2020
Marble, Stone, etc. Maintenance Finishers:	\$ 24.31	\$ 24.98	Additional \$0.67

Note 1: An additional \$2.00 per hour for time spent grinding floor using "60 grit" and below.
 Note 2: Flaming equipment operator shall be paid an additional \$25.00 per day.

SUPPLEMENTAL BENEFITS

Per Hour:

Marble, Stone, etc
 Maintenance Finishers: \$ 13.72 \$ 13.73

OVERTIME PAY

See (B, *E, Q, V) on OVERTIME PAGE

*Double hourly rate after 8 hours on Saturday

HOLIDAY

Paid: See (5, 6, 8, 11, 15, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 11, 15, 25) on HOLIDAY PAGE

1st term apprentice gets paid for all observed holidays.

REGISTERED APPRENTICES

WAGES per hour:

	07/01/2019	01/01/2020
0-750	\$16.97	\$17.49
751-1500	\$17.95	\$18.84
1501-2250	\$18.93	\$19.49
2251-3000	\$19.90	\$20.48
3001-3750	\$21.38	\$21.98
3751-4500	\$23.33	\$23.98
4501+	\$24.31	\$24.98

Supplemental Benefits:

Per hour:

0-750	\$ 13.65	\$13.61
751-1500	\$ 13.66	\$13.63
1501-2250	\$ 13.67	\$13.64
2251-3000	\$ 13.68	\$13.66
3001-3750	\$ 13.69	\$13.68
3751-4500	\$ 13.71	\$13.71
4501+	\$ 13.72	\$13.73

9-7/24M-MF

Mason - Building / Heavy&Highway

03/01/2020

JOB DESCRIPTION Mason - Building / Heavy&Highway

DISTRICT 9

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester

WAGES

Per hour:	07/01/2019	12/30/2019	06/29/2020
Marble-Finisher	\$ 47.41	\$ 47.68	Additional \$0.60

SUPPLEMENTAL BENEFITS

Journeyworker:

per hour

Marble- Finisher	\$ 34.49	\$ 34.63
------------------	----------	----------

OVERTIME PAY

See (B, E, Q, V) on OVERTIME PAGE

HOLIDAY

Overtime: See (5, 6, 8, 11, 15, 16, 25) on HOLIDAY PAGE

* Work beyond 8 hours on a Saturday shall be paid at double the rate.

** When an observed holiday falls on a Sunday, it will be observed the next day.

9-7/20-MF

Mason - Heavy&Highway

03/01/2020

JOB DESCRIPTION Mason - Heavy&Highway

DISTRICT 11

ENTIRE COUNTIES

Putnam, Rockland, Westchester

PARTIAL COUNTIES

Orange: Only the Township of Tuxedo.

WAGES

Per hour:

07/01/2019

Bricklayer	\$ 42.60
Cement Mason	42.60
Marble/Stone Mason	42.60
Plasterer	42.60
Pointer/Caulker	42.60

Additional \$1.00 per hour for power saw work
Additional \$0.50 per hour for swing scaffold or staging work

SHIFT WORK: When shift work or an irregular work day is mandated or required by state, federal, county, local or other governmental contracts, the following rates apply:

- Irregular work day requires 15% premium
- Second shift an additional 15% of wage plus benefits to be paid
- Third shift an additional 25% of wage plus benefits to be paid

SUPPLEMENTAL BENEFITS

Per hour:

Journeyman	\$ 34.99
------------	----------

OVERTIME PAY

Cement Mason	See (B, E, Q, W, X)
All Others	See (B, E, Q, X)

HOLIDAY

Paid:	See (5, 6, 15, 25) on HOLIDAY PAGE
Overtime:	See (5, 6, 15, 25) on HOLIDAY PAGE

Whenever any of the above holidays fall on Sunday, they will be observed on Monday. Whenever any of the above holidays fall on Saturday, they will be observed on Friday.

REGISTERED APPRENTICES

Wages per hour:

750 hour terms at the following percentage of Journeyman's wage

1st	2nd	3rd	4th	5th	6th	7th	8th
50%	55%	60%	65%	70%	75%	80%	85%

Supplemental Benefits per hour

750 hour terms at the following percentage of journeyman supplements

1st	2nd	3rd	4th	5th	6th	7th	8th
50%	55%	60%	65%	70%	75%	80%	85%

Apprentices indentured before June 1st, 2011 receive full journeyman benefits

11-5WP-H/H

Operating Engineer - Building

03/01/2020

JOB DESCRIPTION Operating Engineer - Building

DISTRICT 9

ENTIRE COUNTIES

Bronx, Kings, New York, Putnam, Queens, Richmond, Westchester

PARTIAL COUNTIES

Dutchess: that part of Dutchess County lying south of the North City Line of the City of Poughkeepsie.

WAGES

NOTE:Construction surveying

Party chief--One who directs a survey party

Instrument Man--One who runs the instrument and assists Party Chief.

Rodman--One who holds the rod and assists the Survey Crew

Wages:(Per Hour)

07/01/2019

Building Construction:

Party Chief	\$ 74.75
Instrument Man	\$ 59.53
Rodman	\$ 40.79

Steel Erection:

Party Chief	\$ 75.46
Instrument Man	\$ 60.19
Rodman	\$ 42.35

Heavy Construction-NYC counties only:
(Foundation, Excavation.)

Party Chief	\$ 80.74
Instrument man	\$ 61.03
Rodman	\$ 52.26

SUPPLEMENTAL BENEFITS

Per Hour:	07/01/2019
Building Construction & Steel	\$ 22.85* + 6.90
Heavy Construction	\$ 23.10* + 6.90

* This portion subject to same premium as wages

Non-Worked Holiday Supplemental Benefit:
\$ 16.45

OVERTIME PAY

See (A, B, E, Q) on OVERTIME PAGE

Code "A" applies to Building Construction and has double the rate after 7 hours on Saturdays.

Code "B" applies to Heavy Construction and Steel Erection and had double the rate after 8 hours on Saturdays.

HOLIDAY

Paid: See (5, 6, 9, 11, 15, 16, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 9, 11, 15, 16, 25) on HOLIDAY PAGE

9-15Db

Operating Engineer - Building

03/01/2020

JOB DESCRIPTION Operating Engineer - Building

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

PARTIAL COUNTIES

Dutchess: All the counties of Westchester and Putnam and the southern part of Dutchess County defined by the northern boundary line of the City of Poughkeepsie, then due east to Route 115, then north along Route 115 to Bedell Road, then east along Bedell Road to Van Wagner Road, then north along Van Wagner Road to Bower Road, then east along Bower Road to Route 44 and along Route 44 east to Route 343, then along Route 343 east to the northern boundary of Town of Dover Plains and east along the northern boundary of Dover Plains to the border line of the State of Connecticut and bordered on the west by the middle of the Hudson River.

WAGES

GROUP I:

Cranes (All Types up to 49 tons), Boom Trucks, Cherry Pickers (All Types), Clamshell Crane, Derrick (Stone and Steel), Dragline, Franki Pile Rig or similar, High Lift (Lull or similar) with crane attachment and winch used for hoisting or lifting, Hydraulic Cranes, Pile Drivers, Potain and similar.

Cranes (All types 50-99 tons), Drill Rig Casa Grande (CAT or similar), Franki Pile Rig or similar, Hydraulic Cranes (All types including Crawler Cranes- No specific boom length).

Cranes (All types 100 tons and over), All Tower Cranes, All Climbing Cranes irrespective of manufacturer and regardless of how the same is rigged, Franki Pile Rig or similar, Conventional Cranes (All types including Crawler Cranes-No specific boom length), Hydraulic Cranes.

GROUP I-A: Barber Green Loader-Euclid Loader, Bulldozer, Carrier-Trailer Horse, Concrete Cleaning Decontamination Machine Operator, Concrete-Portable Hoist, Conway or Similar Mucking Machines, Elevator & Cage, Excavators all types, Front End Loaders, Gradall, Shovel, Backhoe, etc. (Crawler or Truck), Heavy Equipment Robotics Operator/Mechanic, Hoist Engineer-Material, Hoist Portable Mobile Unit, Hoist (Single, Double or Triple Drum), Horizontal Directional Drill Locator, Horizontal Directional Drill Operator and Jersey Spreader, Letourneau or Tournapull (Scrapers over 20 yards Struck), Lift Slab Console, etc., Lull HiLift or Similar, Master Environmental Maintenance Mechanics, Mucking Machines Operator/Mechanic or Similar Type, Overhead Crane, Pavement Breaker (Air Ram), Paver (Concrete), Post Hole Digger, Power House Plant, Road Boring Machine, Road Mix Machine, Ross Carrier and Similar Machines, Rubber tire double end backhoes and similar machines, Scoopmobile Tractor-Shovel Over 1.5 yards, Shovel (Tunnels), Spreader (Asphalt) Telephie (Cableway), Tractor Type Demolition Equipment, Trenching Machines-Vermeer Concrete Saw Trencher and Similar, Ultra High Pressure Waterjet Cutting Tool System, Vacuum Blasting Machine operator/mechanic, Winch Truck A Frame.

GROUP I-B: Compressor (Steel Erection), Mechanic (Outside All Types), Negative Air Machine (Asbestos Removal), Push Button (Buzz Box) Elevator.

GROUP II: Compactor Self-Propelled, Concrete Pump, Crane Operator in Training (Over 100 Tons), Grader, Machines Pulling Sheep's Foot Roller, Roller (4 ton and over), Scrapers (20 yards Struck and Under), Vibratory Rollers, Welder.

GROUP III-A: Asphalt Plant, Concrete Mixing Plants, Forklift (All power sources), Joy Drill or similar, Tractor Drilling Machine, Loader (1 1/2 yards and under), Portable Asphalt Plant, Portable Batch Plant, Portable Crusher, Skid Steer (Bobcat or similar), Stone Crusher, Well Drilling Machine, Well Point System.

GROUP III-B: Compressor Over 125 cu. Feet, Conveyor Belt Machine regardless of size, Compressor Plant, Ladder Hoist, Stud Machine.

GROUP IV-A: Batch Plant, Concrete Breaker, Concrete Spreader, Curb Cutter Machine, Finishing Machine-Concrete, Fine Grading Machine, Hepa Vac Clean Air Machine, Material Hopper (sand, stone, cement), Mulching Grass Spreader, Pump Gypsum etc, Pump-Plaster-GROUT-Fireproofing. Roller (Under 4 Ton), Spreading and Fine Grading Machine, Steel Cutting Machine, Siphon Pump, Tar Joint Machine, Television Cameras for Water, Sewer, Gas etc. Turbo Jet Burner or Similar Equipment, Vibrator (1 to 5).

GROUP IV-B: Compressor (all types), Heater (All Types), Fire Watchman, Lighting Unit (Portable & Generator) Pump, Pump Station (Water, Sewer, Portable, Temporary), Welding Machine (Steel Erection & Excavation).

GROUP V: Mechanics Helper, Motorized Roller (walk behind), Stock Attendant, Welder's Helper.

GROUP VI-B: Utility Man, Warehouse Man.

WAGES: (per hour)

	07/01/2019
GROUP I	
Cranes- up to 49 tons	\$ 61.70
Cranes- 50 tons to 99 tons	63.86
Cranes- 100 tons and over	72.99
GROUP I-A	53.95
GROUP I-B	49.68
GROUP II	52.03
GROUP III-A	50.11
GROUP III-B	47.67
GROUP IV-A	49.60
GROUP IV-B	41.85
GROUP V	45.17
GROUP VI-A	52.96
GROUP VI-B	
Utility Man	42.83
Warehouse Man	44.92

An additional 20% to wage when required to wear protective equipment on hazardous/toxic waste projects.
 Engineers operating cranes with booms 100 feet but less than 149 feet in length will be paid an additional \$2.00 per hour.
 Engineers operating cranes with booms 149 feet or over in length will be paid an additional \$3.00 per hour.
 Loader operators over 5 cubic yard capacity additional .50 per hour.
 Shovel operators over 4 cubic yard capacity additional \$1.00 per hour.

SUPPLEMENTAL BENEFITS

Per hour:

	07/01/2019
Journeyworker	\$ 28.52

OVERTIME PAY

OVERTIME:..... See (B, E, P, R*, T**, U***, V) on OVERTIME PAGE.

HOLIDAY

Paid:..... See (5, 6, 11, 12, 15, 25) on HOLIDAY PAGE.
 Overtime:..... See (5, 6, 11, 12, 15, 25) on HOLIDAY PAGE.
 * For Holiday codes 11, 12, 15, 25, code R applies.
 ** For Holiday code 28, code T applies
 *** For Holiday codes 5 & 6, code U applies

8-137B

Operating Engineer - Heavy&Highway

03/01/2020

JOB DESCRIPTION Operating Engineer - Heavy&Highway

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

PARTIAL COUNTIES

Dutchess: All the counties of Westchester and Putnam and the southern part of Dutchess County defined by the northern boundary line of the City of Poughkeepsie, then due east to Route 115, then north along Route 115 to Bedell Road, then east along Bedell Road to Van Wagner Road, then north along Van Wagner Road to Bower Road, then east along Bower Road to Route 44 and along Route 44 east to Route 343, then along Route 343 east to the northern boundary of Town of Dover Plains and east along the northern boundary of Town of Dover Plains to the border line of the State of Connecticut and bordered on the west by the middle of the Hudson River.

WAGES

GROUP I: Boom Truck, Cherry Picker, Clamshell, Crane, (Crawler, Truck), Dragline, Drill Rig (Casa Grande, Cat, or Similar), Floating Crane (Crane on Barges) under 100 tons, Gin Pole, Hoist Engineer-Concrete (Crane-Derrick-Mine Hoist), Knuckle Boom Crane, Rough Terrain Crane.

GROUP I-A: Auger (Truck or Truck Mounted), Boat Captain, Bulldozer-All Sizes, Central Mix Plant Operator, Chipper (all types), Close Circuit T.V., Combination Loader/Backhoe, Compactor with Blade, Concrete Finishing Machine, Gradall, Grader (Motor Grader), Elevator & Cage (Materials or Passenger), Excavator (and all attachments), Front End Loaders (1 1/2 yards and over), High Lift Lull and similar, Hoist (Single, Double, Triple Drum), Hoist Portable Mobile Unit, Hoist Engineer (Material), Jack and Bore Machine, Log Skidders, Mill Machines, Mucking Machines, Overhead Crane, Paver (concrete), Post Pounder (of any type), Push Cats, Road Reclaimer, Robot Hammer (Brokk or similar), Robotic Equipment (Scope of Engineer Schedule), Ross Carrier and similar, Scrapers (20 yard struck and over), Side Boom, Slip Form Machine, Spreader (Asphalt), Trenching Machines (Telephies-Vermeer Concrete Saw), Tractor Type Demolition Equipment, Vacuum Truck.

GROUP I-B: Asphalt Mobile Conveyor/Transfer Machine, Road Paver (Asphalt).

GROUP II-A: Ballast Regulators, Compactor Self Propelled, Fusion Machine, Rail Anchor Machines, Roller (4 ton and over), Scrapers (20 yard struck and under), Vibratory Roller (Riding), Welder.

GROUP II-B: Mechanic (Outside) All Types.

GROUP III: Air Tractor Drill, Asphalt Plant, Batch Plant, Boiler (High Pressure), Concrete Breaker (Track or Rubber Tire), Concrete Pump, Concrete Spreader, Excavator Drill, Farm Tractor, Forklift (all types), Gas Tapping (Live), Hydroseeder, Loader (1 1/2 yards and under), Locomotive (all sizes), Machine Pulling Sheeps Foot Roller, Portable Asphalt Plant, Portable Batch Plant, Portable Crusher (Apprentice), Powerhouse Plant, Roller (under 4 ton), Sheer Excavator, Skid Steer/Bobcat, Stone Crusher, Sweeper (with seat), Well Drilling Machine.

GROUP IV: Service Person (Grease Truck).

GROUP IV-B: Conveyor Belt Machine (Truck Mounted), Heater (all types), Lighting Unit (Portable), Maintenance Engineer (For Crane Only), Mechanics Helper, Pump (Fireproofing), Pumps-Pump Station/Water/Sewer/Gypsum/Plaster, etc., Pump Truck (Sewer Jet or Similar), Welders Helper, Welding Machine (Steel Erection), Well Point System.

GROUP V: All Tower Cranes-All Climbing Cranes and all cranes of 100-ton capacity or greater (3900 Manitowac or similar) irrespective of manufacturer and regardless of how the same is rigged, Hoist Engineer (Steel), Engineer-Pile Driver, Jersey Spreader, Pavement Breaker/Post Hole Digger.

WAGES: Per hour:	07/01/2019	03/02/2020
Group I	\$ 61.03	\$ 62.38
Group I-A	53.80	54.95
Group I-B	56.69	57.92
Group II-A	51.52	52.61
Group II-B	53.13	54.26
Group III	50.61	51.68
Group IV-A	46.00	46.93
Group IV-B	39.49	40.24
Group V-A		
Engineer All Tower, Climbing and Cranes of 100 Tons	69.14	70.72

Hoist Engineer(Steel)	62.61	64.00
Engineer(Pile Driver)	66.77	68.27
Jersey Spreader,Pavement Breaker (Air Ram)Post Hole Digger	52.71	53.83

SHIFT DIFFERENTIAL:

A 15% premium on all hours paid, including overtime hours for 2nd, 3rd shifts on all government mandated off-shift work

Engineers operating cranes with booms 100 feet but less than 149 feet in length will be paid an additional \$2.00 per hour over the rate listed in the Wage Schedule. Engineers operating cranes with booms 149 feet or over in length will be paid an additional \$3.00 per hour over the rate listed in the Wage Schedule. Loader and Excavator Operators: over 5 cubic yards capacity \$0.50 per hour over the rate listed in the Wage Schedule. Shovel Operators: over 4 cubic yards capacity \$1.00 per hour over the rate listed in the Wage Schedule.

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday; Friday may be used as a make-up day.

NOTE - In order to use the 4 Day/10 Hour Work schedule Registration for Use of 4 Day/10 Hour Work Schedule, form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker:	07/01/2019	03/02/2020
	\$ 29.55 up to 40 Hours	\$ 30.50 up to 40 Hours
	After 40 hours \$ 20.50* PLUS \$ 1.05 on all hours worked	After 40 hours \$ 21.35* PLUS \$ 1.15 on all hours worked

*This amount is subject to premium

OVERTIME PAY

See (B, E, E2, P, *R, **U) on OVERTIME PAGE

HOLIDAY

Paid:..... See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

Overtime..... See (5, 6, 8, 9, 15, 25) on OVERTIME PAGE

* For Holiday codes 8,9,15,25 code R applies

** For Holiday Codes 5 & 6 code U applies

Note: If employees are required to work on Easter Sunday they shall be paid at the rate of triple time.

REGISTERED APPRENTICES

(1)year terms at the following rate.

	07/01/2019	03/02/2020
1st term	\$ 26.90	\$ 27.48
2nd term	32.28	32.97
3rd term	37.66	38.47
4th term	43.04	43.96

Supplemental Benefits per hour:

Apprentices:	07/01/2019	03/02/2020
	\$ 21.55	\$ 22.50

8-137HH

Operating Engineer - Heavy&Highway **03/01/2020**

JOB DESCRIPTION Operating Engineer - Heavy&Highway

DISTRICT 9

ENTIRE COUNTIES

Putnam, Westchester

PARTIAL COUNTIES

Dutchess: South of the North city line of Poughkeepsie

WAGES

Party Chief - One who directs a survey party
Instrument Man - One who runs the instrument and assists Party Chief
Rodman - One who holds the rod and in general, assists the Survey Crew
Categories cover GPS & Underground Surveying

Per Hour:	07/01/2019
Party Chief	\$ 78.00
Instrument Man	58.81
Rodman	50.26

SUPPLEMENTAL BENEFITS

Per Hour:	07/01/2019
All Categories	
Straight Time:	\$ 23.10* plus \$6.90
Premium:	
Time & 1/2	\$ 34.65* plus \$6.90
Double Time	\$ 46.20* plus \$6.90
Non-Worked Holiday Supplemental Benefits:	
	\$ 16.45

OVERTIME PAY

See (B, *E, Q) on OVERTIME PAGE
* Doubletime paid on all hours in excess of 8 hours on Saturday

HOLIDAY

Paid: See (5, 6, 7, 11, 12) on HOLIDAY PAGE
Overtime: See (5, 6, 7, 11, 12) on HOLIDAY PAGE

9-15Dh

Operating Engineer - Heavy&Highway - Tunnel **03/01/2020**

JOB DESCRIPTION Operating Engineer - Heavy&Highway - Tunnel **DISTRICT 8**

ENTIRE COUNTIES
Putnam, Westchester

PARTIAL COUNTIES
Dutchess: All the counties of Westchester and Putnam and the southern part of Dutchess County defined by the northern boundary line of the City of Poughkeepsie, then due east to Route 115, then north along Route 115 to Bedell Road, then east along Bedell Road to Van Wagner Road, then north along Van Wagner Road to Bower Road, then east along Bower Road to Route 44 and along Route 44 east to Route 343, then along Route 343 east to the northern boundary of Town of Dover Plains and east along the northern boundary of Town of Dover Plains to the border line of the State of Connecticut and bordered on the west by the middle of the Hudson River.

WAGES

- GROUP I: Boom Truck, Cherry Picker, Clamshell, Crane(Crawler,Truck), Dragline, Drill Rig Casa Grande(Cat or Similar), Floating Crane(Crane on Barge-Under 100 Tons), Hoist Engineer(Concrete/Crane-Derrick-Mine Hoist), Knuckle Boom Crane, Rough Terrain Crane.
- GROUP I-A: Auger(Truck or Truck Mounted), Boat Captain, Bull Dozer-all sizes, Central Mix Plant Operator, Chipper-all types, Close Circuit T.V., Combination Loader/Backhoe, Compactor with Blade, Concrete Finishing Machine, Gradall, Grader(Motor Grader), Elevator & Cage(Materials or Passengers), Excavator(and all attachments), Front End Loaders(1 1/2 yards and over), High Lift Lull, Hoist(Single, Double, Triple Drum), Hoist Portable Mobile Unit, Hoist Engineer(Material), Jack and Bore Machine, Log Skidder, Milling Machine, Moveable Concrete Barrier Transfer & Transport Vehicle, Mucking Machines. Overhead Crane, Paver(Concrete), Post Pounder of any type, Push Cats, Road Reclaimer, Robot Hammer(Brokk or similar), Robotic Equipment(Scope of Engineer Schedule), Ross Carrier and similar machines, Scrapers(20 yards struck and over), Side Boom, Slip Form Machine, Spreader(Asphalt), Trenching Machines, Telephies-Vermeer Concrete Saw, Tractor type demolition equipment, Vacuum Truck.
- GROUP I-B: Asphalt Mobile Conveyor/Transfer Machine, Road Paver(Asphalt).
- GROUP II-A: Ballast Regulators, Compactor(Self-propelled), Fusion Machine, Rail Anchor Machines, Roller(4 ton and over), Scrapers(20 yard struck and under), Vibratory Roller(riding), Welder.
- GROUP II-B: Mechanic(outside)all types.

GROUP III: Air Tractor Drill, Asphalt Plant, Batch Plant, Boiler(High Pressure), Concrete Breaker(Track or Rubber Tire), Concrete Pump, Concrete Spreader, Excavator Drill, Farm Tractor, Forklift(all types of power), Gas Tapping(Live), Hydroseeder, Loader(1 1/2 yards and under), Locomotive(all sizes), Machine Pulling Sheeps Foot Roller, Portable Asphalt Plant, Portable Batch Plant, Portable Crusher(Apprentice), Powerhouse Plant, Roller(under 4 ton), Sheer Excavator, Skidsteer/Bobcat, Stone Crusher, Sweeper(with seat), Well Drilling Machine.

GROUP IV-A: Service Person(Grease Truck).

GROUP IV-B: Conveyor Belt Machine(Truck Mounted), Heater(all types), Lighting Unit(Portable), Maintenance Engineer(for Crane only), Mechanics Helper, Pump(Fireproofing), Pumps-Pump Station/Water/Sewer/Gypsum/Plaster, etc., Pump Truck(Sewer Jet or similar), Welding Machine(Steel Erection), Welders Helper.

GROUP V-A: Engineer(all Tower Cranes, all Climbing Cranes & all Cranes of 100 ton capacity or greater),Hoist Engineer(Steel-Sub Structure), Engineer-Pile Driver, Jersey-Spreader, Pavement breaker, Post Hole Digger

WAGES: (per hour)

	07/01/2019	03/02/2020
GROUP I	\$ 61.03	\$ 62.38
GROUP I-A	53.80	54.95
GROUP I-B	56.69	57.92
GROUP II-A	51.52	52.61
GROUP II-B	53.13	54.26
GROUP III	50.61	51.68
GROUP IV-A	46.00	46.93
GROUP IV-B	39.49	40.24
GROUP V-A		
Engineer-Cranes	69.14	70.72
Engineer-Pile Driver	66.77	68.27
Hoist Engineer	62.61	64.00
Jersey Spreader	52.71	53.83
Pavement Breaker	52.71	53.83
Post Hole Digger	52.71	53.83

SHIFT DIFFERENTIAL:

A 15% premium on all hours paid, including overtime hours for 2nd, 3rd shifts on all government mandated off-shift work

An additional 20% to wage when required to wear protective equipment on hazardous/toxic waste projects. Operators required to use two buckets pouring concrete on other than road pavement shall receive \$0.50 per hour over scale. Engineers operating cranes with booms 100 feet but less than 149 feet in length will be paid an additional \$2.00 per hour. Engineers operating cranes with booms 149 feet or over in length will be paid an additional \$3.00 per hour. Operators of shovels with a capacity over (4) cubic yards shall be paid an additional \$1.00 per hour. Operators of loaders with a capacity over (5) cubic yards shall be paid an additional \$0.50 per hour.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker:

	03/04/2019	03/02/2020
	\$ 21.55	\$ 22.50
	+ \$8.00	+ \$8.00
	(Limited to first 40 hours)	(Limited to first 40 hours)

OVERTIME PAY

See (D, O, *U, V) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

* Note: For Holiday codes 5 & 6, code U applies.

Note: If employees are required to work on Easter Sunday, they shall be paid at the rate of triple time.

REGISTERED APPRENTICES

(1)year terms at the following rates:

	07/01/2019	03/02/2020
1st term	\$ 26.90	\$ 27.48
2nd term	32.28	32.97

3rd term	37.66	38.47
4th term	43.04	43.96

Supplemental Benefits per hour:

	07/01/2019	03/02/2020
All terms	\$ 21.55	\$ 22.50

8-137Tun

Operating Engineer - Marine Dredging **03/01/2020**

JOB DESCRIPTION Operating Engineer - Marine Dredging

DISTRICT 4

ENTIRE COUNTIES

Albany, Bronx, Cayuga, Chautauqua, Clinton, Columbia, Dutchess, Erie, Essex, Franklin, Greene, Jefferson, Kings, Monroe, Nassau, New York, Niagara, Orange, Orleans, Oswego, Putnam, Queens, Rensselaer, Richmond, Rockland, St. Lawrence, Suffolk, Ulster, Washington, Wayne, Westchester

WAGES

These wages do not apply to Operating Engineers on land based construction projects. For those projects, please see the Operating Engineer Heavy/Highway Rates. The wage rates below for all equipment and operators are only for marine dredging work in navigable waters found in the counties listed above.

Per Hour:	07/01/2019	10/01/2019
CLASS A1 Deck Captain, Leverman Mechanical Dredge Operator Licensed Tug Operator 1000HP or more.	\$ 39.23	\$ 40.31
CLASS A2 Crane Operator (360 swing)	34.96	35.92
CLASS B Dozer, Front Loader Operator on Land	To conform to Operating Engineer Prevailing Wage in locality where work is being performed including benefits.	
CLASS B1 Derrick Operator (180 swing) Spider/Spill Barge Operator Operator II, Fill Placer, Engineer, Chief Mate, Electrician, Chief Welder, Maintenance Engineer Licensed Boat, Crew Boat Operator	33.93	34.86
CLASS B2 Certified Welder	31.94	32.82
CLASS C1 Drag Barge Operator, Steward, Mate, Assistant Fill Placer	31.07	31.92
CLASS C2 Boat Operator	30.06	30.89
CLASS D Shoreman, Deckhand, Oiler, Rodman, Scowman, Cook, Messman, Porter/Janitor	24.97	25.66

SUPPLEMENTAL BENEFITS

Per Hour:

THE FOLLOWING SUPPLEMENTAL BENEFITS APPLY TO ALL CATEGORIES

	07/01/2019	10/01/2019
All Classes A & B	\$11.23 plus 7.5% of straight time	\$11.88 plus 7.5% of straight time

	wage, Overtime hours add \$ 0.63	wage, Overtime hours add \$ 0.63
All Class C	\$10.93 plus 7.5% of straight time wage, Overtime hours add \$ 0.48	11.58 plus 7.5% of straight time wage, Overtime hours add \$ 0.48
All Class D	\$10.63 plus 7.5% of straight time wage, Overtime hours add \$ 0.33	11.28 plus 7.5% of straight time wage, Overtime hours add \$ 0.33

OVERTIME PAY

See (B2, F, R) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 15, 26) on HOLIDAY PAGE

4-25a-MarDredge

Operating Engineer - Survey Crew - Consulting Engineer **03/01/2020**

JOB DESCRIPTION Operating Engineer - Survey Crew - Consulting Engineer **DISTRICT 9**

ENTIRE COUNTIES
 Bronx, Kings, Nassau, New York, Putnam, Queens, Richmond, Suffolk, Westchester

PARTIAL COUNTIES
 Dutchess: That part in Dutchess County lying South of the North City line of Poughkeepsie.

WAGES
 Feasibility and preliminary design surveying, any line and grade surveying for inspection or supervision of construction.

Per hour: 07/01/2019
 Survey Classifications

Party Chief	\$ 43.71
Instrument Man	36.43
Rodman	31.84

SUPPLEMENTAL BENEFITS

Per Hour:
 All Crew Members: \$ 19.50

OVERTIME PAY

OVERTIME:.... See (B, E*, Q, V) ON OVERTIME PAGE.
 *Doubletime paid on the 9th hour on Saturday.

HOLIDAY

Paid: See (5, 6, 7, 11, 16) on HOLIDAY PAGE
 Overtime: See (5, 6, 7, 11, 16) on HOLIDAY PAGE

9-15dconsult

Painter **03/01/2020**

JOB DESCRIPTION Painter **DISTRICT 8**

ENTIRE COUNTIES
 Bronx, Kings, Nassau, New York, Putnam, Queens, Richmond, Suffolk, Westchester

WAGES
 Per hour: 07/01/2019

Brush	\$ 48.20*
Abatement/Removal of lead based or lead containing paint on materials to be repainted.	48.20*
Spray & Scaffold	\$ 51.20*
Fire Escape	51.20*

Decorator	51.20*
Paperhanger/Wall Coverer	50.97*

*Subtract \$ 0.10 to calculate premium rate.

SUPPLEMENTAL BENEFITS

Per hour: 07/01/2019

Paperhanger	\$ 29.47
All others	27.59
Premium	30.35**

**Applies only to "All others" category, not paperhanger journeyworker.

OVERTIME PAY

See (A, H) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

One (1) year terms at the following wage rate.

Per hour:	07/01/2019
Appr 1st term...	\$ 18.39*
Appr 2nd term...	24.02*
Appr 3rd term...	29.12*
Appr 4th term...	38.95*

*Subtract \$ 0.10 to calculate premium rate.

Supplemental benefits:	
Per Hour:	07/01/2019
Appr 1st term...	\$ 14.16
Appr 2nd term...	17.17
Appr 3rd term...	19.77
Appr 4th term...	24.91

8-NYDC9-B/S

Painter

03/01/2020

JOB DESCRIPTION Painter

DISTRICT 8

ENTIRE COUNTIES

Putnam, Suffolk, Westchester

PARTIAL COUNTIES

Nassau: All of Nassau except the areas described below: Atlantic Beach, Ceaderhurst, East Rockaway, Gibson, Hewlett, Hewlett Bay, Hewlett Neck, Hewlett Park, Inwood, Lawrence, Lido Beach, Long Beach, parts of Lynbrook, parts of Oceanside, parts of Valley Stream, and Woodmere. Starting on the South side of Sunrise Hwy in Valley Stream running east to Windsor and Rockaway Ave., Rockville Centre is the boundary line up to Lawson Blvd. turn right going west all the above territory. Starting at Union Turnpike and Lakeville Rd. going north to Northern Blvd. the west side of Lakeville road to Northern blvd. At Northern blvd. going east the district north of Northern blvd. to Port Washington Blvd. West of Port Washington blvd. to St. Francis Hospital then north of first traffic light to Port Washington and Sands Point, Manor HAVen, Harbour Acres.

WAGES

Per hour:	07/01/2019
Drywall Taper	\$ 48.20*

*Subtract \$ 0.10 to calculate premium rate.

SUPPLEMENTAL BENEFITS

Per hour:	07/01/2019
Journeyman	\$ 27.59

OVERTIME PAY

See (A, H) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wages - Per Hour:	07/01/2019
-------------------	------------

1500 hour terms at the following wage rate:

1st term	\$ 18.39*
2nd term	\$ 24.02*
3rd term	\$ 29.12*
4th term	\$ 38.95*

*Subtract \$ 0.10 to calculate premium rate.

Supplemental Benefits - Per hour:
One year term (1500 hours) at the following dollar amount.

1st year	\$ 14.16
2nd year	\$ 17.17
3rd year	\$ 19.77
4th year	\$ 24.91

8-NYDCT9-DWT

Painter - Bridge & Structural Steel

03/01/2020

JOB DESCRIPTION Painter - Bridge & Structural Steel

DISTRICT 8

ENTIRE COUNTIES

Albany, Bronx, Clinton, Columbia, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester

WAGES

Per Hour:

STEEL:

Bridge Painting:	07/01/2019
	\$ 49.50
	+ 6.38*

ADDITIONAL \$6.00 per hour for POWER TOOL/SPRAY, whether straight time or overtime.

NOTE: All premium wages are to be calculated on base rate per hour only.

* For the period of May 1st to November 15th, this amount is payable up to 40 hours. For the period of Nov 16th to April 30th, this amount is payable up to 50 hours. EXCEPTION: First and last week of employment, and for the weeks of Memorial Day, Independence Day and Labor Day, where the amount is paid for the actual number of hours worked (no cap).

NOTE: Generally, for Bridge Painting Contracts, ALL WORKERS on and off the bridge (including Flagmen) are to be paid Painter's Rate; the contract must be ONLY for Bridge Painting.

SUPPLEMENTAL BENEFITS

Per Hour:

Journeyworker:	07/01/2019
	\$ 9.50
	+26.05*

* For the period of May 1st to November 15th, this amount is payable up to 40 hours. For the period of Nov 16th to April 30th, this amount is payable up to 50 hours. EXCEPTION: First and last week of employment, and for the weeks of Memorial Day, Independence Day and Labor Day, where the amount is paid for the actual number of hours worked (no cap).

OVERTIME PAY

See (A, F, R) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
Overtime: See (4, 6) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wage - Per hour:

Apprentices: (1) year terms	07/01/2019
1st year	\$ 23.13
2nd year	34.73
3rd year	46.30

Supplemental Benefits - Per hour:

1st year	\$ 13.44
2nd year	20.16
3rd year	26.88

8-DC-9/806/155-BrSS

Painter - Line Striping

03/01/2020

JOB DESCRIPTION Painter - Line Striping

DISTRICT 8

ENTIRE COUNTIES

Albany, Bronx, Clinton, Columbia, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester

WAGES

Per hour:

Painter (Striping-Highway):	07/01/2019
Striping-Machine Operator*	\$ 29.93
Linerman Thermoplastic	\$ 36.06

Note: * Includes but is not limited to: Positioning of cones and directing of traffic using hand held devices. Excludes the Driver/Operator of equipment used in the maintenance and protection of traffic safety.

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday. Friday may be used as a make-up day.

NOTE - In order to use the '4 Day/10 Hour Work Schedule,' as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour paid:	07/01/2019
Journeyworker:	

Striping-Machine operator	\$ 7.44
Linerman Thermoplastic	\$ 7.44

OVERTIME PAY

See (B, B2, E2, F, S) on OVERTIME PAGE

HOLIDAY

Paid:	See (5, 20) on HOLIDAY PAGE
Overtime:	See (5, 20) on HOLIDAY PAGE

REGISTERED APPRENTICES

One (1) year terms at the following wage rates:

07/01/2019

1st term	\$ 11.97
2nd term	17.96
3rd term	23.94

Supplemental Benefits per hour:

1st term	\$ 7.44
2nd term	7.44
3rd term	7.44

8-1456-LS

Painter - Metal Polisher

03/01/2020

JOB DESCRIPTION Painter - Metal Polisher

DISTRICT 8

ENTIRE COUNTIES

Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

WAGES

	07/01/2019
Metal Polisher	\$ 30.58
Metal Polisher*	31.53
Metal Polisher**	34.08

*Note: Applies on New Construction & complete renovation
** Note: Applies when working on scaffolds over 34 feet.

SUPPLEMENTAL BENEFITS

Per Hour: 07/01/2019

Journeyworker:
All classification \$ 7.72

OVERTIME PAY

See (B, E, P, T) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 11, 15, 16, 25, 26) on HOLIDAY PAGE
Overtime: See (5, 6, 9, 11, 15, 16, 25, 26) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wages per hour:
One (1) year term at the following wage rates:

	07/01/2019
1st year	\$ 15.00
2nd year	15.00
3rd year	15.75
1st year*	\$ 17.39
2nd year*	17.44
3rd year*	18.29
1st year**	\$ 19.50
2nd year**	19.50
3rd year**	20.25

*Note: Applies on New Construction & complete renovation
** Note: Applies when working on scaffolds over 34 feet.

Supplemental benefits:
Per hour:

1st year	\$ 5.52
2nd year	5.52
3rd year	5.52

8-8A/28A-MP

Plumber **03/01/2020**

JOB DESCRIPTION Plumber

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

WAGES

Per hour: 07/01/2019

Plumber and
Steamfitter \$ 56.96

SHIFT WORK:

When directly specified in public agency or authority contract documents, shift work outside the regular hours of work shall be comprised of eight (8) hours per shift not including Saturday, Sundays and holidays. One half (1/2) hour shall be allowed for lunch after the first four (4) hours of each shift. Wage and Fringes for shift work shall be straight time plus a shift premium of twenty-five (25%) percent. A minimum of five days Monday through Friday must be worked to establish shift work.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker \$ 35.61

OVERTIME PAY

See (B, E, E2, Q, V) on OVERTIME PAGE
 OVERTIME:... See on OVERTIME PAGE.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

(1)year terms at the following wages:

1st Term	\$ 21.09
2nd Term	24.22
3rd Term	27.96
4th Term	39.97
5th Term	42.90

Supplemental Benefits per hour:

1st term	\$ 14.83
2nd term	16.52
3rd term	19.68
4th term	25.81
5th term	27.34

8-21.1-ST

Plumber - HVAC / Service

03/01/2020

JOB DESCRIPTION Plumber - HVAC / Service

DISTRICT 8

ENTIRE COUNTIES

Dutchess, Putnam, Westchester

PARTIAL COUNTIES

Delaware: Only the townships of Middletown and Roxbury
 Ulster: Entire County(including Walkill and Shawangunk Prisons) except for remainder of Town of Shawangunk and Towns of Plattekill, Marlboro, and Wawarsing.

WAGES

Per hour: 07/01/2019

HVAC Service \$ 38.18
 + \$ 4.32*

*Note: This portion of wage is not subject to overtime premium.

SUPPLEMENTAL BENEFITS

Per hour: 07/01/2019

Journeyworker HVAC Service \$ 22.44

OVERTIME PAY

See (B, F, R) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 16, 25) on HOLIDAY PAGE
 Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

HVAC SERVICE

(1)year terms at the following wages:

07/01/2019

1st yr.	2nd yr.	3rd yr.	4th yr.	5th yr.
\$ 17.37	\$ 20.50	\$ 25.69	\$ 31.56	\$ 34.11
+\$2.37*	+\$2.67*	+\$3.22*	+\$3.84*	+\$4.07*

*Note: This portion of wage is not subject to overtime premium.

Supplemental Benefits per hour:

Apprentices	07/01/2019
1st term	\$ 17.82
2nd term	18.61
3rd term	19.54
4th term	20.74
5th term	21.63

8-21.1&2-SF/Re/AC

Plumber - Jobbing & Alterations **03/01/2020**

JOB DESCRIPTION Plumber - Jobbing & Alterations

DISTRICT 8

ENTIRE COUNTIES

Dutchess, Putnam, Westchester

PARTIAL COUNTIES

Ulster: Entire county (including Wallkill and Shawangunk Prisons in Town of Shawangunk) EXCEPT for remainder of Town of Shawangunk, and Towns of Plattekill, Marlboro, and Wawarsing.

WAGES

Per hour:	07/01/2019
Journeyworker:	\$ 44.19

Repairs, replacements and alteration work is any repair or replacement of a present plumbing system that does not change existing roughing or water supply lines.

SHIFT WORK:

When directly specified in public agency or authority contract documents, shift work outside the regular hours of work shall be comprised of eight (8) hours per shift not including Saturday, Sundays and holidays. One half (1/2) hour shall be allowed for lunch after the first four (4) hours of each shift. Wage and Fringes for shift work shall be straight time plus a shift premium of twenty-five (25%) percent. A minimum of five days Monday through Friday must be worked to establish shift work.

SUPPLEMENTAL BENEFITS

Per hour:	
Journeyworker	\$ 30.04

OVERTIME PAY

See (B, *E, E2, Q, V) on OVERTIME PAGE

*When used as a make-up day, hours after 8 on Saturday shall be paid at time and one half.

HOLIDAY

Paid:	See (1) on HOLIDAY PAGE
Overtime:	See (5, 6, 8, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

(1) year terms at the following wages:

1st year	\$ 19.24
2nd year	21.33
3rd year	23.05
4th year	32.41
5th year	34.21

Supplemental Benefits per hour:

1st year	\$ 9.60
2nd year	11.36
3rd year	15.07
4th year	20.31
5th year	22.11

8-21.3-J&A

Roofer **03/01/2020**

JOB DESCRIPTION Roofer

DISTRICT 9

ENTIRE COUNTIES

Bronx, Dutchess, Kings, New York, Orange, Putnam, Queens, Richmond, Rockland, Sullivan, Ulster, Westchester

WAGES

Per Hour: 07/01/2019

Roofer/Waterproofer \$ 42.50
 + \$7.00*

* This portion is not subject to overtime premiums.

Note: Abatement/Removal of Asbestos containing roofs and roofing material is classified as Roofer.

SUPPLEMENTAL BENEFITS

Per Hour: \$ 26.37

OVERTIME PAY

See (B, H) on OVERTIME PAGE

Note: An observed holiday that falls on a Sunday will be observed the following Monday.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6) on HOLIDAY PAGE

REGISTERED APPRENTICES

(1) year term

	1st	2nd	3rd	4th
	\$ 14.88	\$ 24.75	\$ 29.70	\$ 37.14

Supplements:

	1st	2nd	3rd	4th
	\$ 3.30	\$ 13.21	\$ 15.84	\$ 19.79

9-8R

Sheetmetal Worker

03/01/2020

JOB DESCRIPTION Sheetmetal Worker

DISTRICT 8

ENTIRE COUNTIES

Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester

WAGES

07/01/2019

SheetMetal Worker \$ 44.74

SHIFT WORK

For all NYS D.O.T. and other Governmental mandated off-shift work:

10% increase for additional shifts for a minimum of five (5) days

SUPPLEMENTAL BENEFITS

Journeyworker \$ 42.48

OVERTIME PAY

OVERTIME:.. See (B, E, Q,) on OVERTIME PAGE.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 15, 16, 23) on HOLIDAY PAGE

REGISTERED APPRENTICES

	1st	2nd	3rd	4th	5th	6th	7th	8th
	\$16.60	\$18.67	\$ 20.75	\$ 22.83	\$ 24.89	\$ 26.98	\$ 29.53	\$ 32.08

Supplemental Benefits per hour:

Apprentices

1st term	\$ 18.30
2nd term	20.59
3rd term	22.85
4th term	25.17
5th term	27.44
6th term	29.72
7th term	31.51
8th term	33.34

8-38

Sheetmetal Worker **03/01/2020**

JOB DESCRIPTION Sheetmetal Worker **DISTRICT 4**

ENTIRE COUNTIES
 Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, Westchester

WAGES
 Per Hour: 07/01/2019
 Sign Erector \$ 50.45

NOTE: Structurally Supported Overhead Highway Signs(See STRUCTURAL IRON WORKER CLASS)

SUPPLEMENTAL BENEFITS
 Per Hour: 07/01/2019
 Sign Erector \$ 46.66

OVERTIME PAY
 See (A, F, S) on OVERTIME PAGE

HOLIDAY
 Paid: See (5, 6, 10, 11, 12, 16, 25) on HOLIDAY PAGE
 Overtime: See (5, 6, 10, 11, 12, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES
 Per Hour:
 6 month Terms at the following percentage of Sign Erectors wage rate:

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
35%	40%	45%	50%	55%	60%	65%	70%	75%	80%

SUPPLEMENTAL BENEFITS
 Per Hour:

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$13.11	\$14.85	\$16.59	\$18.34	\$25.56	\$27.80	\$30.76	\$33.07	\$35.36	\$37.65

4-137-SE

Sprinkler Fitter **03/01/2020**

JOB DESCRIPTION Sprinkler Fitter **DISTRICT 1**

ENTIRE COUNTIES
 Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester

WAGES
 Per hour 07/01/2019
 Sprinkler \$ 45.42
 Fitter

SUPPLEMENTAL BENEFITS
 Per hour
 Journeyman \$ 25.54

OVERTIME PAY
 See (B, E, Q) on OVERTIME PAGE

HOLIDAY
 Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6) on HOLIDAY PAGE

Note: When a holiday falls on Sunday, the following Monday shall be considered a holiday and all work performed on either day shall be at the double time rate. When a holiday falls on Saturday, the preceding Friday shall be considered a holiday and all work performed on either day shall be at the double time rate.

REGISTERED APPRENTICES
 Wages per hour

For Apprentices HIRED ON OR AFTER 04/01/2010:
 One Half Year terms at the following percentage of journeyman's wage.

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
45%	50%	55%	60%	65%	70%	75%	80%	85%	90%

Supplemental Benefits per hour worked

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$ 9.30	\$ 9.36	\$ 18.04	\$ 18.10	\$ 18.66	\$ 18.72	\$ 18.78	\$ 18.83	\$ 18.89	\$ 18.95

For Apprentices HIRED ON OR AFTER 04/01/2013:
 One Half Year terms at the following percentage of journeyman's wage.

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
45%	50%	55%	60%	65%	70%	75%	80%	85%	90%

Supplemental Benefits per hour worked

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$ 8.27	\$ 8.27	\$ 18.04	\$ 18.04	\$ 18.29	\$ 18.29	\$ 18.29	\$ 18.29	\$ 18.29	\$ 18.29 1-669.2

Teamster - Building / Heavy&Highway **03/01/2020**

JOB DESCRIPTION Teamster - Building / Heavy&Highway

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

WAGES

GROUP A: Straight Trucks (6-wheeler and 10-wheeler), A-frame, Winch, Dynamite Seeding, Mulching, Agitator, Water, Attenuator, Light Towers, Cement (all types), Suburban, Station Wagons, Cars, Pick Ups, any vehicle carrying materials of any kind.

GROUP B: Tractor & Trailers (all types).

GROUP BB: Tri-Axle, 14 Wheeler

GROUP C: Low Boy (carrying equipment).

GROUP D: Fuel Trucks, Tire Trucks.

GROUP E: Off-road Equipment (over 40 tons): Athey Wagons, Belly Dumps, Articulated Dumps, Trailer Wagons.

GROUP F: Off-road Equipment (over 40 tons) Euclid, DJB.

GROUP G: Off-road Equipment (under 40 tons) Athey Wagons, Belly Articulated Dumps, Trailer Wagons.

GROUP H: Off-road Equipment (under 40 tons), Euclid.

GROUP HH: Off-road Equipment (under 40 tons) D.J.B.

GROUP I: Off-road Equipment (under 40 tons) Darts.

GROUP II: Off-road Equipment (under 40 tons) RXS.

WAGES:(per hour)

07/01/2019

GROUP A	\$ 41.67*
GROUP B	42.29*
GROUP BB	41.79*
GROUP C	44.42*
GROUP D	42.12*
GROUP E	42.67*
GROUP F	43.67*
GROUP G	42.42*
GROUP H	43.04*
GROUP HH	43.42*
GROUP I	43.17*
GROUP II	43.54*

* To calculate premium wage, subtract \$.20 from the hourly wage.

Note: Fuel truck operators on construction sites addit. \$5.00 per day.
 For work on hazardous/toxic waste site addit. 20% of hourly rate.

Shift Differential: NYS DOT or other Governmental Agency contracts shall receive a shift differential of Fifteen(15%) percent above the wage rate

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday. Fridays and Saturdays may be used as make-up days at straight time when a day during the work week has been lost due to inclement weather.

NOTE - In order to use the '4 Day/10 Hour Work schedule', as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker

First 40 hours	\$ 30.67
41st-45th hours	13.38
Over 45 hours	0.25

NOTE: Employees entitled to 1 week of paid vacation based on group classification after 90 days of employment.

OVERTIME PAY

See (B, E, P, R) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE
Overtime: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

8-456

Welder

03/01/2020

JOB DESCRIPTION Welder

DISTRICT 1

ENTIRE COUNTIES

Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Schuylar, Seneca, St. Lawrence, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

WAGES

Per hour 07/01/2019

Welder: To be paid the same rate of the mechanic performing the work.*

*EXCEPTION: If a specific welder certification is required, then the 'Certified Welder' rate in that trade tag will be paid.

OVERTIME PAY

HOLIDAY

1-As Per Trade

Overtime Codes

Following is an explanation of the code(s) listed in the OVERTIME section of each classification contained in the attached schedule. Additional requirements may also be listed in the HOLIDAY section.

NOTE: Supplemental Benefits are 'Per hour worked' (for each hour worked) unless otherwise noted

- (AA) Time and one half of the hourly rate after 7 and one half hours per day
- (A) Time and one half of the hourly rate after 7 hours per day
- (B) Time and one half of the hourly rate after 8 hours per day
- (B1) Time and one half of the hourly rate for the 9th & 10th hours week days and the 1st 8 hours on Saturday.
Double the hourly rate for all additional hours
- (B2) Time and one half of the hourly rate after 40 hours per week
- (C) Double the hourly rate after 7 hours per day
- (C1) Double the hourly rate after 7 and one half hours per day
- (D) Double the hourly rate after 8 hours per day
- (D1) Double the hourly rate after 9 hours per day
- (E) Time and one half of the hourly rate on Saturday
- (E1) Time and one half 1st 4 hours on Saturday; Double the hourly rate all additional Saturday hours
- (E2) Saturday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather
- (E3) Between November 1st and March 3rd Saturday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather, provided a given employee has worked between 16 and 32 hours that week
- (E4) Saturday and Sunday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather
- (E5) Double time after 8 hours on Saturdays
- (F) Time and one half of the hourly rate on Saturday and Sunday
- (G) Time and one half of the hourly rate on Saturday and Holidays
- (H) Time and one half of the hourly rate on Saturday, Sunday, and Holidays
- (I) Time and one half of the hourly rate on Sunday
- (J) Time and one half of the hourly rate on Sunday and Holidays
- (K) Time and one half of the hourly rate on Holidays
- (L) Double the hourly rate on Saturday
- (M) Double the hourly rate on Saturday and Sunday
- (N) Double the hourly rate on Saturday and Holidays
- (O) Double the hourly rate on Saturday, Sunday, and Holidays
- (P) Double the hourly rate on Sunday
- (Q) Double the hourly rate on Sunday and Holidays
- (R) Double the hourly rate on Holidays
- (S) Two and one half times the hourly rate for Holidays

- (S1) Two and one half times the hourly rate the first 8 hours on Sunday or Holidays One and one half times the hourly rate all additional hours.
- (T) Triple the hourly rate for Holidays
- (U) Four times the hourly rate for Holidays
- (V) Including benefits at SAME PREMIUM as shown for overtime
- (W) Time and one half for benefits on all overtime hours.
- (X) Benefits payable on Paid Holiday at straight time. If worked, additional benefit amount will be required for worked hours. (Refer to other codes listed.)

Holiday Codes

PAID Holidays:

Paid Holidays are days for which an eligible employee receives a regular day's pay, but is not required to perform work. If an employee works on a day listed as a paid holiday, this remuneration is in addition to payment of the required prevailing rate for the work actually performed.

OVERTIME Holiday Pay:

Overtime holiday pay is the premium pay that is required for work performed on specified holidays. It is only required where the employee actually performs work on such holidays. The applicable holidays are listed under HOLIDAYS: OVERTIME. The required rate of pay for these covered holidays can be found in the OVERTIME PAY section listings for each classification.

Following is an explanation of the code(s) listed in the HOLIDAY section of each classification contained in the attached schedule. The Holidays as listed below are to be paid at the wage rates at which the employee is normally classified.

- (1) None
- (2) Labor Day
- (3) Memorial Day and Labor Day
- (4) Memorial Day and July 4th
- (5) Memorial Day, July 4th, and Labor Day
- (6) New Year's, Thanksgiving, and Christmas
- (7) Lincoln's Birthday, Washington's Birthday, and Veterans Day
- (8) Good Friday
- (9) Lincoln's Birthday
- (10) Washington's Birthday
- (11) Columbus Day
- (12) Election Day
- (13) Presidential Election Day
- (14) 1/2 Day on Presidential Election Day
- (15) Veterans Day
- (16) Day after Thanksgiving
- (17) July 4th
- (18) 1/2 Day before Christmas
- (19) 1/2 Day before New Years
- (20) Thanksgiving
- (21) New Year's Day
- (22) Christmas
- (23) Day before Christmas
- (24) Day before New Year's
- (25) Presidents' Day
- (26) Martin Luther King, Jr. Day
- (27) Memorial Day
- (28) Easter Sunday



**New York State Department of Labor - Bureau of Public Work
State Office Building Campus
Building 12 - Room 130
Albany, New York 12240**

REQUEST FOR WAGE AND SUPPLEMENT INFORMATION

As Required by Articles 8 and 9 of the NYS Labor Law

Fax (518) 485-1870 or mail this form for new schedules or for determination for additional occupations.

This Form Must Be Typed

Submitted By:

(Check Only One)

Contracting Agency

Architect or Engineering Firm

Public Work District Office

Date:

A. Public Work Contract to be let by: (Enter Data Pertaining to Contracting/Public Agency)

1. Name and complete address (Check if new or change)

Telephone: ()

Fax: ()

E-Mail:

2. NY State Units (see Item 5)

01 DOT

02 OGS

03 Dormitory Authority

04 State University
Construction Fund

05 Mental Hygiene
Facilities Corp.

06 OTHER N.Y. STATE UNIT

07 City

08 Local School District

09 Special Local District, i.e.,
Fire, Sewer, Water District

10 Village

11 Town

12 County

13 Other Non-N.Y. State
(Describe)

3. SEND REPLY TO check if new or change)
Name and complete address:

Telephone:()

Fax: ()

E-Mail:

4. SERVICE REQUIRED. Check appropriate box and provide project information.

New Schedule of Wages and Supplements.

APPROXIMATE BID DATE :

Additional Occupation and/or Redetermination

PRC NUMBER ISSUED PREVIOUSLY FOR
THIS PROJECT :

OFFICE USE ONLY

B. PROJECT PARTICULARS

5. Project Title _____

Description of Work _____

Contract Identification Number _____

Note: For NYS units, the OSC Contract No. _____

6. Location of Project:
Location on Site _____

Route No/Street Address _____

Village or City _____

Town _____

County _____

7. Nature of Project - Check One:

- 1. New Building
- 2. Addition to Existing Structure
- 3. Heavy and Highway Construction (New and Repair)
- 4. New Sewer or Waterline
- 5. Other New Construction (Explain)
- 6. Other Reconstruction, Maintenance, Repair or Alteration
- 7. Demolition
- 8. Building Service Contract

8. OCCUPATION FOR PROJECT :

- Construction (Building, Heavy Highway/Sewer/Water)
- Tunnel
- Residential
- Landscape Maintenance
- Elevator maintenance
- Exterminators, Fumigators
- Fire Safety Director, NYC Only
- Guards, Watchmen
- Janitors, Porters, Cleaners, Elevator Operators
- Moving furniture and equipment
- Trash and refuse removal
- Window cleaners
- Other (Describe)

9. Has this project been reviewed for compliance with the Wicks Law involving separate bidding? YES NO

10. Name and Title of Requester

Signature



NEW YORK STATE DEPARTMENT OF LABOR
Bureau of Public Work - Debarment List

**LIST OF EMPLOYERS INELIGIBLE TO BID ON OR BE
AWARDED ANY PUBLIC WORK CONTRACT**

Under Article 8 and Article 9 of the NYS Labor Law, a contractor, sub-contractor and/or its successor shall be debarred and ineligible to submit a bid on or be awarded any public work or public building service contract/sub-contract with the state, any municipal corporation or public body for a period of five (5) years from the date of debarment when:

- Two (2) final determinations have been rendered within any consecutive six-year (6) period determining that such contractor, sub-contractor and/or its successor has WILLFULLY failed to pay the prevailing wage and/or supplements;
- One (1) final determination involves falsification of payroll records or the kickback of wages and/or supplements.

The agency issuing the determination and providing the information, is denoted under the heading 'Fiscal Officer'. DOL = New York State Department of Labor; NYC = New York City Comptroller's Office; AG = New York State Attorney General's Office; DA = County District Attorney's Office.

Debarment Database: To search for contractors, sub-contractors and/or their successors debarred from bidding or being awarded any public work contract or subcontract under NYS Labor Law Articles 8 and 9, or under NYS Workers' Compensation Law Section 141-b, access the database at this link: <https://applications.labor.ny.gov/EDList/searchPage.do>

For inquiries where WCB is listed as the "Agency", please call 1-866-546-9322

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

AGENCY	Fiscal Officer	FEIN	EMPLOYER NAME	EMPLOYER DBA NAME	ADDRESS	DEBARMENT START DATE	DEBARMENT END DATE
DOL	NYC	*****9839	A.J.S. PROJECT MANAGEMENT, INC.		149 FIFTH AVENUE NEW YORK NY 10010	12/29/2016	12/29/2021
DOL	NYC		ABDUL KARIM		C/O NORTH AMERICAN IRON W 1560 DECATUR STREETRIDGWOOD NY 11385	05/15/2015	05/15/2020
DOL	DOL	*****4539	ACCOMPLISHED WALL SYSTEMS INC		112 OSCAWANNA HEIGHTS RD PUTNAM VALLEY NY 10542	03/13/2015	03/12/2020
DOL	DOL	*****3344	ACT INC		6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	DOL	*****4018	ADIRONDACK BUILDING RESTORATION INC.		4156 WILSON ROAD EAST TABERG NY 13471	03/26/2019	03/26/2024
DOL	DOL	*****1687	ADVANCED SAFETY SPRINKLER INC		261 MILL ROAD P.O BOX 296EAST AURORA NY 14052	07/29/2015	07/29/2020
DOL	DOL	*****1687	ADVANCED SAFETY SPRINKLER INC		261 MILL ROAD P.O BOX 296EAST AURORA NY 14052	05/29/2019	05/29/2024
DOL	NYC	*****6775	ADVENTURE MASONRY CORP.		1535 RICHMOND AVENUE STATEN ISLAND NY 10314	12/13/2017	12/13/2022
DOL	NYC		AGOSTINHO TOME		405 BARRETTO ST BRONX NY 10474	05/31/2018	05/31/2023
DOL	DOL		AJ TORCHIA		10153 ROBERTS RD SAUQUOIT NY 13456	08/09/2016	08/09/2021
DOL	DOL	*****3344	ALL CATASTROPHE CONSTRUCTION TEAM INC	ACT INC	6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	DOL	*****8740	ALLSTATE ENVIRONMENTAL CORP		C/O JOSE MONTAS 27 BUTLER PLACEYONKERS NY 10710	03/18/2011	03/19/2020
DOL	DOL		AMADEO J TORCHIA	TORCHIA'S HOME IMPROVEMENT	10153 ROBERTS RD SAUQUOIT NY 13456	08/09/2016	08/09/2021
DOL	NYC		AMJAD NAZIR		2366 61ST ST BROOKLYN NY 11204	12/15/2016	12/15/2021
DOL	DOL		ANGELO F COKER			12/04/2018	12/04/2023
DOL	NYC		ANISUL ISLAM		C/O RELIANCE GENERAL CONS 644 OCEAN PARKWAYBROOKLYN NY 11230	09/02/2015	09/02/2020
DOL	DOL		ANITA SALERNO		158 SOLAR ST SYRACUSE NY 13204	01/07/2019	01/07/2024
DOL	DA		ANTHONY CARDINALE		58-48 59TH STREET MASPETH NY 11378	05/16/2012	05/08/2020
DOL	DOL		ANTHONY J MINGARELLI JR		C/O T & T CONCRETE INC 2560 HAMBURG TURNPIKELACKAWANNA NY 14218	07/08/2015	07/08/2020
DOL	NYC		ANTHONY J SCLAFANI		149 FIFTH AVE NEW YORK NY 10010	12/29/2016	12/29/2021
DOL	DOL		ANTHONY PERGOLA		3 WEST MAIN ST/SUITE 208 ELMSFORD NY 10323	01/23/2017	01/23/2022
DOL	DOL		ANTONIO ESTIVEZ		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	*****3020	APCO CONTRACTING CORP		24 SOUTH MARYLAND AVENUE PORT WASHINGTON NY 11050	09/24/2012	09/02/2020
DOL	NYC	*****9232	ARKAY CONSTRUCTION INC		102-104 GREYLOCK AVENUE BELLEVILLE NJ 07109	07/15/2015	07/15/2020
DOL	NYC		ARSHAD MEHMOOD		168-42 88TH AVENUE JAMAICA NY 11432	11/20/2019	11/20/2024
DOL	DOL		ARVINDER ATWAL		65 KENNETH PLACE NEW HYDE PARK NY 11040	07/19/2017	07/19/2022
DOL	NYC	*****4779	ASTORIA GENERAL CONTRACTING CORP		35-34 31ST STREET LONG ISLAND CITY NY 11106	09/02/2015	09/02/2020
DOL	NYC	*****7217	ASTRO COMMUNICATIONS OF NY CORP		79 ALEXANDER AVE- STE 36A BRONX NY 10454	10/30/2015	10/30/2020
DOL	NYC	*****6046	ATLANTIC SUN CONSTRUCTION CORP		58-46 59TH AVENUE MASPETH NY 11378	05/08/2015	05/08/2020
DOL	NYC	*****6683	ATLAS RESTORATION CORP.		35-12 19TH AVENUE ASTORIA NY 11105	08/02/2017	08/02/2022

NYSDOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	NYC		AUDLEY O'BRIEN		1273 NORTH AVENUE/#1 CP NEW ROCHELLE NY 10804	04/07/2015	04/07/2020
DOL	NYC	*****2591	AVI 212 INC.		260 CROPSEY AVENUE APT 11BROOKLYN NY 11214	10/30/2018	10/30/2023
DOL	AG		AVTAR SINGH		116-24 127TH STREET SOUTH OZONE PARK NY 11420	12/22/2015	12/22/2020
DOL	AG		BALDEV SINGH		116-24 127TH STREET SOUTH OZONE PARK NY 11420	12/22/2015	12/22/2020
DOL	NYC		BALWINDER SINGH		421 HUDSON ST SUITE C5NEW YORK NY 10014	02/20/2019	02/20/2024
DOL	DOL		BARBARA CASSIDY		7 BLENIS PLACE VALHALLA NY 10595	04/02/2015	04/02/2020
DOL	DOL		BARRY KINNEY		6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	NYC	*****3915	BEACON RESTORATION INC		SUITE B-8 782 PELHAM PARKWAY SOUTHBRONX NY 10462	04/21/2016	04/21/2021
DOL	NYC	*****8416	BEAM CONSTRUCTION, INC.		50 MAIN ST WHITE PLAINS NY 10606	01/04/2019	01/04/2024
DOL	DOL		BIAGIO CANTISANI			06/12/2018	06/12/2023
DOL	DOL	*****4512	BOB BRUNO EXCAVATING, INC		5 MORNINGSIDE DR AUBURN NY 13021	05/28/2019	05/28/2024
DOL	DOL		BOGDAN MARKOVSKI		370 W. PLEASANTVIEW AVE SUITE 2.329HACKENSACK NJ 07601	02/11/2019	02/11/2024
DOL	DOL	*****8551	BRANDY'S MASONRY		216 WESTBROOK STREET P O BOX 304SAYRE PA 18840	08/09/2016	08/09/2021
DOL	NYC	*****6555	BROOKLYN WELDING CORP		1273 NORTH AVENUE/ #1 CP NEW ROCHELLE NY 10804	04/07/2015	04/07/2020
DOL	DOL	*****1449	BRRESTORATION NY INC		140 ARCADIA AVENUE OSWEGO NY 13126	09/12/2016	09/12/2021
DOL	DOL		BRUCE MORSEY		C/O KENT HOLLOW SIDING LL 29A BRIDGE STREETNEW MILFORD CT 06776	01/15/2016	01/15/2021
DOL	DOL		BRUCE P. NASH JR.		5841 BUTTERNUT ROAD EAST SYRACUSE NY 13057	09/12/2018	09/12/2023
DOL	DOL	*****8809	C.B.E. CONTRACTING CORPORATION		310 MCGUINNESS BLVD GREENPOINT NY 11222	03/07/2017	03/07/2022
DOL	DOL	*****9383	C.C. PAVING AND EXCAVATING, INC.		2610 SOUTH SALINA ST SUITE 12SYRACUSE NY 13205	12/04/2018	12/04/2023
DOL	NYC		CALVIN WALTERS		465 EAST THIRD ST MT. VERNON NY 10550	09/09/2019	09/09/2024
DOL	DOL		CANTISANI & ASSOCIATES LTD		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL		CANTISANI HOLDING LLC			06/12/2018	06/12/2023
DOL	DOL		CARIBBEAN POOLS		C/O DOUGLAS L MALARKEY 64 VICTORIA DRIVEBINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL	*****3812	CARMODY "2" INC			06/12/2018	06/12/2023
DOL	DOL	*****1143	CARMODY BUILDING CORP	CARMODY CONTRACTING AND CARMODY CONTRACTING CORP.	442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL		CARMODY CONCRETE CORPORATION			06/12/2018	06/12/2023
DOL	DOL		CARMODY ENTERPRISES, LTD.		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL		CARMODY INC		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	*****3812	CARMODY INDUSTRIES INC			06/12/2018	06/12/2023
DOL	DOL		CARMODY MAINTENANCE CORPORATION		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL		CARMODY MASONRY CORP		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	NYC	*****9172	CASSIDY EXCAVATING INC		14 RAILROAD AVENUE VALHALLA NY 10595	05/15/2014	04/02/2020
DOL	DOL	*****8809	CBE CONTRACTING CORP		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	AG		CESAR J. AGUDELO		81-06 34TH AVENUE APT. 6EJACKSON HEIGHTS NY 11372	02/07/2018	02/07/2023
DOL	DOL	*****7655	CHAMPION CONSTRUCTION SERVICES CORP		2131 SCHENECTADY AVENUE BROOKLYN NY 11234	11/18/2015	11/18/2020
DOL	NYC		CHARLES CASSIDY JR		14 RAILROAD AVENUE VALHALLA NY 10595	05/15/2014	04/02/2020
DOL	DOL		CHARLES ZIMMER JR		216 WESTBROOK STREET P O BOX 304SAYRE PA 18840	08/09/2016	08/09/2021
DOL	DOL		CHRISTINE J HEARNE		C/O C.J-HEARNE CONSTRUCTIO 131 PONCE DE LEON AVE NEATLANTA GA 30308	12/01/2015	12/01/2020
DOL	DOL		CHRISTOPHER J MAINI		19 CAITLIN AVE JAMESTOWN NY 14701	09/17/2018	09/17/2023
DOL	DOL		CHRISTOPHER PAPASTEFANOU A/K/A CHRIS PAPASTEFANOU		1445 COMMERCE AVE BRONX NY 10461	05/30/2019	05/30/2024
DOL	DOL	*****0671	CJ-HEARNE CONSTRUCTION CO		SUITE 204 131 PONCE DE LEON AVENUEATLANTA GA 30308	12/01/2015	12/01/2020
DOL	DOL	*****1927	CONSTRUCTION PARTS WAREHOUSE, INC.	CPW	5841 BUTTERNUT ROAD EAST SYRACUSE NY 13057	09/12/2018	09/12/2023
DOL	NYC	*****2164	CREATIVE TRUCKING INC		58-83 54TH STREET MASPETH NY 11378	02/26/2016	02/26/2021
DOL	DOL	*****2524	CSI ELECTRICAL & MECHANICAL INC		42-32 235TH ST DOUGLSTON NY 11363	01/14/2019	01/14/2024
DOL	DOL	*****7761	D L MALARKEY CONSTRUCTION		64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL	*****7888	D L MALARKEY CONSTRUCTION INC		64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL	*****5629	DAKA PLUMBING AND HEATING LLC		2561 ROUTE 55 POUGHQUAG NY 12570	02/19/2016	02/19/2021
DOL	NYC		DALJIT KAUR BOPARAI		185-06 56TH AVE FRESH MEADOW NY 11365	10/17/2017	10/17/2022
DOL	DOL		DANICA IVANOSKI		61 WILLET ST. PASSAIC NJ 07503	10/26/2016	10/26/2021
DOL	DOL		DARIAN L COKER		2610 SOUTH SALINA ST SUITE 2CSYRACUSE NY 13205	12/04/2018	12/04/2023
DOL	DOL		DARYL T RIEKS		C/O RIEKS CONTRACTING LLC 4804 GAHWILER ROADAUBURN NY 13021	05/01/2015	05/01/2020
DOL	NYC	*****7707	DASSLE CONTRACTING INC		213-37 39TH AVE/SUITE 120 BAYSIDE NY 11360	05/08/2015	05/08/2020
DOL	DOL		DAVID MARTINEZ		C/O EMPIRE TILE INC 6 TREMONT COURTHUNTINGTON STATION NY 11746	03/08/2016	03/08/2021
DOL	NYC		DAVID WEINER		14 NEW DROP LANE 2ND FLOORSTATEN ISLAND NY 10306	11/14/2019	11/14/2024
DOL	DOL		DEBBIE STURDEVANT		29 MAPLEWOOD DRIVE BINGHAMTON NY 13901	02/21/2017	02/21/2022
DOL	AG		DEBRA MARTINEZ		31 BAY ST BROOKLYN NY 11231	03/28/2018	03/28/2023
DOL	DOL		DEDA GAZIVODAN		C/O DAKA PLUMBING AND H 2561 ROUTE 55POUGHQUAG NY 12570	02/19/2016	02/19/2021
DOL	DOL		DELPHI PAINTING & DECORATING CO INC		1445 COMMERCE AVE BRONX NY 10461	05/30/2019	05/30/2024
DOL	DOL		DENNIS SCHWANDTNER		C/O YES SERVICE AND REPAI 145 LODGE AVEHUNTINGTON STATION NY 11476	08/09/2016	08/09/2021
DOL	DOL		DF CONTRACTORS OF ROCHESTER, INC.		1835 DAANSEN RD. PALMYRA NY 14522	05/16/2017	05/16/2022
DOL	DOL		DF CONTRACTORS, INC.		1835 DAANSEN RD. PALMYRA NY 14522	05/16/2017	05/16/2022
DOL	NYC		DIMITRIOS KOUTSOUKOS		C/O ASTORIA GENERAL CONTR 35-34 31ST STREETLONG ISLAND CITY NY 11106	09/02/2015	09/02/2020
DOL	NYC		DIMITRIOS TSOUMAS		35-12 19TH AVENUE ASTORIA NY 11105	08/02/2017	08/02/2022
DOL	DOL	*****3242	DONALD R. FORSAY	DF LAWN SERVICE	1835 DAANSEN RD. PALMYRA NY 14522	05/16/2017	05/16/2022
DOL	DOL		DONALD R. FORSAY		1835 DAANSEN RD. PALMYRA NY 14522	05/16/2017	05/16/2022

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	DOL		DORIS SKODA		C/O APCO CONTRACTING CORP 24 SOUTH MARYLAND AVENUE PORT WASHINGTON NY 11050	09/24/2012	09/02/2020
DOL	NYC	****7404	DOSANJH CONSTRUCTION CORP		9439 212TH STREET QUEENS VILLAGE NY 11428	02/25/2016	02/25/2021
DOL	DOL		DOUGLAS L MALARKEY	MALARKEY CONSTRUCTION	64 VICTORIA DRIVE B INGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	NYC		DUARTE LOPES		66-05 WOODHAVEN BLVD. STE 2 REGO PARK NY 11374	04/20/2017	04/20/2022
DOL	DOL		E C WEBB		6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	DOL		EARL L WILSON	WILSON BROTHER DRYWALL CONTRACTORS	36 ABERSOLD STREET ROCHESTER NY 14621	08/31/2015	08/31/2020
DOL	DOL		EAST COAST PAVING		2238 BAKER RD GILLET PA 16923	03/12/2018	03/12/2023
DOL	NYC	****4269	EAST PORT EXCAVATION & UTILITIES		601 PORTION RD RONKONKOMA NY 11779	11/18/2016	11/18/2021
DOL	DOL	****0780	EMES HEATING & PLUMBING CONTR		5 EMES LANE MONSEY NY 10952	01/20/2002	01/20/3002
DOL	DOL	****3270	EMPIRE TILE INC		6 TREMONT COURT HUNTINGTON STATION NY 11746	03/08/2016	03/08/2021
DOL	NYC	****5917	EPOCH ELECTRICAL, INC		97-18 50TH AVE CORONA NY 11368	04/19/2019	04/19/2024
DOL	DOL	****7403	F & B PAINTING CONTRACTING INC		2 PARKVIEW AVENUE HARRISON NY 10604	09/26/2016	09/26/2021
DOL	DOL		FAIGY LOWINGER		11 MOUNTAIN RD 28 VAN BUREN DR MONROE NY 10950	03/20/2019	03/20/2024
DOL	DOL		FAY MATTHEW		C/O CHAMPION CONSTRUCTION 2131 SCHENECTADY AVENUE BROOKLYN NY 11234	11/18/2015	11/18/2020
DOL	DOL		FAZIA GINA ALI-MOHAMMED	C/O CHAMPION CONSTRUCTION	2131 SCHENECTADY AVENUE BROOKLYN NY 11234	11/18/2015	11/18/2020
DOL	DOL		FRANK BENEDETTO		19 CATLIN AVE JAMESTOWN NY 14701	09/17/2018	09/17/2023
DOL	DOL		FRANK BENEDETTO		C/O F & B PAINTING CONTRACTORS 2 PARKVIEW AVENUE HARRISON NY 10604	09/26/2016	09/26/2021
DOL	DOL	****4722	FRANK BENEDETTO AND CHRISTOPHER J MAINI	B & M CONCRETE	19 CAITLIN AVE JAMESTOWN NY 14701	09/17/2018	09/17/2023
DOL	NYC		FRANK MAINI		1766 FRONT ST YORKTOWN HEIGHTS NY 10598	01/09/2018	01/09/2023
DOL	NYC	****6616	G & G MECHANICAL ENTERPRISES, LLC.		1936 HEMPSTEAD TURNPIKE EAST MEDOW NY 11554	11/29/2019	11/29/2024
DOL	DOL		GABRIEL FRASSETTI			04/10/2019	04/10/2024
DOL	DOL		GALINDA ROTENBERG		C/O GMDV TRANS INC 67-48 182ND STREET FRESH MEADOWS NY 11365	06/24/2016	06/24/2021
DOL	DOL		GEOFF CORLETT		415 FLAGGER AVE #302 STUART FL 34994	10/31/2018	10/31/2023
DOL	DA		GEORGE LUCEY		150 KINGS STREET BROOKLYN NY 11231	01/19/1998	01/19/2998
DOL	DOL		GIGI SCHNECKENBURGER		261 MILL RD EAST AURORA NY 14052	05/29/2019	05/29/2024
DOL	NYC	****3164	GLOBE GATES INC	GLOBAL OVERHEAD DOORS	405 BARRETTO ST BRONX NY 10474	05/31/2018	05/31/2023
DOL	DOL	****5674	GMDV TRANS INC		67-48 182ND STREET FRESH MEADOWS NY 11365	06/24/2016	06/24/2021
DOL	NYC		GREAT ESTATE CONSTRUCTION, INC.		327 STAGG ST BROOKLYN NY 11206	10/10/2017	10/10/2022
DOL	DOL		GREGORY S. OLSON		P.O BOX 100 200 LATTA BROOK PARKHORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	NYC		HARMEL SINGH		15 CLINTON LANE HICKSVILLE NY 11801	02/25/2016	02/25/2021
DOL	NYC		HAROLD KJEMMEI		58-83 54TH STREET	02/26/2016	02/26/2021

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	NYC	*****3228	HEIGHTS ELEVATOR CORP.		1766 FRONT ST YORKTOWN HEIGHTS NY 10598	01/09/2018	01/09/2023
DOL	DOL		HENRY VAN DALRYMPLE		2663 LANTERN LANE ATLANTA GA 30349	12/01/2015	12/01/2020
DOL	DOL	*****8282	IDEMA DEVELOPMENT INC		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL	*****8282	IDEMA GENERAL CONTRACTORS INC		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL	*****7001	INTEGRATED CONSTRUCTION & POWER SYSTEMS INC		SUITE 100 2105 W GENESEE STREETS YRACUSE NY 13219	01/06/2016	01/06/2021
DOL	DOL	*****5131	INTEGRITY MASONRY, INC.	M&R CONCRETE	722 8TH AVE WATERVLIET NY 12189	06/05/2018	06/05/2023
DOL	DOL		IRENE KASSELIS		32 PENNINGTON AVE WALDWICK NJ 07463	05/30/2019	05/30/2024
DOL	AG		J A M CONSTRUCTION CORP		SUITE 125 265 SUNRISE HIGHWAY ROCKVILLE CENTRE NY 10457	04/07/2016	04/07/2021
DOL	DOL		J.A. HIRES CADWALLADER		P.O BOX 100 200 LATTA BROOK PARKHORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL		JAMES B RHYNDERS		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL		JAMES C. DELGIACCO		722 8TH AVE WATERVLIET NY 12189	06/05/2018	06/05/2023
DOL	DOL		JAMES E RHYNDERS		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	AG		JAMES FALCONE		SUITE 125 265 SUNRISE HIGHWAY ROCKVILLE CENTRE NY 10457	04/07/2016	04/07/2021
DOL	DOL		JAMES LIACONE		9365 WASHINGTON ST LOCKPORT IL 60441	07/23/2018	07/23/2023
DOL	DOL		JAMES RACHEL		9365 WASHINGTON ST LOCKPORT IL 60441	07/23/2018	07/23/2023
DOL	DOL		JAMES RHYNDERS SR		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL		JAMES SICKAU		3090 SHIRLEY ROAD NORTH COLLINS NY 14111	04/19/2011	07/08/2020
DOL	DOL		JASON W MILLIMAN		C/O ROCHESTER ACOUSTICAL P O BOX 799 HILTON NY 14468	02/19/2016	02/19/2021
DOL	DOL	*****5368	JCH MASONRY & LANDSCAPING INC.		35 CLINTON AVE OSSINING NY 10562	09/12/2018	09/12/2023
DOL	NYC		JEFFREY CASSIDY		14 RAILROAD AVENUE VALHALLA NY 10595	05/15/2014	04/02/2020
DOL	NYC		JENNIFER GUERRERO		1936 HEMPSTEAD TURNPIKE EAST MEADOW NY 11554	11/29/2019	11/29/2024
DOL	DOL		JESSICA WHITESIDE		C/O BRRESTORATION NY INC 140 ARCADIA AVENUE OSWEGO NY 13126	09/12/2016	09/12/2021
DOL	AG		JOHN ANTHONY MASSINO		36-49 204TH STREET BAYSIDE NY 11372	02/07/2018	02/07/2023
DOL	DOL		JOHN F. CADWALLADER		200 LATTA BROOK PARK HORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL	*****4612	JOHN F. CADWALLADER, INC.	THE GLASS COMPANY	P.O BOX 100 200 LATTA BROOK PARKHORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL		JOHN GOCEK		14B COMMERCIAL AVE ALBANY NY 12065	11/14/2019	11/14/2024
DOL	AG	*****0600	JOHNCO CONTRACTING, INC.		36-49 204TH STREET BAYSIDE NY 11372	02/07/2018	02/07/2023
DOL	DOL		JON E DEYOUNG		261 MILL RD P.O BOX 296 EAST AURORA NY 14052	07/29/2015	07/29/2020
DOL	DOL		JON E DEYOUNG		261 MILL RD P.O BOX 296 EAST AURORA NY 14052	05/29/2019	05/29/2024
DOL	DOL		JORI PEDERSEN		415 FLAGER AVE #302 STUART FL 34994	10/31/2018	10/31/2023
DOL	DOL		JOSE CHUCHUCA		35 CLINTON AVE OSSINING NY 10562	09/12/2018	09/12/2023
DOL	DOL		JOSE MONTAS		27 BUTLER PLACE YONKERS NY 10710	03/18/2011	03/19/2020

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	AG		JOSEPH FALCONE		SUITE 125 265 SUNRISE HIGHWAY ROCKVILLE CENTRE NY 10457	04/07/2016	04/07/2021
DOL	NYC		JOSEPH FOLEY		66-05 WOODHAVEN BLVD. STE 2 REGO PARK NY 11374	04/20/2017	04/20/2022
DOL	DOL	*****9273	JOSEPH M LOVETRO		P O BOX 812 BUFFALO NY 14220	08/09/2016	08/09/2021
DOL	NYC		JOSEPH MARTINO		1535 RICHMOND AVENUE STATEN ISLAND NY 10314	12/13/2017	12/13/2022
DOL	DOL		JOSEPH MARTONE		112 OSCAWANA HEIGHTS RD PUTNAM VALLEY NY 10542	03/13/2015	03/13/2020
DOL	DOL		JOY MARTIN		2404 DELAWARE AVE NIGARA FALLS NY 14305	09/12/2018	09/12/2023
DOL	DOL		JUANA MARTINEZ		C/O LEAD CONSTRUCTION 27 BUTLER PLACE YONKERS NY 10710	03/19/2015	03/19/2020
DOL	DOL		JULIUS AND GITA BEHREND		5 EMES LANE MONSEY NY 10952	11/20/2002	11/20/3002
DOL	DOL	*****5062	K R F SITE DEVELOPMENT INC		375 LAKE SHORE DRIVE PUTNAM VALLEY NY 10579	01/23/2017	01/23/2022
DOL	NYC		K.S. CONTRACTING CORP.		29 PHILLIP DRIVE PARSIPPANY NJ 07054	02/13/2017	02/13/2022
DOL	DOL		KATIE BURDICK		2238 BAKER RD GILLETT PA 16923	03/12/2018	03/12/2023
DOL	DOL		KENNETH FIORENTINO		375 LAKE SHORE DRIVE PUTNAM VALLEY NY 10579	01/23/2017	01/23/2022
DOL	DOL	*****9732	KENT HOLLOW SIDING LLC		29A BRIDGE STREET NEW MILFORD CT 06776	01/15/2016	01/15/2021
DOL	DOL		KIM SOROCENSKI		C/O SOLUTION MATTERS INC 198 NORWOOD ROADPORT JEFFERSON NY 11776	11/19/2015	11/19/2020
DOL	DOL	*****3490	L & M CONSTRUCTION/DRYWALL INC.		1079 YONKERS AVE YONKERS NY 10704	08/07/2018	08/07/2023
DOL	DA	*****8816	LAKE CONSTRUCTION AND DEVELOPMENT CORPORATION		150 KINGS STREET BROOKLYN NY 11231	08/19/1998	08/19/2998
DOL	DOL	*****6224	LAKESIDE FIRE SPRINKLERS LLC		125 CHAUTAUQUA AVENUE LAKEWOOD NY 14750	06/24/2015	06/24/2020
DOL	AG	*****4643	LALO DRYWALL, INC.		221 OLD FORD ROAD NEW PLATZ NY 12561	05/20/2016	05/20/2021
DOL	DOL	*****4505	LARAPINTA ASSOCIATES INC		29 MAPLEWOOD DRIVE BINGHAMTON NY 13901	02/21/2017	02/21/2022
DOL	DOL		LAURI MARTONE		112 OSCAWANA HEIGHTS RD PUTNAM VALLEY NY 10542	03/13/2015	03/13/2020
DOL	DOL		LAVERN GLAVE		161 ROBYN RD MONROE NY 10950	01/30/2018	01/30/2023
DOL	DOL	*****1364	LEAD CONSTRUCTION SERVICES INC		3 ALAN B SHEPARD PLACE YONKERS NY 10705	03/19/2015	03/19/2020
DOL	DOL	*****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	06/24/2016	09/19/2022
DOL	DOL	*****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	06/24/2016	09/19/2022
DOL	DOL	*****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL	*****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL	*****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	01/17/2017	09/19/2022
DOL	DOL	*****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL	*****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL	*****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	08/14/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	08/14/2017	08/14/2022

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	01/17/2017	09/19/2022
DOL	DA	*****4460	LONG ISLAND GLASS & STOREFRONTS, LLC		4 MANHASSET TRL RIDGE NY 11961	09/06/2018	09/06/2023
DOL	AG	*****4216	LOTUS-C CORP.		81-06 34TH AVENUE APT. 6EJACKSON HEIGHTS NY 11372	02/07/2018	02/07/2023
DOL	NYC		LUBOMIR PETER SVOBODA		27 HOUSMAN AVE STATEN ISLAND NY 10303	12/26/2019	12/26/2024
DOL	AG		LUIS MARTINEZ	LALO DRYWALL	211 MAIN ST. NEW PALTZ NY 12561	05/20/2016	05/20/2021
DOL	NYC		M & L STEEL & ORNAMENTAL IRON CORP.		27 HOUSMAN AVE STATEN ISLAND NY 10303	12/26/2019	12/26/2024
DOL	DOL		M ANVER BEIG		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	AG	*****6957	M B DIN CONSTRUCTION INC		8831 20TH AVENUE/SUITE 6E BROOKLYN NY 11214	11/17/2015	11/17/2020
DOL	NYC	*****6317	M S QUALITY CONSTRUCTION LLC		27 MAPLEWOOD AVENUE COLONIA NJ 07067	02/04/2015	02/04/2020
DOL	DOL		M. ANVER BEIG		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	NYC		MACIEJ SONTOWSKI		27 MAPLEWOOD AVENUE COLONIA NJ 07067	02/04/2015	02/04/2020
DOL	NYC	*****9590	MACK GLASSNAUTH IRON WORKS INC		137 LIBERTY AVENUE BROOKLYN NY 11212	12/21/2015	12/21/2020
DOL	DOL	*****1784	MADISON AVE CONSTRUCTION CORP		39 PENNY STREET WEST ISLIP NY 11795	11/02/2016	11/02/2021
DOL	DOL		MALARKEY'S BAR & GRILL LLC		64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL	*****0705	MALARKEY'S PUB & GRUB LLC		64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DA		MANUEL P TOBIO		150 KINGS STREET BROOKLYN NY 14444	08/19/1998	08/19/2998
DOL	DA		MANUEL TOBIO		150 KINGS STREET BROOKLYN NY 11231	08/19/1998	08/19/2998
DOL	NYC		MAREK FABIJANOWSKI		50 MAIN ST WHITE PLAINS NY 10606	01/04/2019	01/04/2024
DOL	DOL		MARIACHI'S PIZZERIA		C/O DOUGLAS L MALARKEY 64 VICTORIA DRIVEBINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL		MARK MIONIS		6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	NYC		MARTINE ALTER		1010 NORTHERN BLVD. GREAT NECK NY 11021	03/09/2017	03/09/2022
DOL	DOL		MARVIN A STURDEVANT		29 MAPLEWOOD DRIVE BINGHAMTON NY 13901	02/21/2017	02/21/2022
DOL	DOL		MASONRY CONSTRUCTION, INC.		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	*****3333	MASONRY INDUSTRIES, INC.		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	NYC		MATINA KARAGIANNIS		97-18 50TH AVE CORONA NY 11368	04/19/2018	04/19/2023
DOL	DOL		MATTHEW IDEMA GENERAL CONTRACTORS INC		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL		MATTHEW P. KILGORE		4156 WILSON ROAD EAST TABERG NY 13471	03/26/2019	03/26/2024
DOL	DOL		MAURICE GAWENO		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	*****6416	MCCALL MASONRY		P O BOX 304 SAYRE PA 18840	08/09/2016	08/09/2021
DOL	DOL		MCLEAN "MIKKI BEANE"		1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL		MCLEAN "MIKKI" DRAKE		1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL		MCLEAN M DRAKE-BEANE		1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL	*****9445	MCLEAN M WALSH	ELITE PROFESSION AL PAINTING OF CNY	1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL	*****9445	MCLEAN M WALSH	ELITE PROFESSION AL PAINTING OF CNY	1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	NYC	*****5330	METRO DUCT SYSTEMS INC		1219 ASTORIA BOULEVARD LONG ISLAND CITY NY 11102	04/16/2014	11/19/2020

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	DOL		MICHAEL A PASCARELLA		SUITE 100 2105 WEST GENESEE STREET SYRACUSE NY 13219	01/06/2016	01/06/2021
DOL	NYC		MICHAEL HIRSCH		C/O MZM CORP 163 S MAIN STREET NEW CITY NY 10956	01/28/2016	01/28/2021
DOL	DOL		MICHAEL LENIHAN		1079 YONKERS AVE UNIT 4 YONKERS NY 10704	08/07/2018	08/07/2023
DOL	AG		MICHAEL RIGLIETTI		31 BAY ST BROOKLYN NY 11231	03/28/2018	03/28/2023
DOL	DOL		MICHAEL WILSON	WILSON BROTHER DRYWALL CONTRACTOR S	36 ABERSOLD STREET ROCHESTER NY 14621	08/31/2015	08/31/2020
DOL	NYC		MILANCE HADZIC		22 CALIFORNIA AVE - STE 1 PATERSON NJ 07503	03/11/2015	03/11/2020
DOL	DOL	****4829	MILESTONE ENVIRONMENTAL CORPORATION		704 GINESI DRIVE SUITE 29 MORGANVILLE NJ 07751	04/10/2019	04/10/2024
DOL	NYC	****9926	MILLENNIUM FIRE PROTECTION, LLC		325 W. 38TH STREET SUITE 204 NEW YORK NY 10018	11/14/2019	11/14/2024
DOL	NYC	****0627	MILLENNIUM FIRE SERVICES, LLC		14 NEW DROP LNE 2ND FLOOR STATEN ISLAND NY 10306	11/14/2019	11/14/2024
DOL	AG		MOHAMMED N CHATHA		8831 20TH AVENUE/SUITE 6E BROOKLYN NY 11214	11/17/2015	11/17/2020
DOL	DOL	****2737	MOUNTAIN'S AIR INC		2471 OCEAN AVENUE- STE 7A BROOKLYN NY 11229	09/24/2012	09/18/2020
DOL	NYC	****3826	MOVING MAVEN OF NY, INC.		1010 NORTHERN BLVD. GREAT NECK NY 11021	03/09/2017	03/09/2022
DOL	NYC	****3550	MOVING MAVEN, INC		1010 NORTHERN BLVD. GREAT NECK NY 11021	03/09/2017	03/09/2022
DOL	AG		MSR ELECTRICAL CONSTRUCTION CORP.		31 BAY ST BROOKLYN NY 11231	03/28/2018	03/28/2023
DOL	DOL		MUHAMMAD BEIG		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	DOL		MUHAMMAD BEIG		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	DOL		MUHAMMAD PERVAIZ		C/O CHAMPION CONSTRUCTION 2131 SCHENECTADY AVENUE BROOKLYN NY 11234	11/18/2015	11/18/2020
DOL	NYC	****3613	MZM CORP		163 S MAIN STREET NEW CITY NY 10956	01/28/2016	01/28/2021
DOL	DA	****9786	NATIONAL INSULATION & GC CORP		180 MILLER PLACE HICKSVILLE NY 11801	12/12/2018	12/12/2023
DOL	NYC	****1284	NEW AMERICAN RESTORATION INC		22 CALIFORNIA AVE - STE 1 PATERSON NJ 07503	03/11/2015	03/11/2020
DOL	DA	****6988	NEW YORK INSULATION INC		58-48 59TH STREET MASPETH NY 11378	05/16/2012	05/08/2020
DOL	NYC	****4839	NEW YORK RIGGING CORP		58-83 54TH STREET MASPETH NY 11378	02/26/2016	02/26/2021
DOL	NYC	****1968	NORTH AMERICAN IRON WORKS INC		1560 DECATUR STREET RIDGWOOD NY 11385	05/15/2015	05/15/2020
DOL	DOL	****6966	NORTH COUNTRY DRYWALL AND PAINT		23167 COUNTY ROUTE 59 DEXTER NY 13634	10/24/2016	10/24/2021
DOL	DOL	****0065	NORTHEAST LANDSCAPE AND MASONRY ASSOC		3 WEST MAIN ST/SUITE 208 ELMSFORD NY 10523	01/23/2017	01/23/2022
DOL	DOL	****1845	OC ERECTERS, LLC A/K/A OC ERECTERS OF NY INC.		1207 SW 48TH TERRACE DEERFIELD BEACH FL 33442	01/16/2018	01/16/2023
DOL	NYC	****0818	ONE TEN RESTORATION, INC.		2366 61ST ST BROOKLYN NY 11204	12/15/2016	12/15/2021
DOL	NYC		ORSON ARROYO		C/O METRO DUCT SYSTEMS 12-19 ASTORIA BOULEVARD LONG ISLAND CITY NY 11102	04/16/2014	11/19/2020
DOL	NYC		PARESH SHAH		29 PHILLIP DRIVE PARSIPPANY NJ 07054	02/13/2017	02/13/2022
DOL	NYC	****9422	PELIUM CONSTRUCTION, INC.		22-33 35TH ST. ASTORIA NY 11105	12/30/2016	12/30/2021
DOL	DOL		PETER M PERGOLA		3 WEST MAIN ST/SUITE 208 ELMSFORD NY 10523	01/23/2017	01/23/2022
DOL	DOL		PIERRE LAPORT		224 COUNTY HIGHWAY 138 BROADALBIN NY 12025	03/07/2017	03/07/2022
DOL	DOL	****1543	PJ LAPORT FLOORING INC		224 COUNTY HIGHWAY 138 BROADALBIN NY 12025	03/07/2017	03/07/2022

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	NYC	****4532	PROFESSIONAL PAVERS CORP.		66-05 WOODHAVEN BLVD. REGO PARK NY 11374	04/20/2017	04/20/2022
DOL	DOL	****6895	PROLINE CONCRETE OF WNY INC		3090 SHIRLEY ROAD NORTH COLLINS NY 14111	04/19/2011	07/08/2020
DOL	DA	****6817	QUADRANT METAL BUILDINGS LLC		2740 SW MARTIN DOWNS BLVD PALM CITY FL 34990	08/25/2016	08/25/2021
DOL	NYC		RAMESHWAR ASU		137 LIBERTY AVENUE BROOKLYN NY 11212	12/21/2015	12/21/2020
DOL	NYC		RANTIK PARIKH		13 LORIANN ROAD WARREN NJ 07059	07/15/2015	07/15/2020
DOL	DOL	****2633	RAW POWER ELECTRIC CORP		3 PARK CIRCLE MIDDLETOWN NY 10940	01/30/2018	01/30/2023
DOL	AG	****7015	RCM PAINTING INC.		69-06 GRAND AVENUE 2ND FLOOR MASPETH NY 11378	02/07/2018	02/07/2023
DOL	DOL		REGINALD WARREN		161 ROBYN RD MONROE NY 10950	01/30/2018	01/30/2023
DOL	NYC	****3461	RELIANCE GENERAL CONSTRUCTION INC		644 OCEAN PARKWAY BROOKLYN NY 11230	09/02/2015	09/02/2020
DOL	DA		RIANN MULLER		2740 SW MARTIN DOWNS BLVD PALM CITY FL 34990	08/25/2016	08/25/2021
DOL	DOL	****9148	RICH T CONSTRUCTION		107 WILLOW WOOD LANE CAMILLUS NY 13031	11/13/2018	11/13/2023
DOL	DOL		RICHARD MACONE		8617 THIRD AVE BROOKLYN NY 11209	09/17/2018	09/17/2023
DOL	DOL	****9148	RICHARD TIMIAN	RICH T CONSTRUCTION	108 LAMONT AVE SYRACUSE NY 13209	10/16/2018	10/16/2023
DOL	DOL		RICHARD TIMIAN JR.		108 LAMONT AVE SYRACUSE NY 13209	10/16/2018	10/16/2023
DOL	DOL		RICHARD TIMIAN JR.		108 LAMONT AVE SYRACUSE NY 13209	11/13/2018	11/13/2023
DOL	DOL	****8618	RIEKS CONTRACTING LLC		4804 GAHWILER ROAD AUBURN NY 13021	05/01/2015	05/01/2020
DOL	DOL		ROBBYE BISSESAR		89-51 SPRINGFIELD BLVD QUEENS VILLAGE NY 11427	01/11/2003	01/11/3003
DOL	DOL		ROBERT A. VALERINO		3841 LANYARD COURT NEW PORT RICHEY FL 34652	07/09/2019	07/09/2024
DOL	DOL		ROBERT BRUNO		3 GAYLORD ST AUBURN NY 13021	11/15/2016	11/15/2021
DOL	DOL		ROBERT BRUNO		5 MORNINGSIDE DRIVE AUBURN NY 13021	05/28/2019	05/28/2024
DOL	NYC		ROBERT HOHMAN		149 FIFTH AVE NEW YORK NY 10010	12/29/2016	12/29/2021
DOL	DOL		ROBERT TORDELLA		125 CHAUTAUQUA AVENUE LAKEWOOD NY 14750	06/24/2015	06/24/2020
DOL	DOL	****3859	ROCHESTER ACOUSTICAL CORP		P O BOX 799 HILTON NY 14468	02/19/2016	02/19/2021
DOL	DOL		RODERICK PUGH		404 OAK ST SUITE 101 SYRACUSE NY 13203	07/23/2018	07/23/2023
DOL	DOL	****4880	RODERICK PUGH CONSTRUCTION INC.		404 OAK ST SUITE 101 SYRACUSE NY 13203	07/23/2018	07/23/2023
DOL	NYC		RODNEY SCOTT		201 HEMPSTEAD AVE WEST HEMPSTEAD NY 11552	10/30/2015	10/30/2020
DOL	DOL		ROMEO WARREN		161 ROBYN RD MONROE NY 10950	01/30/2018	01/30/2023
DOL	DOL		RONALD MESSEN		14B COMMERCIAL AVE ALBANY NY 12065	11/14/2019	11/14/2024
DOL	DOL		ROSEANNE CANTISANI			06/12/2018	06/12/2023
DOL	DOL		RYAN ALBIE		21 S HOWELLS POINT ROAD BELLPORT NY 11713	02/21/2017	02/21/2022
DOL	DOL	****3347	RYAN ALBIE CONTRACTING INC		21 S HOWELLS POINT ROAD BELLPORT NY 11713	02/21/2017	02/21/2022
DOL	DOL	****1365	S & L PAINTING, INC.		11 MOUNTAIN ROAD P.O BOX 408 MONROE NY 10950	03/20/2019	03/20/2024
DOL	DOL	****7730	S C MARTIN GROUP INC.		2404 DELAWARE AVE NIAGARA FALLS NY 14305	09/12/2018	09/12/2023
DOL	NYC		SABIR MUHAMMED		SUITE B-8 782 PELHAM PARKWAY SOUTHBRONX NY 10462	04/21/2016	04/21/2021
DOL	DOL		SALVATORE A. FRESINA			08/26/2016	08/26/2021

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	DOL		SAM FRESINA			08/26/2016	08/26/2021
DOL	NYC	*****0349	SAM WATERPROOFING INC		168-42 88TH AVENUE APT.1 AJAMAICA NY 11432	11/20/2019	11/20/2024
DOL	NYC		SANDEEP BOPARAI		185-06 56TH AVE FRESH MEADOW NY 11365	10/17/2017	10/17/2022
DOL	NYC	*****2117	SCOTT ELECTRICAL SERVICE, LLC.		201 HEMPSTEAD AVE WEST HEMPSTEAD NY 11552	10/30/2015	10/30/2020
DOL	DOL	*****9751	SCW CONSTRUCTION		544 OLD ROUTE 23 ACRE NY 12405	02/14/2017	02/14/2022
DOL	AG		SERGIO RAYMUNDO		109 DUBOIS RD. NEW PALTZ NY 12561	05/20/2016	05/20/2021
DOL	NYC	*****6597	SHAIRA CONSTRUCTION CORP.		421 HUDSON STREET SUITE C5NEW YORK NY 10014	02/20/2019	02/20/2024
DOL	DOL	*****1961	SHANE BURDICK	CENTRAL TRAFFIC CONTROL, LLC.	2238 BAKER ROAD GILLET PA 16923	03/12/2018	03/12/2023
DOL	DOL		SHANE BURDICK		2238 BAKER ROAD GILLET PA 16923	03/12/2018	03/12/2023
DOL	DOL		SHANE NOLAN		9365 WASHINGTON ST LOCKPORT IL 60441	07/23/2018	07/23/2023
DOL	DOL		SHULEM LOWINGER		11 MOUNTAIN ROAD 28 VAN BUREN DRMONROE NY 10950	03/20/2019	03/20/2024
DOL	DOL	*****0816	SOLAR ARRAY SOLUTIONS, LLC		9365 WASHINGTON ST LOCKPORT IL 60441	07/23/2018	07/23/2023
DOL	DOL	*****4025	SOLUTION MATTERS INC		198 NORWOOD ROAD PORT JEFFERSON NY 11776	11/19/2015	11/19/2020
DOL	DOL	*****3496	STAR INTERNATIONAL INC		89-51 SPRINGFIELD BLVD QUEENS VILLAGE NY 11427	08/11/2003	08/11/3003
DOL	DOL	*****6844	STEAM PLANT AND CHX SYSTEMS INC.		14B COMMERCIAL AVENUE ALBANY NY 12065	11/14/2019	11/14/2024
DOL	DOL	*****9933	STEED GENERAL CONTRACTORS, INC.		1445 COMMERCE AVE BRONX NY 10461	05/30/2019	05/30/2024
DOL	DOL		STEFANOS PAPASTEFANOU, JR. A/K/A STEVE PAPASTEFANOU, JR.		256 WEST SADDLE RIVER RD UPPER SADDLE RIVER NJ 07458	05/30/2019	05/30/2024
DOL	DOL	*****9751	STEPHEN C WAGAR		544 OLD ROUTE 23 ACRE NY 12405	02/14/2017	02/14/2022
DOL	DOL		STEVE TATE		415 FLAGER AVE #302STUART FL 34994	10/31/2018	10/31/2023
DOL	NYC		STEVEN GOVERNALE		601 PORTION RD RONKONKOMA NY 11779	11/18/2016	11/18/2021
DOL	DOL		STEVEN MARTIN		2404 DELWARE AVE NIAGARA FALLS NY 14305	09/12/2018	09/12/2023
DOL	DOL		STEVEN P SUCATO		15-68 208TH STREET BAYSIDE NY 11360	06/23/2016	06/23/2021
DOL	DOL		STEVEN TESTA		50 SALEM STREET - BLDG B LYNNFIELD MA 01940	01/23/2017	01/23/2022
DOL	NYC	*****9432	SUBLINK LTD		346 THIRD AVENUE PELHAM NY 10803	11/19/2015	11/19/2020
DOL	NYC	*****5863	SUKHMANY CONSTRUCTION, INC.		185-06 56TH AVE FRESH MEADOW NY 11365	10/17/2017	10/17/2022
DOL	DOL	*****1060	SUNN ENTERPRISES GROUP, LLC		370 W. PLEASANTVIEW AVE SUITE 2.329HACKENSACK NJ 07601	02/11/2019	02/11/2024
DOL	DOL	*****8209	SYRACUSE SCALES, INC.		158 SOLAR ST SYRACUSE NY 13204	01/07/2019	01/07/2024
DOL	DOL	*****7441	T & T CONCRETE INC		2560 HAMBURG TURNPIKE P O BOX 367LACKAWANNA NY 14218	07/08/2015	07/08/2020
DOL	DOL		TALAILA OCAMPA		1207 SW 48TH TERRACE DEERFIELD BEACH FL 33442	01/16/2018	01/16/2023
DOL	DOL	*****9852	TAP STEEL INC		ROUTE 26 3101 P O BOX 457CONSTABLEVILLE NY 13325	01/28/2016	01/28/2021
DOL	DOL	*****5570	TESTA CORP		50 SALEM STREET - BLDG B LYNNFIELD MA 01940	01/23/2017	01/23/2022
DOL	DOL	*****0887	THE BRINSON PAINTING CORPORATION		72 TAUNTON PLACE BUFFALO NY 14216	04/14/2015	04/14/2020
DOL	DOL	*****5766	THE COKER CORPORATION	COKER CORPORATIO N	2610 SOUTH SALINA ST SUITE 14SYRACUSE NY 13205	12/04/2018	12/04/2023
DOL	DOL	*****8174	THE DALRYMPLE CORPORATION		UNIT 278 541 10TH STREET NWTALANTA GA 30318	12/01/2015	12/01/2020

NYS DOL Bureau of Public Work Debarment List 02/03/2020

Article 8

DOL	DOL	*****8174	THE DALRYMPLE GROUP LLC		289 JONESBORO RD/ STE 216 MCDONOUGH GA 30253	12/01/2015	12/01/2020
DOL	DOL		TIMOTHY A PALUCK		C/O TAP STEEL INC RTE 26 3101/ P O BOX 457CONSTATLEVILLE NY 13325	01/28/2016	01/28/2021
DOL	DOL	*****3453	TORCHIA'S HOME IMPROVEMENT		10153 ROBERTS RD SAUQUOIT NY 13456	08/09/2016	08/09/2021
DOL	DOL	*****8311	TRIPLE B FABRICATING, INC.		61 WILLETT ST. PASSAIC NJ 07503	10/26/2016	10/26/2021
DOL	DOL	*****9407	TURBO GROUP INC		15-68 208TH STREET BAYSIDE NY 11360	06/23/2016	06/23/2021
DOL	DOL	*****6392	V.M.K CORP.		8617 THIRD AVE BROOKLYN NY 11209	09/17/2018	09/17/2023
DOL	NYC		VALERIE VISCONTI		346 THIRD AVENUE PELHAM NY 10803	11/19/2015	11/19/2020
DOL	NYC	*****7361	VIABLE HOLDINGS, INC.	MOVING MAVEN	1010 NORTHERN BLVD. GREAT NECK NY 11021	03/09/2017	03/09/2022
DOL	DOL		VICTOR ALICANTI		42-32 235TH ST DOUGLSTON NY 11363	01/14/2019	01/14/2024
DOL	DOL		VICTOR ROTENBERG		C/O GMDV TRANS INC 67048 182ND STREETFRESH MEADOWS NY 11365	06/24/2016	06/24/2021
DOL	NYC		VIKTAR PATONICH		2630 CROPSEY AVE BROOKLYN NY 11214	10/30/2018	10/30/2023
DOL	NYC		VITO GARGANO		1535 RICHMOND AVE STATEN ISLAND NY 10314	12/13/2017	12/13/2022
DOL	NYC	*****3673	WALTERS AND WALTERS, INC.		465 EAST AND THIRD ST MT. VERNON NY 10550	09/09/2019	09/09/2024
DOL	DOL		WAYNE LIVINGSTON JR	NORTH COUNTRY DRYWALL AND PAINT	23167 COUNTY ROUTE 59 DEXTER NY 13634	10/24/2016	10/24/2021
DOL	DOL	*****3296	WESTERN NEW YORK CONTRACTORS, INC.		3841 LAYNARD COURT NEW PORT RICHEY FL 34652	07/09/2019	07/09/2024
DOL	DOL		WHITE PLAINS CARPENTRY CORP		442 ARMONK RD	06/12/2018	06/12/2023
DOL	DOL		WILLIAM C WATKINS		1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL		WILLIAM DEAK		C/O MADISON AVE CONSTR CO 39 PENNY STREETWEST ISLIP NY 11795	11/02/2016	11/02/2021
DOL	DOL		WILLIE BRINSON		72 TAUNTON PLACE BUFFALO NY 14216	04/14/2015	04/14/2020
DOL	DOL	*****6195	WILSON BROTHER DRYWALL CONTRACTORS		36 ABERSOLD STREET ROCHESTER NY 14621	08/31/2015	08/31/2020
DOL	DOL	*****4043	WINDSHIELD INSTALLATION NETWORK, INC.		200 LATTA BROOK PARK HORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL	*****4730	XGD SYSTEMS, LLC	TDI GOLF	415 GLAGE AVE #302STUART FL 34994	10/31/2018	10/31/2023
DOL	DOL	*****7345	YES SERVICE AND REPAIRS CORPORATION		145 LODGE AVE HUNTINGTON STATION NY 11476	08/09/2016	08/09/2021
DOL	DOL		YURIY IVANIN		C/O MOUNTAIN'S AIR INC 2471 OCEAN AVENUE-STE 7ABROOKLYN NY 11229	09/24/2012	09/18/2020
DOL	NYC		ZAKIR NASEEM		30 MEADOW ST BROOKLYN NY 11206	10/10/2017	10/10/2022
DOL	NYC	*****8277	ZHN CONTRACTING CORP		30 MEADOW ST BROOKLYN NY 11206	10/10/2017	10/10/2022

APPENDIX E

PERMITS

- NYSDEC Freshwater Wetlands Permit
(GP 3-18-001)
 - USACE Nationwide Permit #3
 - NYSDOT Highway Work Permit
- Westchester County Stream Work Permit



PERMIT
Under the Environmental Conservation Law (ECL)

GENERAL PERMIT GP-3-18-001
Region 3 Municipal & County General Permit

Permittee and Facility Information

Permit Issued To:
Town of Yorktown

Facility:
Hill Boulevard

Applicable DEC Region(s): 3

General Permit Authorized Activity: This General Permit authorizes municipalities (Towns, Villages and Cities) and counties located in New York State within Region 3 of the New York State Department of Environmental Conservation to conduct the following activities:

1. Bank and channel stabilization activities for transportation related construction activities.
Authorized activities include:
 - a. Repair, restoration and maintenance of highway embankments and shoulders adjacent to waterways and lakes with riprap, stone fill, timber cribbing, retaining walls, stacked rock, head walls or other appropriate stabilization technique.
 - b. Such work may include the stabilization of up to 200 linear feet of eroded stream banks where the bank is actively eroding and threatening the integrity of the public infrastructure and public safety.
 - c. The total length must be measured cumulatively when a project has several individual areas in a single wetland or stream bank.

2. Culvert and Bridge replacement and rehabilitation.
Authorized activities include:
 - a. Replacement of bridges on the same site.
 - b. Replacement of culverts with new structures on the same site, excluding multiple culverts.
 - c. Rehabilitation of bridge elements (deck, sidewalk, girders, piers, footings, abutments, wingwalls).
 - d. Rehabilitation of culverts (not including slip lining).
 - e. Construction of temporary shoring piling, piers, pads, braces, and form work.
 - f. Removal of abandoned bridges.



3. Rehabilitation and repair of existing transportation facilities in similar configuration, alignment and dimension, excluding culvert and bridge replacement/rehabilitation.

Authorized activities include:

- a. Highway and shoulder work including pavement and guiderails, traffic signs and signals;
- b. Drainage swales and equalization culverts not carrying streams, including end sections, aprons, fencing and headwalls;

4. Survey and Exploratory activities for roadway related construction activities.

Authorized activities include:

- a. Drilling of test wells or bore holes, excavation of test pits, core sampling, soil sampling and other similar exploratory type activities associated with a public infrastructure project;
- b. Temporary equipment access for structural inspections;
- c. Installation of staff gauges.

5. Debris and Gravel Removal.

Authorized activities include:

- a. Cutting and removal of fallen trees and other debris which obstruct normal water flow;
- b. Removal of up to 100 linear feet of gravel accumulations associated with an existing structure.

Permit Authorizations

Freshwater Wetlands - Under Article 24

Effective Date: 02/08/2018 Expiration Date: 02/07/2023

Stream Disturbance - Under Article 15, Title 5

Effective Date: 02/08/2018 Expiration Date: 02/07/2023

Excavation & Fill in Navigable Waters - Under Article 15, Title 5

Effective Date: 02/08/2018 Expiration Date: 02/07/2023

Water Quality Certification - Under Section 401 - Clean Water Act

Effective Date: 02/08/2018 Expiration Date: 02/07/2023

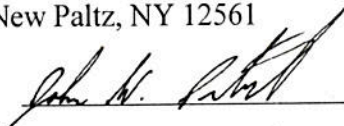
NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

General Permit Authorized by

Permit Administrator: JOHN W PETRONELLA , Regional Permit Administrator

Address: NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY 12561

Authorized Signature: 

Date: 02/08/2018



This permit is not effective without the signature below:

Validation under this General Permit

Authorized By: Josh Fisher

Authorized Signature: Josh Fisher

Date 11 / 13 / 2018

Permit Components

- NATURAL RESOURCE PERMIT CONDITIONS
- WATER QUALITY CERTIFICATION SPECIFIC CONDITION
- GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS
- NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: WATER QUALITY CERTIFICATION; EXCAVATION & FILL IN NAVIGABLE WATERS; STREAM DISTURBANCE; FRESHWATER WETLANDS

1. Request For Authorization Prior to the use of this General Permit for a project, the Applicant must submit a Joint Application Form with the required attachments to the Regional Permit Administrator. Upon review of the project, NYSDEC will determine if the project can be authorized under this General Permit. No work is authorized until the Permittee receives the signed General Permit from NYSDEC. NYSDEC may add specific additional requirements or plan notes to the Project Authorization.

NYSDEC retains the right to exclude a proposed activity from authorization under this General Permit, and to require the Applicant to obtain an individual permit.

2. Previous County General Permits This General Permit (GP-3-17-001) shall supercede all existing Region 3 County General Permits and Standard Activity Permits (SAPs).

3. Conformance With Plans All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by the applicant or it's agent.



4. Bank Stabilization

- a. The stream bank shall be at an appropriate slope to allow for stabilization, with the toe keyed in below the stream bed as far as possible.
- b. Stabilization of the stream bank must not result in a constriction of the cross-sectional area of the affected stream channel to the current width and depth of the immediate vicinity.
- c. Materials must be stockpiled and installed in such a manner to prevent dispersion or movement by normal highwater level flows
- d. Alterations to channel configuration, streambeds characteristics including slope, average bedload size side slopes of banks must be minimized as much as possible.

5. Culvert and Bridge Work and Replacement

- a. Flat bottom culverts shall be installed at least 18 inches below the existing streambed elevation
- b. Bridges and culverts must be installed in manner so that they do not constitute a barrier to upstream movement of fish under normal flow conditions or constrict the stream channel.
- c. Culverts should conform as closely as possible to the existing streambed gradient and profile including width and depth of channel while remaining within the bounds of general guidance from natural resource regulatory agencies or manufacturer specifications.
- d. Replacements of existing culverts and bridges must be within 50 feet of their existing location. The culvert must not require more than 100 feet of flow alignment activities within the wetland or stream and must not alter the existing flow or water table characteristics of the wetland or stream or inhibit the natural movements of resident or migratory aquatic life.
- e. Round culverts shall be buried a minimum of 20% of their diameter so that the widest portion of the culvert is at the general elevation of the streambed.
- f. Bridge abutments must be designed and installed in a manner that does not cause a constriction of the stream channel.

6. Rehabilitation and Repair of Transportation Facilities

- a. Temporary construction access, detour roads or associated earth fills in the wetland, wetland adjacent area or stream channel must be completely restored upon completion of the project using native material to the greatest extent.
- b. Drainage culverts in regulated wetlands not carrying streams must be replaced at their existing location and with pipes matching the existing culvert and invert elevations. Repair must not alter hydrology of surrounding area.

7. Survey and Exploratory Activities for Roadway Related Construction

- a. All test wells, test pits and bore holes must be backfilled to the fullest extent possible with soil excavated from the well, pit or hole. All excess material must be immediately removed from the wetland and adjacent area and stabilized immediately upon completion of the activity. No drilling muds or fluids shall be released to surface waters. All such muds, fluids and tailings must be disposed of at an appropriate upland location.
- b. The area of wetland disturbance must be limited to the minimum necessary to perform the survey and exploratory activity. Clearing of existing vegetation must be limited to the material which poses an immediate hazard or hindrance to the necessary activity. Temporary fill for access for exploratory purposes is not authorized, all access for this purpose must utilize temporary mats.



8. Debris and Gravel Removal This permit authorizes the skimming of accumulated gravel from exposed gravel bar from any single location of no more than 100 feet from a structure. For the purposes of this permit, skimming is defined as the selective removal of gravel from the exposed portion of gravel bar or similar deposit to a uniform depth of one foot higher than the normal low water level.

9. Cofferdams, Sediment basins and Temporary Water Control Structures Any temporary cofferdam shall be constructed of materials that will not contribute to turbidity or siltation of the waterbody. Fill materials for cofferdams must not come from the waterbody or wetland unless specifically identified on the plans and authorized. All temporary water control structures shall be removed in their entirety upon completion of maintenance activity.

10. Erosion Control Devices Appropriate measures and devices (such as silt fences, straw bales, turbidity curtains, check dams, catchment basins, sediment retention basins, water bars, diversion culverts, and other appropriate measures) shall be employed wherever necessary to prevent erodible soils, including those from banks and spoil piles, from entering the wetland or water body. All erosion control devices must be in place prior to ground disturbance and maintained as long as erosion is possible and until permanent vegetation is established. All devices should be removed no later than one-year after project completion.

11. No Turbid Discharges Visibly turbid discharges from land clearing, grading or excavation activities or de-watering operations shall not enter the stream, navigable water or wetland. Such water shall be pumped to settling basins or to an upland vegetated area prior to any discharge to stream or wetland.

12. Isolate Work Area Work areas must be isolated from flowing or standing water in a manner that will prevent the contravention of water quality standards that will result in a water quality violation. The definition of a contravention of water quality standards is a visible contrast in water clarity (turbidity) in the case of a stream between upstream and downstream of the work area and in the case of a water body between the vicinity of the work area outside of the isolation and an area a significant distance from the work area. A proposed method of isolation must be shown on the project plans.

13. Concrete Leachate During construction, no wet or fresh concrete or leachate shall be allowed to escape into any wetland or water of New York State, nor shall washings from ready-mixed concrete trucks, mixers or other devices be allowed to enter any wetland or waters. Only watertight or waterproof forms shall be used. Wet concrete shall not be poured to displace water within the forms.

14. Seed/Mulch Streambanks All areas of soil disturbance resulting from this project shall be seeded with an appropriate perennial grass seed and mulched with hay or straw within one week of final grading. Mulch shall be maintained until a suitable vegetative cover is established. If seeding is impracticable due to the time of year, a temporary mulch shall be applied and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth but not more than six months after project completion.

15. Equipment Operation in Wetlands, Water and Waterbodies Only equipment necessary for the authorized activity, as indicated on the project plans, including the bucket of excavators, may enter the waterbody or wetland. At no time should machinery be operated in flowing water when it can reasonably be avoided or without adequate control measure in place.



16. No Interference With Navigation There shall be no unreasonable interference with navigation by the work herein authorized.

17. Permit Modification Should unforeseen circumstances arise during construction that result in either a turbidity issue or that will require a modification to the approved plans the Department must be contacted immediately. All onsite activities shall focus on the elimination of the problem and stabilization of the site until this has been accomplished. Modifications to the approved plans that affect the final approved layout or substantial modifications of the approved process for construction must be approved by the Department prior to the resumption of construction. Minor modification to the technical construction details where the overall final structure remains unchanged may resume once all problems have been resolved.

18. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

19. Failure to Meet Terms or Conditions Failure of the permittee to meet all the terms or conditions of this general permit may result in an order to immediately cease the permitted activity, conduct remediation and/or civil and/or criminal penalties.

20. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

21. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

22. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS
--



1. Water Quality Certification The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

2. Water Quality Certification The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.



3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands, Stream Disturbance, Excavation & Fill in Navigable Waters, Water Quality Certification.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS
--

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does



not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Item E: SEQR Unlisted Action, No Lead Agency, No Significant Impact Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as an Unlisted Action and the Department of Environmental Conservation has determined that it will not have a significant effect on the environment. Other involved agencies may reach an independent determination of environmental significance for this project.



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

Regulatory Branch

NOV 29 2018

SUBJECT: Permit Application Number NAN-2018-756
by Town of Yorktown

Town of Yorktown
Michael Quinn
Yorktown Town Hall, 363 Underhill Ave
Yorktown Heights, NY 10598

Dear Mr. Quinn:

On June 12, 2018, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization for the replacement of structurally deficient dual 12-feet by 75-feet culverts, which convey an unnamed tributary to Shrub Oak Brook under Hill Boulevard in Yorktown Heights, NY (41.328650°, -73.801694°), with a single span 30-feet by 75-feet box culvert and trash rack to protect an existing exposed sewer line.

These waters of the United States consist of approximately 0.5 acre of jurisdictional stream area. A subsequent submittal entitled "Existing Plan and Elevation: Hill Boulevard", prepared by WSP, dated August 2018, indicates that the total impacts to waters of the United States would involve the discharge of fill material into a maximum of 0.06 acre of stream area.

Based on the information submitted to this office, our review of the project indicates that an individual permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 3. The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, No 3, Section C, any applicable New York District regional conditions, the following special condition, and any applicable regional conditions added by the State of New York.

Special Condition

(A) In order to protect the Federally-listed endangered Indiana bat (*Myotis sodalis*) and the Federally-listed threatened northern long-eared bat (*Myotis septentrionalis*), the clearing of potential roosting trees shall occur only between November 1 and March 31. Orange construction fencing shall be used to separate areas to be graded from areas to be left undisturbed.

SUBJECT: Permit Application Number NAN-2018-756
by Town of Yorktown

NOV 29 2018

This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District.

Care should be taken so that construction materials, including debris, do not enter any waterway to become drift or pollution hazards. You are to contact the appropriate state and local government officials to ensure that the subject work is performed in compliance with their requirements.

Please note that this nationwide permit (NWP) verification is based on a preliminary jurisdictional determination (JD). A preliminary JD is not appealable. If you wish, prior to commencement of the authorized work you may request an approved JD, which may be appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 16-01, which can be found at:

http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl_6-01_app1-2.pdf

This verification is valid until March 18, 2022, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until March 18, 2022, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the activity.

This authorization is conditional on the applicant's receipt of the required water quality certificate or waiver from the New York State Department of Environmental Conservation (NYSDEC). No work may be accomplished until the required approval from NYSDEC has been obtained.

Within 30 days of the completion of the activity authorized by this permit and any mitigation required by this permit, you are to sign and submit the attached compliance certification form to this office.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

SUBJECT: Permit Application Number NAN-2018-756
by Town of Yorktown

NOV 29 2018

If any questions should arise concerning this matter, please contact Peter Steinour,
of my staff, at (917) 790-8518.

Sincerely,


Rosita Miranda
Chief, Western Section

Enclosures

cc: NYSDEC - Region 3



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

NOV 28 2018

Regulatory Branch

SUBJECT: Permit Application Number NAN-2018-755
by Town of Yorktown

Town of Yorktown
Michael Quinn
Yorktown Town Hall, 363 Underhill Ave
Yorktown Heights, NY 10598

Dear Mr. Quinn:

On June 12, 2018, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization for the discharge of fill material into waters of the United States for replacement of structurally deficient dual five feet by 42-foot culverts, which convey Hallocks Mill Brook under Veterans Road in Yorktown Heights, NY (41.277258°, -73.776112°), with a single span 18 feet by 42 feet box culvert.

These waters of the United States consist of approximately 0.5 acre of jurisdictional stream area. A subsequent submittal entitled "Existing Plan and Elevation: Veterans Road", prepared by WSP, dated August 2018, indicates that the total impacts to waters of the United States would involve the discharge of fill material into a maximum of 0.024 acre of stream area.

Based on the information submitted to this office, our review of the project indicates that an individual permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 3. The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, No 3, Section C, any applicable New York District regional conditions, the following special condition, and any applicable regional conditions added by the State of New York.

Special Condition

(A) In order to protect the Federally-listed endangered Indiana bat (*Myotis sodalis*) and the Federally-listed threatened northern long-eared bat (*Myotis septentrionalis*), the clearing of potential roosting trees shall occur only between November 1 and March 31. Orange construction fencing shall be used to separate areas to be graded from areas to be left undisturbed.

SUBJECT: Permit Application Number NAN-2018-755
by Town of Yorktown

NOV 28 2018

This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District.

Care should be taken so that construction materials, including debris, do not enter any waterway to become drift or pollution hazards. You are to contact the appropriate state and local government officials to ensure that the subject work is performed in compliance with their requirements.

Please note that this nationwide permit (NWP) verification is based on a preliminary jurisdictional determination (JD). A preliminary JD is not appealable. If you wish, prior to commencement of the authorized work you may request an approved JD, which may be appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 16-01, which can be found at:

http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl_6-01_app1-2.pdf

This verification is valid until March 18, 2022, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until March 18, 2022, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the activity.

This authorization is conditional on the applicant's receipt of the required water quality certificate or waiver from the New York State Department of Environmental Conservation (NYSDEC). No work may be accomplished until the required approval from NYSDEC has been obtained.

Within 30 days of the completion of the activity authorized by this permit and any mitigation required by this permit, you are to sign and submit the attached compliance certification form to this office.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

SUBJECT: Permit Application Number NAN-2018-755
by Town of Yorktown

NOV 28 2018

If any questions should arise concerning this matter, please contact Peter Steinour,
of my staff, at (917) 790-8518.

Sincerely,



Rosita Miranda
Chief, Western Section

Enclosures

cc: NYSDEC - Region 3

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

NOTE: This document is derived from the New York District Public Notice dated March 21, 2017, which listed all the Nationwide Permits (NWP) and their regional conditions for all of New York State. That document can be obtained from the New York District web site, located at: <http://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>

This document focuses specifically on NWP 3 (Maintenance) and the regional conditions applicable to the counties within the New York District Corps of Engineers.

Table of Contents:

- A. Nationwide Permits Index**
 - B. Nationwide Permit 3 - Maintenance**
 - **Specific NWP terms and notification requirements**
 - **New York District Specific NWP Regional Conditions**
 - **NYSDEC Specific NWP Water Quality Certification**
 - **NYSDOS Specific NWP Coastal Zone Consistency Determination**
 - C. Nationwide Permit General Conditions 1-32**
 - D. District Engineer’s Decision**
 - E. Further Information**
 - F. Definitions**
 - G. New York District Regional General Conditions A-F (applicable to all NWPs)**
 - H. NYSDEC General Water Quality Conditions (applicable to all NWPs for which Water Quality Certification has been provided)**
 - I. NYSDOS Coastal Zone Management Consistency Additional Information (applicable to all projects located within the NYS Coastal Zone)**
 - J. Information on Nationwide Permit Verification**
 - K. Agency Contact Information**
- ENCLOSURE 1: New York State Regulatory District Boundary Map**
- ENCLOSURE 2: NYC Water Supply – East of Hudson Watershed**

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

A. Nationwide Permits Index:

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
8. Oil and Gas Structures on the Outer Continental Shelf
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
12. Utility Line Activities
13. Bank Stabilization
14. Linear Transportation Projects
15. U.S. Coast Guard Approved Bridges
16. Return Water From Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil or Hazardous Substances
21. Surface Coal Mining Activities
22. Removal of Vessels
23. Approved Categorical Exclusions
24. Indian Tribe or State Administered Section 404 Programs
25. Structural Discharges
26. [Reserved]
27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities
28. Modifications of Existing Marinas
29. Residential Developments
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access, and Dewatering
34. Cranberry Production Activities
35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
39. Commercial and Institutional Developments
40. Agricultural Activities
41. Reshaping Existing Drainage Ditches
42. Recreational Facilities
43. Stormwater Management Facilities
44. Mining Activities
45. Repair of Uplands Damaged by Discrete Events
46. Discharges in Ditches
47. [Reserved]
48. Commercial Shellfish Aquaculture Activities
49. Coal Remining Activities
50. Underground Coal Mining Activities
51. Land-Based Renewable Energy Generation Facilities
52. Water-Based Renewable Energy Generation Pilot Projects
53. Removal of Low-Head Dams
54. Living Shorelines

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

B. Nationwide Permits

3. Maintenance. (a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This NWP also authorizes the removal of previously authorized structures or fills. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project. This NWP also authorizes the removal of accumulated sediment and debris within, and in the immediate vicinity of, the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

(b) This NWP also authorizes the removal of accumulated sediments and debris outside the immediate vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.). The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.

(c) This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, 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. After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

(d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Authorities: Section 10 of the Rivers and Harbors Act of 1899 and section 404 of the Clean Water Act (Sections 10 and 404))

Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act section 404(f) exemption for maintenance.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

Permit-specific Regional Conditions:

a. The Nationwide General Permit Condition No. 32 – Pre-Construction Notification (PCN) for activities proposed under NWP 3.b. involving the removal of accumulated sediments and debris in the vicinity of existing structures to restore the waterway to previously existing depths, must include evidence of such depths. Such evidence may include but is not limited to: construction drawings of the original structure; or project drawings of past excavation activities in the vicinity. If this information is not available, the PCN must include evidence of the existing depths immediately outside the proposed work area.

b. Every effort should be made to prevent additional encroachment into the beds of New York waterbodies. All repair or rehabilitation activities should focus on using the area immediately landward of the existing structure. Bulkhead replacement shall be completed in-place or landward of the existing structure where practicable. When that is not practicable, a PCN shall be required for any encroachment proposed within tidal waters of the U.S. or any extensions, excluding the placement of toe stone protection recommended/required by state/federal resource agencies (i.e. NYSDEC, NYSDOS, USFWS & USEPA), which exceed 18 inches waterward of the existing bulkhead within non-tidal waters. The PCN must include justification for a waterward extension of the bulkhead (e.g geologic conditions, engineering requirements, etc).

c. Within Essential Fish Habitat as discussed in Section G-E.8. below, if any work is proposed within areas supporting anadromous fish migration and spawning, sediment removal and pile and sheet pile/cofferdam installation and removal shall be avoided from March 1 to June 30 of any year. Work within cofferdams can proceed any time during the year provided that the cofferdams are installed or removed outside of the seasonal work restriction. A PCN is required if a variance of this seasonal work window is requested.

d. Within Essential Fish Habitat, if any work is proposed within areas identified as EFH for winter flounder eggs and larvae, in-water work shall be avoided from January 15 to May 31 of any year. A PCN is required if a variance of this seasonal work window is requested.

e. Within Essential Fish Habitat, if any work is proposed within submerged aquatic vegetation (SAV) habitat or within 50 feet of SAV habitat, a PCN is required.

f. Within Essential Fish Habitat, if tide gate replacement or maintenance is proposed, tide gates shall be replaced with self-regulating tide gates that allow tidal flow and fish passage but can be set to close at a specified water level, unless it can be demonstrated that a self-regulating tide gate would not be practicable due to ecological or public safety reasons. A PCN is required for all tide gate replacements and maintenance in which a one-way gate is proposed. The PCN shall describe fully the existing conditions of the tide gate and the habitat upstream of the gate and include documentation of its condition, function and maintenance over the previous decade.

g. Within National Marine Fisheries Service (NMFS) Threatened, Endangered or Candidate (TE&C) habitat as discussed in Section G-E.8. below, any work that would generate turbidity or sedimentation shall be avoided from March 16 to October 31. A PCN is required if a variance of this seasonal work window is requested.

h. Within National Marine Fisheries Service (NMFS) Threatened, Endangered or Candidate (TE&C) habitat, any proposed pilings which would be steel or would exceed 12 inches in diameter shall require a PCN.

REMINDER TO APPLICANT: For projects involving culvert maintenance or replacement, please take particular note of the requirements of General Regional Conditions G-B.1 and

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

B.2. below. For projects involving aerial transmission lines, note clearance requirements as outlined in 33 CFR 322.5(i) (See NWP #12).

Section 401 Water Quality Certification:

The New York State Department of Environmental Conservation (NYSDEC) has granted blanket Section 401 Water Quality Certification in New York State provided that the project complies with **all** the General Conditions listed below in Section H. Any party conducting the activities authorized by this NWP that cannot comply with **all** these conditions must apply for and obtain an individual Section 401 Water Quality Certification from the NYSDEC.

New York State Department of State Coastal Zone Management Consistency Determination:

Pursuant to 15 CFR Part 930.41 and 930.43, the New York State Department of State (NYSDOS) concurs with the USACE consistency determination for this NWP with which all general and all Buffalo and New York District regional conditions are complied and with the additional condition(s), as follows:

The NYSDOS concurs with the USACE' consistency determination for NWP 3 outside of tidal wetlands and within the NYS Coastal Area where the activities to be authorized would: involve the repair/replacement in-place or landward, with no waterward expansion or increase in footprint; or for those proposed within the artificial canals identified by NYSDOS at: https://appext20.dos.ny.gov/coastal_map_public/map.aspx.

C. Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

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 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.

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.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

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 NWP 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

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. The activity must not restrict or impede the passage of normal or high 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.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

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.

13. Removal of Temporary Fills. 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.

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.

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.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

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. The permittee 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/>.

17. Tribal Rights. No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

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 the critical habitat of such species. No activity is authorized under any NWP which “may affect” a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. 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 designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, 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 designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat 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 USACE’ determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat 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 critical habitat, or until ESA section 7 consultation 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.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(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 applicant 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 world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring their action 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 applicable measures to reduce impacts 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) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, 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. 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

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

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, which may include background research, consultation, oral history interviews, sample field investigation, and 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 the 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. Where the non-Federal applicant has identified historic properties on which the 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 to historic properties or that NHPA section 106 consultation has been completed.

(d) 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.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you 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.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

(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, and 52 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 in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined 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) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than 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. Restored riparian areas should consist of native species. 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.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

(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 NWP, 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)).

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(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.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

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 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. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

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)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

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 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 prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-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)

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

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 success 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 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 is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

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 critical habitat 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. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

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 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) 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. For single and complete linear projects, 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. 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 wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, 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;
- (6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the 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 designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat 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;

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

(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 activity that requires 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 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 the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. 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 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) 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 (iv) 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.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, 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 e-mail 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 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

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

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.

D. District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the individual crossings of waters of the United States to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51, 52, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects. For those NWPs that have a waivable 300 linear foot limit for losses of intermittent and ephemeral stream bed and a 1/2-acre limit (i.e., NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52), the loss of intermittent and ephemeral stream bed, plus any other losses of jurisdictional waters and wetlands, cannot exceed 1/2-acre.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters (e.g., streams). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences 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. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31, or to evaluate PCNs for activities authorized by NWPs 21, 49, and 50), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

E. Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

F. Definitions

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term “discharge” means any discharge of dredged or fill material into waters of the United States.

Ecological reference: A model used to plan and design an aquatic habitat and riparian area restoration, enhancement, or establishment activity under NWP 27. An ecological reference may be based on the structure, functions, and dynamics of an aquatic habitat type or a riparian area type that currently exists in the region where the proposed NWP 27 activity is located. Alternatively, an ecological reference may be based on a conceptual model for the aquatic habitat type or riparian area type to be restored, enhanced, or established as a result of the proposed NWP 27 activity. An ecological reference takes into account the range of variation of the aquatic habitat type or riparian area type in the region.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water’s surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps Regulatory Program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the acres or linear feet of stream bed that are filled or excavated as a result of the regulated activity. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the United States.

Navigable waters: Waters subject to section 10 of the Rivers and Harbors Act of 1899. These waters are defined at 33 CFR part 329.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of flowing or standing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of “open waters” include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas.

Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

Protected tribal resources: Those natural resources and properties of traditional or customary religious or cultural importance, either on or off Indian lands, retained by, or reserved by or for, Indian tribes through treaties, statutes, judicial decisions, or executive orders, including tribal trust resources.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are 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. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands next to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term “single and complete project” is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of “independent utility”). Single and complete non-linear projects may not be “piecemealed” to avoid the limits in an NWP authorization.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a jurisdictional wetland that is inundated by tidal waters. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line.

Tribal lands: Any lands title to which is either: 1) held in trust by the United States for the benefit of any Indian tribe or individual; or 2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.

Tribal rights: Those rights legally accruing to a tribe or tribes by virtue of inherent sovereign authority, unextinguished aboriginal title, treaty, statute, judicial decisions, executive order or agreement, and that give rise to legally enforceable remedies.

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWPs, a waterbody is a jurisdictional water of the United States. If a wetland is adjacent to a waterbody determined to be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of "waterbodies" include streams, rivers, lakes, ponds, and wetlands.

G. Buffalo and New York District General Regional Conditions
These conditions apply to ALL Nationwide Permits.

G-A. Construction Best Management Practices (BMP's): Unless specifically approved otherwise through issuance of a variance by the District Engineer, the following BMP's must be implemented to the maximum degree practicable, to minimize erosion, migration of sediments, and adverse environmental impacts. Note that at a minimum, all erosion and sediment control and stormwater management practices must be designed, installed and maintained throughout the entire construction project in accordance with the latest version of the "New York

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

Standards and Specifications for Erosion and Sediment Control” and the “*New York State Stormwater Management Design Manual*”. These documents are available at: <http://www.dec.ny.gov/chemical/29066.html> and <http://www.dec.ny.gov/chemical/29072.html> , respectively. Prior to the discharge of any dredged or fill material into waters of the United States, including wetlands, authorized by NWP, the permittee must install and maintain erosion and sedimentation controls in and/or adjacent to wetlands or other waters of the United States.

1. All synthetic erosion control features (e.g., silt fencing, netting, mats), which are intended for temporary use during construction, shall be completely removed and properly disposed of after their initial purpose has been served. Only natural fiber materials, which will degrade over time, may be abandoned in place.
2. Materials resulting from trench excavation for utility line installation or ditch reshaping activities which are temporarily sidecast or stockpiled into waters of the United States must be backfilled or removed to an upland area within 30 days of the date of deposition. Note: upland options shall be utilized prior to temporary placement within waters of the U.S., unless it can be demonstrated that it would not be practicable or if the impacts of complying with this upland option requirement would result in more adverse impacts to the aquatic environment.
3. For trenching activities in wetlands the applicant shall install impermeable trench dams or trench breakers at the wetland boundaries and every 100 feet within wetland areas to prevent inadvertent drainage of wetlands or other waters of the United States.
4. Dry stream crossing methods (e.g., diversion, dam and pump, flume, bore) shall be utilized for culvert or other pipe, or utility installations to reduce downstream impacts from turbidity and sedimentation. This may require piping or pumping the stream flow around the work area and the use of cofferdams.
5. No in-stream work shall occur during periods of high flow, except for work that occurs in dewatered areas behind temporary diversions, cofferdams or causeways.
6. Construction access and staging areas shall be by means that avoid or minimize impacts to aquatic sites (e.g. use of upland areas for access & staging, floating barges, mats, etc.). Discharges of fill material associated with the construction of temporary access roads, staging areas and work pads in wetlands shall be placed on filter fabric. All temporary fills shall be removed upon completion of the work and the disturbed area restored to pre-construction contours, elevations and wetland conditions, including cover type. All vegetation utilized in the restoration activity shall consist of native species.
7. All return flow from dredged material disposal areas shall not result in an increase in turbidity in the receiving water body that will cause a substantial visible contrast to natural conditions. (See NWP #16)
8. For activities involving the placement of concrete into waters of the U.S., the permittee must employ watertight forms. The forms shall be dewatered prior to the placement of the concrete. The use of tremie concrete is allowed, provided that it complies with New York State water quality standards.
9. New stormwater management facilities shall be located outside of waters of the U.S. A variance of this requirement may be requested with the submission of a PCN. The PCN must include justification which demonstrates that avoidance and minimization efforts have been met.
10. To the maximum extent practicable, the placement of fill in wetlands must be designed to maintain pre-construction surface water flows/conditions between remaining on or off-site waters and to prevent draining of the wetland or permanent hydrologic alteration. This may require the use of culverts and/or other measures. Furthermore, the activity must not restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters). The activity may alter the pre-construction flows/conditions if it can be shown that it benefits the aquatic environment (i.e. wetland restoration and/or enhancement).

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

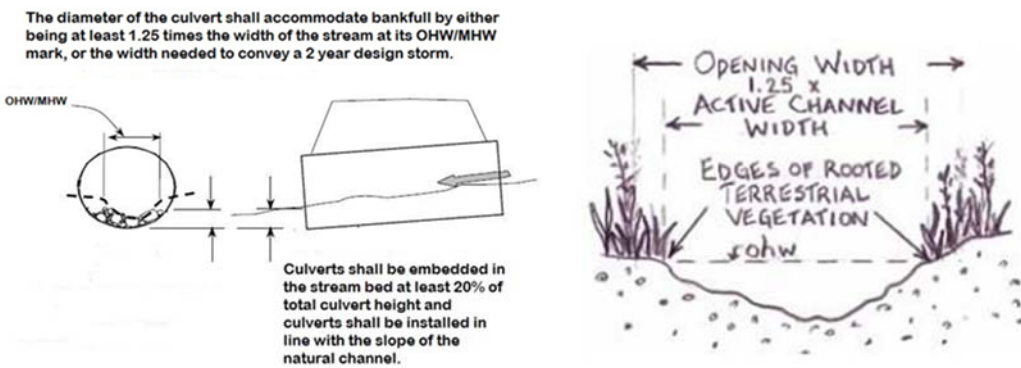
G-B. CULVERTS

1. **ALL NEW OR REPLACEMENT CULVERTS** in streams shall be constructed/installed in accordance with the following, in order to ensure compliance with NWP General Condition #2 – Aquatic Life Movement and #9 Management of Water Flows:

- a. Size: Bank-full flows shall be accommodated through maintenance of the existing bank-full channel cross sectional dimensions within one culvert. Bank-full width is generally considered to be the top width at the stage where a stream begins to overtop its banks and spread into the floodplain. Either a bottomless culvert or bridge must be used where practicable. If the stream cannot be spanned, the culvert width shall be minimum of 1.25 times width of the stream channel at the ordinary high water, or a 2 year design storm.
- b. Depth: To maintain low flow and aquatic life movement within culverts with a bottom, the culvert invert must be embedded. Specifically, the culvert must be installed with its bottom buried below the grade of the stream bed, as measured at the average low point, to a depth of a minimum of 20 percent of the culvert vertical rise (height) throughout the length of the culvert. (Note: When not practicable to do so due to small culvert size, it is acceptable to allow natural deposition to cover the interior of the culvert bed following placement of the culvert invert to the 20% depth.)
- c. The dimension, pattern, and profile of the stream above and below the stream crossing shall not be permanently modified by changing the width or depth of the stream channel.
- d. The culvert bed slope shall remain consistent with the slope of the adjacent stream channel.
- e. Stone aprons and scour protection placed in streams shall not extend higher than the stream bed in order to create a uniform grade and shall be filled with native stream bed material and supplemented with similarly sized material, if needed, to fill interstitial spaces to maintain water flow on the surface of the stream bed.

Note 1: Use of the requirements alone will not satisfy the need for proper engineering and design. In particular, appropriate engineering is required to ensure structures are sized and designed to provide adequate capacity (to pass various flood flows) and stability (bed, bed forms, footings and abutments, both upstream and downstream). It is the permittee's responsibility to ensure the structure is appropriately designed.

Note 2: This condition does not apply to temporary culverts used for construction access that are in place for less than one construction season. However, compliance with General Conditions #2 and #9 still applies.



**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

Preconstruction Notification (PCN) Requirements:

A PCN is required for projects that do not meet all of the above requirements. In addition to the PCN requirements of General Condition #32, the PCN must include the following information:

- i. A statement indicating which of the above requirements will not be met by the proposed project;
- ii. Information as to why the use of such structures or measures would not be practicable;
- iii. A brief description of the stream discussing:
 - Site specific information (i.e. stream bed slope, type and size of stream bed material, stream type, existing natural or manmade barriers, etc.) assessed to determine appropriate culvert design and to ensure management of water flows and aquatic life movement.
 - Evaluation of the replacement for its impacts on: downstream flooding, upstream and downstream habitat (in-stream habitat, wetlands), potential for erosion and headcutting, and stream stability.
 - Flow/storm event the proposed culvert is designed to pass (2 year, 50 year, etc.)
- iv. Cross sections of the stream used to calculate the stream bed low point and ordinary high water width, consisting of:
 - Stream channel cross sections shall be taken at proximal locations to the crossing location to determine the average of the lowest points in elevation of the stream bed and the average width at ordinary high water.
 - For new crossing locations, the average values from at least three measurements (project location and straight sections of the stream upstream and downstream) shall be used.
 - For replacement of an existing structure, the average values from at least two cross sections (straight sections of the stream upstream and downstream from the existing structure representative of the natural channel) shall be used.
 - This average low point shall be used to ensure low flow is maintained through the culvert and from which all embedment depths are measured.
 - If the above cross section method was not practicable to use, an alternative method may be utilized. The PCN shall include justification for the method used including the data used and an explanation as to how it provides an equivalent measure.
- v. An evaluation of the effects the crossing would have on aquatic life movement and/or water flows; and
- vi. Mitigation measures that will be employed to minimize these effects. Mitigation measures may include, but are not limited to baffles, weirs, roughened channels, and grade control structures

A variance of the requirement(s) will be issued by the Corps if it can be demonstrated that the proposal would meet General Conditions #2 & #9 and would result in the least environmentally damaging practicable alternative (e.g. compliance with any of the requirement(s) would result in detrimental impacts to the aquatic system).

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

2. **ALL CULVERT REHABILITATION PROJECTS** in streams, not including culvert replacement projects, shall be constructed in accordance with the following, in order to ensure compliance with NWP General Condition #2 – Aquatic Life Movement and #9 Management of Water Flows:

- a. An evaluation of the existing culvert shall be conducted prior to the proposed culvert rehabilitation to determine if the existing culvert is in compliance with NWP GC #2 and #9. Specifically, the culvert shall be evaluated regarding its effect upon aquatic life movements and low/ high water flow. If the above requirements in General Regional Condition B. 1 (a)-(e) are met then the culvert is considered in compliance with NWP General Conditions #2 & # 9. (Potential evaluation methods to consider include: North Atlantic Aquatic Connectivity Collaborative (NAACC), US Forest Service Aquatic Organism Passage FishXing, etc.)
- b. A PCN is not required for projects that utilize cured-in-place pipe lining or other repair activities that do not raise the existing invert elevation such that it causes an impediment to the passage of either aquatic life movement or water flow unless there is an existing impediment.
- c. A PCN is required for any culvert rehabilitation project that includes a culvert which is not in compliance with GC #2 and/or #9 (i.e. impedes aquatic life movement or water flow) and which will not be corrected by the proposed repair.
- d. A PCN is required for culvert rehabilitation projects which will involve pipe slip lining or other activities, including concrete invert paving and concrete lining that raise the existing invert elevation such that it causes an impediment to the passage of low flow or aquatic life movement. Slip lining is defined as the insertion of a smaller diameter pipe into an existing pipe by pulling pushing, or spiral winding.

Preconstruction Notification (PCN) Requirements:

In addition to the PCN requirements of General Condition #32, the PCN must include the following information:

- i. A summary of the evaluation required in Item a. above including a discussion of the impediment(s) to aquatic life movement and/or water flow.
- ii. Information as to how the proposal will mitigate for the impediment. Mitigation measures may include, but are not limited to baffles, weirs, roughened channels, and grade control structures.

G-C. No regulated activity authorized by a Nationwide Permit can cause the loss of areas classified as a bog or fen in the State of New York, as determined by the Buffalo or the New York District Corps of Engineers, due to the scarcity of this habitat in New York State and the difficulty with in-kind mitigation. The Districts will utilize the following document in the classification:

Reschke, C. 1990. *Ecological Communities of New York State*. New York Natural Heritage Program. New York State Department of Environmental Conservation. Latham, N.Y. 96p. This document is available at the following location: <http://www.dec.ny.gov/animals/29389.html>

G-D. National Wild and Scenic Rivers (NWSR): The Upper Delaware River has been designated as a National Wild and Scenic River from the confluence of the East and West Branches below Hancock, New York, to the existing railroad bridge immediately downstream of Cherry Island in the vicinity of Sparrow Bush, New York. Also, the portion of the Genesee River located within Letchworth Gorge State Park, beginning at the southern boundary of the park and extending downstream to the Mt. Morris Dam, was designated by Congress as a permanent Study River in the Genesee River Protection Act of 1989. In accordance with General Condition #16, no activity may occur within a NWSR, including Study Rivers, unless the National Park Service (NPS) has determined in

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

writing that the proposed work will not adversely affect the NWSR designation or study status. Therefore, a PCN is required for any NWP which would impact the designated portions of the Genesee River or the Upper Delaware River, unless NPS has previously indicated the project will not adversely affect the waterway. (Note: the applicant may not commence work under any NWP until the NPS determines in writing that the project will not adversely affect the NWSR even if 45-days have passed since receipt of the PCN package.) Information regarding NWSR may be found at: <https://www.rivers.gov/new-york.php>

G-E. For all proposals requiring a pre-construction notification (PCN), in addition to the requirements in General Condition 32, the applicant shall also include: (Note: the application will not be considered complete until all of the applicable information is received).

1. New York State/USACE Joint Application Form: The application form shall be completed and signed and shall clearly indicate that the submission is a PCN.
(<http://www.lrb.usace.army.mil/Missions/Regulatory/Application-Forms/>)

2. Drawings: The PCN must include legible, black and white project drawings on 8.5" x 11" paper. Full size drawings may be submitted in addition to the 8.5" x 11" plans to aid in the application review. Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are a Vicinity Map (i.e. a location map such as a USGS topographical map), a Plan View and a Cross-Section Map. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view or cross section). The Vicinity Map shall provide the location of the entire project site. In addition, each illustration should be identified with a figure or attachment number. The location map shall include the Latitude and Longitude or UTM coordinates of the project. For linear projects, the PCN shall include a map of the entire project including a delineation of all waters of the U.S. within the corridor. Aquatic resource information shall be submitted using the Cowardin Classification System mapping conventions (e.g. PFO, PEM, etc.)

3. Color photographs: The photos should be sufficient to accurately portray the project site, keyed to a location map and not taken when snow cover is present.

4. Avoidance and Minimization: The PCN must include a written narrative explaining how avoidance and minimization of temporary impacts and permanent losses of waters of the U.S. were achieved on the project site (i.e. site redesign, reduction in scope, alternate methods, etc.). It should include a description of the proposed construction practices that would be implemented to perform the proposed work and a description of the reasonably foreseeable direct and indirect effects to waters of the U.S. from the proposed construction practices.

5. Mitigation (See General Conditions 23 & 32(b)(6)): The PCN must include at least a conceptual compensatory mitigation plan for all projects resulting in the loss of greater than 1/10th of an acre of waters of the United States; or for which a waiver of the 300 linear foot limit on intermittent and ephemeral streams is being requested. Mitigation conceptual plans submitted with the PCN must include the following information at a minimum: proposed compensation type (bank or in-lieu fee credit, restoration, creation, preservation, etc.), location and brief discussion on factors considered for site selection (i.e. soils, water source, potential for invasive species, etc.), amount proposed per resource type and a discussion of how the proposal will compensate for aquatic resource functions and services lost as a result of the project.

Note 1: All mitigation projects must comply with the Federal Regulations on compensatory mitigation (33 CFR 332) entitled "Compensatory Mitigation for Losses of Aquatic Resources: Final Rule", dated April 10, 2008, which is available at:

<http://www.lrb.usace.army.mil/Portals/45/docs/regulatory/MitandMon/FinalMitigaitonRuleApril2008.pdf>
and any applicable District Guidelines.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

Note 2: Although a conceptual mitigation plan may be sufficient for the purposes of a PCN submission, a detailed mitigation plan must be approved by the Corps before any jurisdictional work may occur on the project site.

Note 3: If more than 0.10 acres of designated EFH habitat (as discussed in Section G-E.8. below) would be impacted such that habitat would be lost, compensatory mitigation at a minimum ratio of 1:1 is required. A ratio of more than 1:1 may be required depending upon the ecological value of the habitat to be lost or degraded and the form of compensatory mitigation proposed to be provided.

6. Nationwide Rivers Inventory: The PCN shall indicate if a river segment listed within the National Park Service Nationwide Rivers Inventory (NRI) is located within the proposed project area. For project areas containing a listed NRI segment, the PCN shall also include a statement as to how adverse effects to the river have been avoided or mitigated. The list is available at:
<http://www.nps.gov/ncrc/programs/rtca/nri/states/ny.html>.

7. Historic or Cultural Resources: In accordance with General Condition 20, a PCN is required for any non-federal activity which may have the potential to cause effects to any historic properties* listed, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places (NR). Please refer to General Condition 20 for submission requirements. In addition, all PCNs must include:

- A written statement indicating if any such properties may be affected by the proposed project.
- A copy of any completed archaeology or building/structure survey reports. If a survey has not been performed, the statement shall include a list of resources checked in the determination.
- Copies of any available correspondence from the New York State Office of Parks, Recreation, and Historic Preservation State Historic Preservation Officer (SHPO) regarding historic properties.
- Copies of any available correspondence from federally recognized Indian Nations regarding historic properties that may be affected by the project.
- Projects with ground disturbance may have the potential to cause effects to buried historic properties, regardless of occurring outside SHPO designated archaeological sensitive areas. Therefore, the PCN shall indicate if the ground disturbance will occur in any areas of previously undisturbed soil. For areas with prior disturbance, the PCN shall include a brief narrative describing the disturbance and its limit (i.e. type of disturbance, size of area with current undisturbed soil, size of area with existing disturbed soils, when the disturbance occurred, an estimate on how deep the soil disturbance extends, etc.) as well as photos of the existing ground disturbance.
- Above ground buildings/structures that are over 50 years old and potentially affected by the project will need to be assessed to determine if they are eligible for the NR. The PCN shall: identify any structures present in the project area, which have not already been subject to SHPO review, include photos of the structures, and describe how the project would/would not affect them.

* - see NWP definition section for further clarification

NOTE 1: Information regarding historic properties may be found at: <https://cris.parks.ny.gov>. In addition, assistance regarding the determination of the presence of historic or cultural resources at or near the project site should be directed to SHPO.

NOTE 2: as stated in General Condition 20, if any listed, eligible or potentially eligible properties are present, the applicant shall not begin the activity until notified by the district engineer in writing either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

8. Endangered Species and Essential Fish Habitat: In accordance with General Condition 18, non-federal applicants must submit a PCN if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat. Please refer to General Condition 18 for submission requirements. In addition, all PCNs must include:

- a written statement and documentation concerning any Essential Fish Habitat (EFH) and any federally listed or proposed Threatened, Endangered, or Candidate (TE&C) species or designated and/or proposed critical habitat that might be affected or located in the vicinity of the project.
- a copy of any correspondence from the U.S. Fish and Wildlife Service (USFWS) and/or National Oceanic and Atmospheric Administration Fisheries Service (NOAA-Fisheries), regarding the potential presence of TE&C species on the project site. USFWS TE&C website: <http://www.fws.gov/northeast/nyfo/es/section7.htm> . Information on NOAA-Fisheries (NMFS) species (both TE&C and EFH) can be found at: <https://www.greateratlantic.fisheries.noaa.gov/>
- an official TE&C species list printed within 90 days of the PCN submission from the USFWS Website.
- For projects where TE&C species are listed, a discussion of potential TE&C species habitat within the project site (See USFWS T&E website for species habitat information).
- If there is potential habitat for any TE&C species within the project site the following, as applicable, shall be submitted:
 - a. The results of any habitat surveys and presence/absence surveys. Note: all surveys should be coordinated with the USFWS and/or NOAA-Fisheries (NMFS) prior to initiation.
 - b. A detailed description of the proposed project, including secondary impacts and approximate proposed project construction schedule of project activities (e.g. land clearing, utilities, stormwater management).
 - c. A description of the natural characteristics of the property and surrounding area (e.g. forested areas, freshwater wetlands, open waters, and soils) and a description of surrounding land use (residential, agricultural, or commercial).
 - d. A description of the area to be impacted by the proposed project, including the species, typical sizes (d.b.h.) and number or acres of trees to be removed.
 - e. The location of the above referenced property and extent of any project related activities or discharges clearly indicated on a copy of a USGS 7.5 minute topographic quadrangle (quad) with the name of the quad(s) and latitude/longitude clearly labeled.
 - f. A description of conservation measures to avoid, minimize and/or mitigate impacts to listed species.

NOTE 1: There are no known TE&C species or EFH species under the jurisdiction of the NOAA-Fisheries (NMFS) within the Buffalo District. Therefore, all Buffalo District requests for information regarding the presence of TE&C species should be directed to the USFWS. In addition, no EFH review is necessary within the following New York District counties: Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Otsego, Schenectady, Schoharie and Warren.

NOTE 2: Please refer to the following website for further guidance and information relating to regulatory permits & TE&C species in New York:
<http://www.lrb.usace.army.mil/Missions/Regulatory/Endangered-Species/Endangered-Species-New-York/>

NOTE 3: General Condition #18 is emphasized, ...”In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed work will have “no effect” on listed species or critical habitat, or until Section 7 consultation has been completed.”

9. 100 Year Floodplain: For permanent fills within waters of the United States within the 100 year floodplain, documentation of compliance with FEMA-approved state or local floodplain management requirements.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

10. Submission of Multiple Copies of PCN:

- a) One (1) additional copy of the application drawings shall be provided to USACE for coordination with National Oceanic and Atmospheric Administration (NOAA) for utility lines to be constructed or installed in navigable waters of the U.S. proposed under NWP #12, (See Note 1 of NWP #12)
- b) One (1) additional copy of the PCN package shall be provided to USACE for coordination with Department of Defense Siting Clearinghouse (See NWP #12, 39, 51 & 52 Notes) for:
 - i. overhead utility lines proposed under NWP #12 and
 - ii. any activity that involves the construction of a wind energy generating structure, solar tower, or overhead transmission lines proposed under NWP #39, 51 or 52
- c) Two (2) additional copies of the PCN package shall be provided to USACE when the project is located within the New York City Watershed, for coordination with the New York City Department of Environmental Protection.
- d) Five (5) additional copies of the PCN package shall be submitted to USACE for agency coordination in accordance with General Condition # 31(d)(2) for:
 - i. All NWP activities that result in the loss of greater than 1/2-acre of waters of the United States,
 - ii. NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that will result in the loss of greater than 300 linear feet of intermittent & ephemeral stream bed,
 - iii. 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;
 - iv. 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.

G-F. CRITICAL RESOURCE WATERS

In accordance with NWP General Condition (GC) #22, certain activities in Critical Resource Waters cannot be authorized under the NWP program or would require a PCN (see GC #22 for a list of the NWP activities that are either excluded or require a PCN).

Critical Resource Waters in New York State include the following:

1. **East-of-Hudson portion of the New York City Water Supply:** This area includes portions of Dutchess, Putnam and Westchester Counties as delineated on Enclosure 2.
2. **Hudson River National Estuarine Research Reserves (NERR):** The Hudson River NERR consists of four components: Piermont Marsh, Iona Island, Tivoli Bay, and Stockport Flats.

H. NYSDEC General Water Quality Certification (WQC) Conditions applicable to all NWPs for which WQC has been provided are as follows:

1. Non-contamination of Waters
 - All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, resins, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate, inadvertent returns of drilling muds (frac-outs) or any other environmentally deleterious materials associated with the project.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

2. Installation and Replacement of Culverts

To be covered under this blanket Water Quality Certification, all of the following criteria must be met:

- Culvert pipes shall be designed to safely pass a 2% annual chance storm event.
- This certification does not authorize the installation of any culverts that are not embedded beneath the existing grade of the stream channel.
- Width of the structure must be a minimum of 1.25 times (1.25X) width of the Mean (Ordinary) High Water Channel.
- The culvert bed slope shall remain consistent with the slope of the adjacent stream channel. For slopes greater than 3%, an open bottom culvert must be used.
- This certification does not authorize work on culverts that provide sole access to “Critical Facilities”: An individual WQC must be obtained for work on these culverts.
- This certification does not authorize culvert rehabilitation projects that involve slip lining, or similar treatments.
- This certification does authorize the rehabilitation of culverts utilizing Cure in Place Pipe Lining (CIPP) or concrete spray lining for culverts which currently meet Nationwide Permit General Condition # 2 - Aquatic Life Movements.

3. Discharge and Disturbance Limits of the Blanket WQC

- For Nationwide Permits # 5, 7, 12, 13, 14, 15, 18, 19, 23, 25, 29, 31, 32, 34, 36, 37, 39, 40, 42, 45, 46, 48, 51, utility line replacement projects under Nationwide Permit #3 and non-maintenance activities under Nationwide Permit #43.
- The following discharge limits apply:
 - a) Temporary or permanent discharges of dredged or fill material into wetlands and other waters of the U.S. must not exceed ¼ acre;
 - b) Temporary or permanent impacts (i.e., loss) to stream beds must not exceed 300 linear feet.
 - c) The discharge area limit under paragraph (a) plus the equivalent stream impact area limit under paragraph (b) must not exceed ¼ acre total.
- For Nationwide Permits # 3, 4, 6, 20, 22, 27, 30, 33, 41 and maintenance activities under Nationwide Permit # 43, this certification authorizes discharges and disturbances up to the limit of the respective Nationwide Permit or regional conditions, whichever is most restrictive.
- If a project requiring coverage under two or more Nationwide Permits results in a temporary or permanent discharge or disturbance, the most restrictive threshold applies to the project.

4. Bulkheads

- This certification does not authorize the construction of new bulkheads or vertical walls.
- This certification does not authorize the waterward extension of existing bulkheads.
- New toe-stone protection may not extend more than 36 inches waterward from the existing bulkhead face.

5. Maintenance of Water Levels

- This certification does not authorize any activity that results in a permanent water level alteration in waterbodies, such as draining or impounding, with the exception of activities authorized by Nationwide Permit #27.

6. Dewatering

- Authorized dewatering is limited to immediate work areas that are within coffer dams or otherwise isolated from the larger waterbody or waters of the United States.
- Dewatering must be localized and must not drain extensive areas of a waterbody or reduce the water level such that fish and other aquatic organisms are killed, or their eggs and nests are exposed to desiccation, freezing or depredation in areas outside of the immediate work site.
- Cofferdams or diversions shall not be constructed in a manner that causes or exacerbates erosion of the bed or banks of a waterbody.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

- All dewatering structures must be permanently removed and disturbed areas must be graded and stabilized immediately following completion of work. Return flows from the dewatering structure shall be as visibly clear as the receiving waterbody.

7. Endangered or Threatened Species

- This certification does not authorize projects likely to result in the take or taking of any species listed as endangered or threatened species listed in 6 NYCRR Part 182.5 (a), (b) or projects likely to destroy or adversely modify the habitat of such species. Applicants must either verify that the activity is outside of the occupied habitat of such species or, if located within the habitat of such species, obtain a determination from the NYS Department of Conservation Regional Office that the proposed activity will not be likely to result in the take or taking of any species listed as endangered or threatened species listed in 6 NYCRR Part 182. Information on New York State endangered or threatened species may be obtained from the NYS Department of Environmental regional offices, the New York Natural Heritage Program in Albany, New York or on the DEC website at <http://www.dec.ny.gov/animals/29338.html>

If it is determined that the project is likely to result in the take of (or modify the habitat of such species) a New York listed endangered or threatened species, then this blanket water quality certification is not applicable, and the applicant will need an individual water quality certification from the department.

8. Rare Mollusks

- This Certification may not be issued for and does not authorize disturbances or discharges to waters of the state listed as supporting mollusks S-1 or S-2 on the New York State Natural Heritage database. <http://www.dec.ny.gov/animals/29338.html>

9. Prohibition Period for In-water Work

In-water work is prohibited during the following time period:

- in cold water trout fisheries (waterbodies classified under Article 15 of New York State Environmental Conservation Law with a "t" or "ts" designation), beginning October 1 and ending May 31.

To determine if the prohibition period is in effect for a particular water, contact the Regional Natural Resources Supervisor in the appropriate New York State Department of Environmental Conservation regional office. Water Classification values can be determined on the DEC's Environmental Resource Mapper available on the Departments Website @ <http://www.dec.ny.gov/gis/erm/> Work windows may be extended by the Regional Natural Resources Supervisor or their designee.

10. Significant Coastal Fish and Wildlife Habitat

- This certification does not authorize any discharge occurring in a designated Significant Coastal Fish and Wildlife Habitat area pursuant to 19 NYCRR Part 602; Title 19 Chapter 13, Waterfront Revitalization and Coastal Resources. <https://www.dos.ny.gov/opd/programs/consistency/scfwhabitats.html>

11. Coastal Erosion Hazard Areas

- This certification does not authorize projects in Coastal Erosion Hazard Areas, as identified in New York State Environmental Conservation Law Article 34, and its implementing regulations, 6 NYCRR Part 505. <http://www.dec.ny.gov/lands/86541.html>

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

12. State-owned Underwater Lands

Prior to undertaking any Nationwide Permit activity that will involve or occupy state-owned lands now or formerly under the waters of New York State, the party proposing the activity must first obtain all necessary approvals from:

New York State Office of General Services
Division of Real Estate Development
Corning Tower Building, 26th Floor
Empire State Plaza
Albany, NY 12242
Tel. (518) 474-2195

13. Tidal Wetlands

- This certification does not authorize any activities in tidal wetlands as defined in Article 25 of New York State Environmental Conservation Law, with the exception of activities authorized by Nationwide Permits # 4, 20 and 48. <http://www.dec.ny.gov/lands/4940.html>

14. Wild, Scenic and Recreational Rivers

- This certification does not authorize activities in any Wild, Scenic or Recreational River pursuant to 6 NYCRR Part 666 or state designated Wild, Scenic or Recreational River corridors. <http://www.dec.ny.gov/permits/6033.html>

15. Floodplains

- Authorized projects subject to this certification must first be in compliance with State and Local Floodplain Regulations prior to commencement of construction.

16. Public Service Commission

- This certification does not authorize activities regulated pursuant to Article VII or Article 10 of the New York State Public Service Law. For such projects, Section 401 Water Quality Certification is obtained from the New York State Public Service Commission.

17. Utility Projects

- This certification does not authorize maintenance or other activities associated with hydroelectric power generation projects.
- This certification does not authorize the construction of substation facilities or permanent access roads in wetlands.
- Excess materials resulting from trench excavation must be permanently removed from the waters of the United States and contained so that they do not re-enter any waters of the United States.

18. Preventing the Spread of Terrestrial and Aquatic Invasive Species

- To prevent the unintentional introduction or spread of invasive species, the permittee must ensure that all construction equipment be cleaned of mud, seeds, vegetation and other debris before entering any approved construction areas within waters of the U.S. When using construction equipment projects authorized under this Certification shall take reasonable precautions to prevent the spread of aquatic invasive species as required under the provisions in ECL § 9-1710.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

**I. New York State Department of State (NYSDOS) Coastal Zone Management Consistency Determination
Additional Information (applicable to all NWP's located within or affecting the NYS Coastal Zone):**

Where NYSDOS has objected to the USACE consistency determination or where the project will not comply with the NYSDOS NWP specific condition(s), as outlined in the specific NWP listing in Section B above, the applicant must submit a request for an individual consistency determination to NYSDOS. See Section K for NYSDOS contact information.

Further Information:

- Unless NYSDOS issues consistency concurrence or USACE has determined that NYSDOS concurrence is presumed, NWP's are not valid within the Coastal Zone.
- All consistency concurrence determination requests must be submitted directly to NYSDOS with a copy provided to USACE with any required Preconstruction Notification submissions.
- Limits of the coastal zone and details regarding NYSDOS submission requirements, including application forms can be obtained at: <https://www.dos.ny.gov/opd/programs/consistency/index.html>

J. INFORMATION ON NATIONWIDE PERMIT VERIFICATION

Verification of the applicability of these Nationwide Permits is valid until March 18, 2022 unless the Nationwide Permit is modified, suspended revoked, or the activity complies with any subsequent permit modification.

It is the applicant's responsibility to remain informed of changes to the Nationwide Permit program. A public notice announcing any changes will be issued when they occur and will be available for viewing at our website: <http://www.lrb.usace.army.mil/Missions/Regulatory.aspx>.

Please note in accordance with 33 CFR part 330.6(b), that if you commence or are under contract to commence an activity in reliance of the permit prior to the date this Nationwide permit expires, is suspended or revoked, or is modified such that the activity no longer complies with the terms and conditions, you have twelve months from the date of permit modification, expiration, or revocation to complete the activity under the present terms and conditions of the permit, unless the permit has been subject to the provisions of discretionary authority.

Possession of this permit does not obviate you of the need to contact all appropriate state and/or local governmental officials to insure that the project complies with their requirements.

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
Nationwide Permit 3 – (Maintenance)
within the New York District Regulatory Boundary in the State of New York
Expiration March 18, 2022**

K. AGENCY CONTACT INFORMATION

NYS Department of Environmental Conservation

www.dec.ny.gov

NYS DEC REGION 1

Regional Permit Administrator
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409
(631) 444-0365

NYS DEC REGION 2

Regional Permit Administrator
1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

NYS DEC REGION 3

Regional Permit Administrator
21 South Putt Corners Road
New Paltz, NY 12561-1620
(845) 256-3054

NYS DEC REGION 4

Regional Permit Administrator
1130 North Westcott Road
Schenectady, NY 12306-2014
(518) 357-2069

NYS DEC REGION 4 Sub-Office

Deputy Regional Permit Administrator
65561 State Hwy 10
Stamford, NY 12167-9503
(607) 652-7741

NYS DEC REGION 5

Regional Permit Administrator
PO Box 296
1115 Route 86
Ray Brook, NY 12977-0296
(518)897-1234

NYS DEC REGION 5 Sub-Office

Deputy Regional Permit Administrator
PO Box 220
232 Golf Course Rd
Warrensburg, NY 12885-0220
(518) 623-1281

NYS DEC REGION 6

Regional Permit Administrator
317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245

NYS DEC REGION 6 Sub-Office

Deputy Regional Permit Administrator
207 Genesee Street
Utica, NY 13501-2885
(315) 793-2555

NYS DEC REGION 7

Regional Permit Administrator
615 Erie Blvd. West
Syracuse, NY 13204-2400
(315)426-7438

NYS DEC REGION 7 Sub-Office

Deputy Regional Permit Administrator
1285 Fisher Avenue
Cortland, NY 13045-1090
(607) 753-3095

NYS DEC REGION 8

Regional Permit Administrator
6274 E. Avon - Lima Road
Avon, NY 14414-9519
(585) 226-2466

NYS DEC REGION 9

Regional Permit Administrator
270 Michigan Avenue
Buffalo, NY 14203-2915
(716) 851-7165

NYS DEC REGION 9 Sub-Office

Deputy Regional Permit Administrator
182 East Union Street
Allegany, NY 14706-1328
(716) 372-0645

NYS Department of State

Division of Coastal Resources
Consistency Review Unit
One Commerce Plaza
99 Washington Avenue, Suite 1010
Albany, NY 12231-00001
(518) 474-6000
<https://www.dos.ny.gov/opd/programs/consistency/index.html>

US Army Corps of Engineers

<http://www.nan.usace.army.mil>

(For DEC Regions 1, 2 and 3)

US Army Corps of Engineers NY District

ATTN: Regulatory Branch
26 Federal Plaza, Room 1937
New York, NY 10278-0090
Email: CENAN.PublicNotice@usace.army.mil
For DEC Regions 1, 2, Westchester County
and Rockland County (917) 790-8511
For the other counties of DEC Region 3 -
(917) 790-8411

(For DEC Regions 4, 5)

Department of the Army

**ATTN: CENAN-OP-R
NY District, Corps of Engineers**

1 Buffington Street
Building 10, 3rd Floor
Watervliet, NY 12189-4000
(518) 266-6350 - Permits team
(518) 266-6360 - Compliance Team

Email: cenan.rfo@usace.army.mil

(For DEC Regions 6, 7, 8, 9)

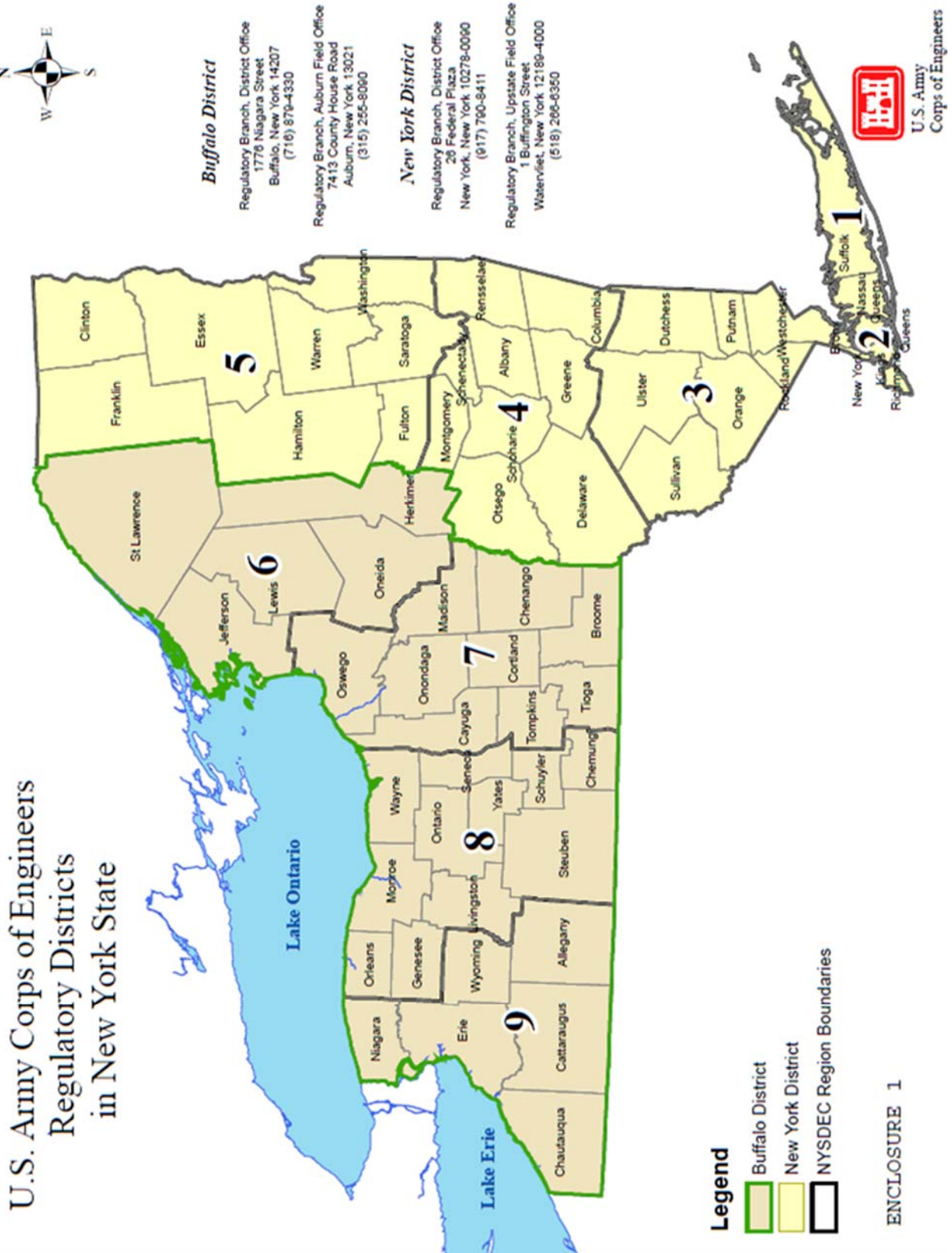
US Army Corps of Engineers

Buffalo District
ATTN: Regulatory Branch

1776 Niagara Street
Buffalo, NY 14207-3199
(716) 879-4330

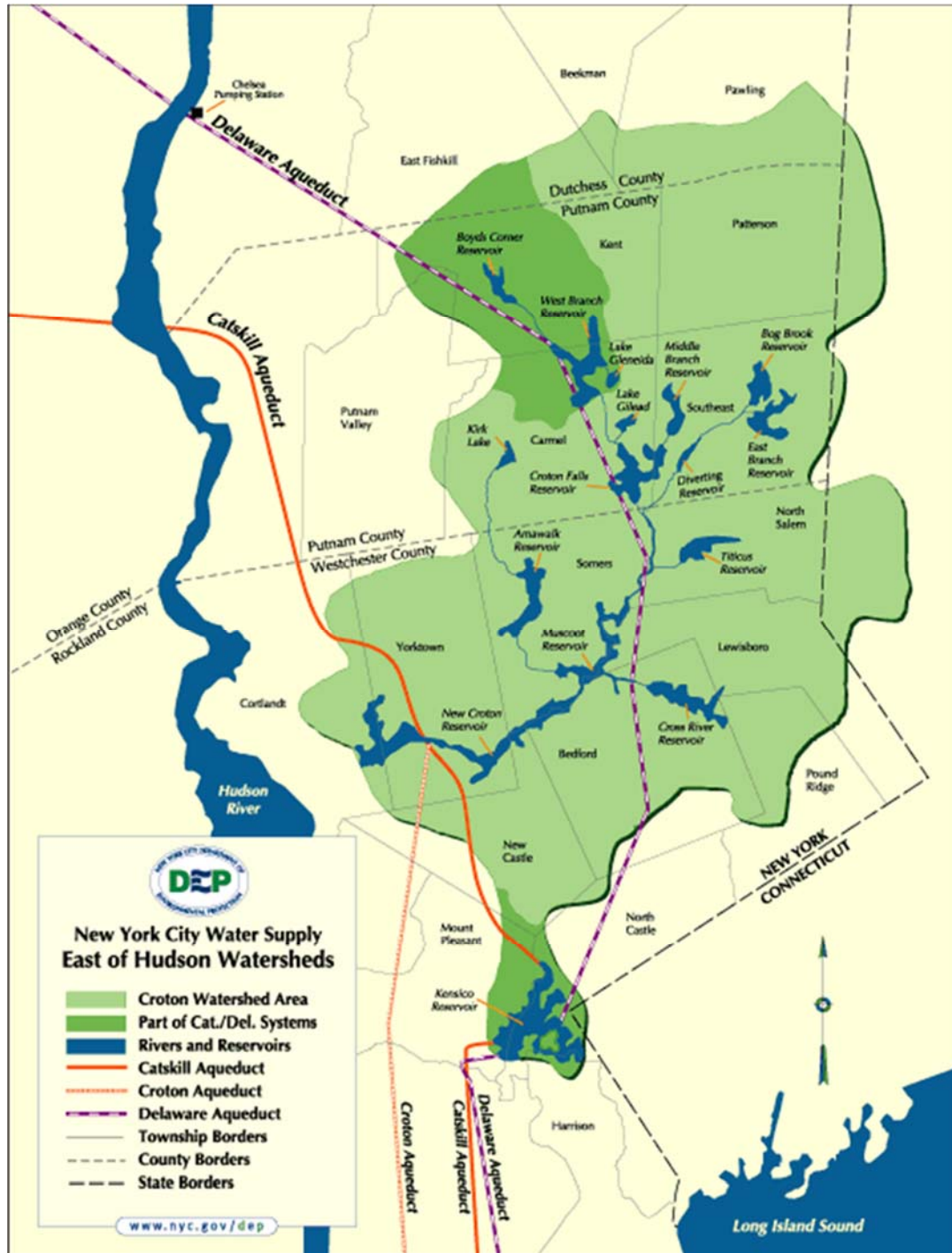
Email: LRB.Regulatory@usace.army.mil
www.lrb.usace.army.mil

**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
 Nationwide Permit 3 – (Maintenance)
 within the New York District Regulatory Boundary in the State of New York
 Expiration March 18, 2022**



**Final Regional Conditions, Water Quality Certification and Coastal Zone Concurrence for
 Nationwide Permit 3 – (Maintenance)
 within the New York District Regulatory Boundary in the State of New York
 Expiration March 18, 2022**

ENCLOSURE 2



**State of New York
Department of Transportation**

Highway Work Permit



Permit No.: 20180874155

Date Issued: 12/13/2018

Project ID No.:

Expiration Date: 12/02/2019

***Permittee 1:**

TOWN OF YORKTOWN, ILAN GILBERT

363 UNDERHILL AVE

YORKTOWN HEIGHTS, NY 10598

Emergency Contact: MICHAEL QUINN

Emergency Number: 914-962-5722 Ext: 200

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

INSTALL DETOUR SIGNAGE ON NYS RTE. 6 IN CONNECTION WITH THE REPLACEMENT OF THE HILL BOULEVARD BRIDGE. INSTALLATION TO INCLUDE INSTALLATION OF MODEMS AND TRANSFER SWITCHES AT SIGNAL W-308, INTERSECTION OF EAST MAIN STREET AND LEE BOULEVARD AND SIGNAL W-309, INTERSECTION OF EAST MAIN STREET AND HILL BOULEVARD. ALL SIGNS, HARDWARE AND ASSEMBLIES WILL MEET THE MUTCD AND NYS SUPPLEMENT. ALL WORK TO BE DONE IN ACCORDANCE WITH NYSDOT STANDARDS AND SPECIFICATIONS AND ALL ATTACHMENTS SHALL APPLY. PLEASE READ ENTIRE PERMIT PRIOR TO STARTING WORK.

THE PERMITTEE IS RESPONSIBLE FOR TEMPORARY TRAFFIC CONTROL IN ACCORDANCE WITH THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE NYS SUPPLEMENT. ANYONE WORKING WITHIN THE HIGHWAY RIGHT-OF-WAY SHALL WEAR HIGH-VISIBILITY APPAREL MEETING THE ANSI 107-2004 CLASS II STANDARDS AND A HARD HAT.

County	Municipality	State Hwy	State Route	Beg Ref	End Ref
WESTCHESTER	YORKTOWN	1309	6	6 87033050	6 87033056

as set forth and represented in the attached application at the particular location or areas, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit. See additional conditions on PAGE 2.

THIS PERMIT IS ISSUED BASED ON ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS BEING SATISFIED.

Dated at: Poughkeepsie **Date Signed:** 12/13/2018 **Commissioner of Transportation** **By:** Ed Goff

IMPORTANT:

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED, SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY:

Dave Chomycz, Resident Engineer 914-232-3060

"UPON COMPLETION OF WORK", SECOND TO LAST PAGE, MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.

The issuing authority reserves the right to suspend or revoke this permit at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

*** Upon completion of the work within the state highway right-of-way authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his/her or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.**

Permit Fee : \$0.00

Insurance Fee: \$0.00

Total Fees: \$0.00

UOF: App 1: No App 2: No

Attachments and additional requirements to this Highway Work Permit include:

PERM 33 - Highway Work Permit Application for Non_Utility Work

PERM 41-1d - Method of Performing Work within the State Right of Way

Contact List

Other - Attach 1 MP&T Notes, 619-11, 619-20

Other - Attach 2 Lane Closure Procedure, RWF

END OF ATTACHMENTS

State of New York
Department of Transportation

Highway Work Permit



Permit No.: 20180874155

Date Issued: 12/13/2018

Project ID No.:

Expiration Date: 12/02/2019

Return this page to:

Dave Chomycz, Resident Engineer
85 Route 100
Katonah, NY 10536

Permittee 1: TOWN OF YORKTOWN, ILAN
GILBERT
363 UNDERHILL AVE
YORKTOWN HEIGHTS, NY 10598 -

UPON COMPLETION OF WORK AUTHORIZED, THIS PAGE OF THE PERMIT MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.
Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.

DATE PERMITTEE AUTHORIZED AGENT (if any)

TO BE COMPLETED BY NYSDOT:

Work authorized by this permit has been satisfactorily completed and is accepted. Inspection Report must be completed.

- Refund of Deposit is authorized
- Return of Bond is authorized
- Unable to meet schedule as specified in bid proposal
- Amount charged against Bond may be released.
- Retain bond for future permits
- Forfeit of Guarantee Deposit is authorized
- Other

DATE RESIDENT ENGINEER

Mailing address of refund has been verified.
If different, list new address:

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- Permit closed
- Bond returned/released
- Refund of Guarantee Deposit on this permit is authorized
- Forfeit Guarantee Deposit to NYSDOT
- Other

DATE REGIONAL TRAFFIC ENGINEER

INSPECTION REPORT

For each Highway Work Permit issued, inspections will be performed. The following report must be completed for each site visit, indicating the date, inspector, and hours spent on inspection. **If the total inspection time exceeds 1 hour, then a FIN 12 (PERMIT INSPECTION FOR DEPARTMENT SERVICES) is REQUIRED.**

INSPECTION REPORT LOG

HOURS WORKED BY DATE									HOURS	
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									

Complete hours for each date inspected.
 Add regular hour numbers across rows, and then overtime hours across rows.
 Add hour columns down for total hours of permit inspection time.

COMMENTS/OBSERVATIONS:

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NAME **TITLE**

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT APPLICATION FOR NON-UTILITY WORK

Application is hereby made for a highway work permit:

For Joint application, name and address of Applicant 2 below:

Name Ilan Gilbert, Town Supervisor
Address 363 Underhill Avenue
City Yorktown Heights State NY Zip 10598
Applicant Phone (914) 962-5722 x200
Applicant Email Address igilbert@yorktownny.org

Name _____
Address _____
City _____ State _____ Zip _____
Applicant 2 Phone (____) _____
Applicant 2 Email Address _____

Emergency Contact Michael Quinn, Town Engineer
Emergency Phone (914) 962-962-5722 x218

RETURN PERMIT TO: (if different from Permittee)

RETURN DEPOSIT/BOND TO: (if different from Permittee)

Name Michael Quinn, Town Engineer
Address 363 Underhill Avenue, Eng. Dept.
City Yorktown Heights State NY Zip 10598

Name _____
Address _____
City _____ State _____ Zip _____

DESCRIPTION OF PROPOSED WORK: _____
Install detour signage on NYS ROW (NYS Route 6) in connection with the replacement of the Hill Boulevard Bridge. All signs, hardware, and assemblies will meet the MUTCD and NYS Supplement.

Estimated cost of work being performed in highway right-of-way: \$ _____

Anticipated duration of work: From 4/1/2019 to 10/30/2019 (applies to the operations indicated on the reverse side)

WILL OVERHEAD OR UNDERGROUND (5'+) OPERATIONS BE INVOLVED IN THE PROPOSED WORK? YES NO

ATTACHED: Plans Specifications

LOCATION: State Route: 6 Located Between Reference Markers Lee Blvd and Hill Blvd
City/Town/Village of Town of Yorktown County of Westchester

SEQR REVIEW (select one)

Type II Type I Unlisted LEAD AGENCY: _____ DATE OF DETERMINATION: _____

Insurance (check one): General Liability Insurance Undertaking Insurance Fee (residential operations only)

NOTE: PERMIT IS ISSUED CONTINGENT UPON ALL LOCAL REQUIREMENTS BEING SATISFIED

ACKNOWLEDGMENT: ON BEHALF OF THE APPLICANT, I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND THE OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

Applicant Signature [Signature] Date 9/27/18
Applicant 2 Signature _____ Date _____

Approval recommended by Resident Engineer [Signature] Res No 8-8 Date 12/13/18
Approved by Regional Traffic Engineer [Signature] Reg No 8 Date 12/13/18
TOWN ATTORNEY
by Town Board resolution dated: 9-27-18

Operational Type and Description		Permit Fee	Insurance Fee	Total Fees
\$ 0.00				
DRIVEWAYS				
5a1	Residential Driveway (includes field entrances)	15	25	
5a6	Temporary access road or street	200		
<i>For Commercial Driveways and subdivisions streets, use form PERM 33-COM</i>				
IMPROVEMENTS				
5b1	Residential	15	25	
5b2a	Commercial- Sidewalk, curb paving, drainage, etc.	200		
5b2b	Commercial – Grade, seed, improve land contour, clear brush	100		
5b2c	Commercial – Resurface existing road or driveway	50		
5b2d1	Annual resurfacing of roadways and driveways – PER COUNTY	150		
	Number of counties:			
5b2d2	Annual resurfacing of roadways and driveways – PER REGION	400		
TREE WORK				
5c1	Residential	15	25	
5c2a	Commercial removal or planting	25		
5c2b	Commercial pruning, applying chemicals to stumps	25		
5c3	Vegetation control for advertising signs – PER SIGN	150		
	Number of Signs:			
MISCELLANEOUS CONSTRUCTION AND WORK OPERATIONS				
5d1	Beautify ROW (civic groups only)	N/C		
5d2a	Temporary signs, banners, décor (not-for-profit organizations)	N/C		
5d2b	Temporary signs, banners, décor (other organizations)	25		
5d3	Traffic control signals	500		
5d4	Warning and entrance signs	25		
5d5	Miscellaneous – Requiring substantial review (describe below)	400		
✓ 5d6	Miscellaneous (describe below)	25		
OTHER TYPES OF HIGHWAY WORK PERMITS				
6	Encroachment caused by DOT acquisition of property	25		
7a1	Compulsory permit required for demolition requested by DOT	N/C		
7a2	Compulsory permit required for moving requested by DOT	N/C		
7b	Improvement to meet Department standards	N/C		
✓ 8	Miscellaneous (describe below)	25		
9	Adopt-a-Highway (exempt from insurance requirement)	N/C		
Description of Miscellaneous Operation:				
Installation of temporary detour signage.				

PERFORMANCE SECURITY (Select one): Guarantee Deposit - Cash Performance Bond Letter of Credit

Guarantee Deposit Amount: _____

Guarantee Deposit Check Number or Bond Number _____

(To be completed by NYSDOT issuing office)	
Project Identification Number _____	Highway Work Permit No. _____
State Highway (SH) Number _____	Record ID Number _____

RESPONSIBILITIES OF PERMITTEE
PURSUANT TO NON-UTILITY HIGHWAY WORK PERMITS

NOTE: FAILURE TO OBTAIN A PERMIT OR FAILURE TO COMPLY WITH THE TERMS OF A PERMIT MAY RESULT IN THE DEPARTMENT HALTING THE ACTIVITY FOR WHICH A PERMIT IS REQUIRED UNTIL ADEQUATE CORRECTIONS HAVE BEEN MADE.

1. LIMITATIONS ON USE: The specific site identified in this Highway Work Permit, and only that site identified, will be available for use by Permittee only for the purpose stated in this Permit and only on the date(s) and for the duration designated in this permit. This Permit does not authorize any infringement of federal, state or local laws or regulations, is limited to the extent of the authority of NYSDOT and is transferable and assignable only with the written consent of the Commissioner of Transportation. The Commissioner reserves the right to modify fees and to revoke or annul the Permit at any time, at his/her discretion without a hearing or the necessity of showing cause.

2. CONDITIONS OF USE: NYSDOT makes no affirmation that the state-owned site used for the work has been designed, constructed, or maintained for the purpose of the conduct of the work. The Permittee assumes full responsibility for planning and conducting a safe and orderly project that does not expose workers or the public to any unreasonable hazards and that involves a minimal disruption of the normal uses of the state and local highway systems. It shall be the sole obligation of the Permittee to determine whether the site is suitable for the purpose of safely conducting the work. The Permittee assumes all responsibility for assuring that the use of the highway/property conforms to applicable requirements of law, including, but not limited to those set forth herein.

Permittee agrees to assure compliance with New York Labor Law, industrial regulations, and OSHA regulations, and to assure the safety of all workers who will be engaged to do the permitted work.

3. INSURANCE COVERAGE: Permittee must have the insurance that is required for the type and extent of the work being performed.

Permittee agrees to maintain liability insurance in full force and effect throughout the term of the highway work permit. Expiration of, or lack of, liability insurance automatically terminates the permit.

To comply with this requirement, an applicant must furnish the Department with one of the following:

- A completed **Certificate of Insurance** evidencing the required types and limits of insurance coverage, with New York State Department of Transportation named as an additional insured on the commercial general liability policy. An industry standard **ACORD 25** form with an **ACORD 855** Addendum is acceptable evidence of the required coverage. Certificate Holder should be indicated as New York State Department of Transportation, with the address of the issuing office.
- A fully executed **Undertaking Agreement** may be provided by Municipalities, Public Utilities, Transportation Corporations, Public Service Corporations or Railroads, as an alternative to providing proof of commercial general liability the insurance.
- **Homeowners** applying for a residential work permit (driveways, improvements or tree work) and performing their own work have the option to pay a **\$25 Insurance Fee**, and waive the requirement to provide insurance coverage. Any contractor doing work on the homeowner's behalf must be listed on the permit and provide satisfactory proof of insurance as set forth below.

See "PERM 33 Submission Package Requirements" on page 4 for more detailed guidance on insurance coverage.

4. COMPENSATION AND DISABILITY INSURANCE COVERAGE: Permittee is required to have compensation insurance and disability coverage as noted in the provisions of the Worker's Compensation Law and Acts amendatory thereof for the entire period of the permit, or the permit will be invalid. Applicant must provide proof of coverage (Form C-105.2, U-26.3 or SI-12 for Worker's Compensation, and DB-120.1 or DB-155 for Disability Benefits), or provide proof of exemption from this requirement (Form CE-200).

5. INDEMNIFICATION: Permittee agrees that, in addition to any protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations; whether undertaken by Permittee's own forces or by contractor or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT and their agents from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of any claim, including but not limited to claims for personal injuries, property damage or wrongful death and/or environmental claims, in any way associated with the Permittee's activities or operations, no matter how caused.

6. NOTIFICATION: The following should be notified at the appropriate time as shown below:

- Commissioner of Transportation, through the NYSDOT regional office, one week prior to commencing work.
- Area gas distributors, 72 hours prior to any blasting.
- Utility companies with facilities in work areas, before starting work (in accordance with Industrial Code 53).
- Permission from utility company must be obtained before commencing work affecting the utilities' facilities.
- NYSDOT regional signal maintenance shop, 3 days prior to starting work (traffic signal work).
- NYSDOT regional office, at conclusion of work, and return original copy of permit to Resident Engineer.

NOTIFICATION FOR ANNUAL PERMITS: Notify by phone, the Regional or Resident Engineer's Office, one week in advance, each time regular maintenance work is to be performed. In emergencies, notification by phone, fax or email should be made as soon as is practical, no later than the next business day.

7. SITE CARE AND RESTORATION: A bond, deposit (bank cashier's check), or a Letter of Credit, in an amount designated by the Department of Transportation, may be required before a permit is issued, in order to guarantee restoration of the site to its original condition. A fully executed Undertaking Agreement may be accepted as an alternative security, where applicable. If the Department is obliged to restore the site to its original condition, the costs to the Department will be deducted from the amount of the permittee's deposit at the conclusion of the work. Costs in excess of the bond/deposit on file will be billed directly to the permittee. If permittee posts a Letter of Credit, the Department may elect to have a contractor restore the site, and issue a draft drawn against the Letter of Credit as payment.

- Anyone working within state highway right-of-way must wear **high visibility apparel** and **hard hat** meeting ANSI Class 2 requirements.
- No unnecessary obstruction is to be left on the pavement or the state highway right-of-way, or in such a position as to block warning signs during non-working hours.
- No work shall be done to obstruct drainage or divert creeks, water courses or sluices onto the state highway right-of-way.
- All false work must be removed and all excavations must be filled in and restored to the satisfaction of the Regional Maintenance Engineer.

8. COSTS INCURRED BY ISSUANCE OF THIS PERMIT: All costs beyond the limits of any liability insurance, surety deposits, etc. are the responsibility of the permittee. The State shall be held free of any costs incurred by the issuance of this permit, direct or indirect.

9. SUBMITTING WORK PLANS: The applicant will submit three (3) copies of work plans and/or maps as required by the Department. This shall include (but not limited to) such details as: measurements of driveways with relation to nearest property corner; location of existing and proposed poles, guide rail, signal equipment, trees or drainage structures; positions of guys supporting poles; a schedule of the number of poles and feet of excavation necessary for completion of work on the State right-of-way. A description of the proposed method of construction will be included.

- Plan work with future adjustments in mind, as any relocation, replacement or removal of the installation authorized by this permit and made necessary by future highway maintenance, reconstruction or new construction, will be the responsibility of the permittee.
- Driveway plans should be prepared in accordance with **NYSDOT POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.**
- The permittee must coordinate the work with any State construction being conducted.

10. TRAFFIC MAINTENANCE: A plan detailing how the permittee intends to maintain and protect traffic shall be submitted with work plans. Traffic shall be maintained on the highway in a safe manner during working and non-working hours until construction is completed. The permittee is responsible for traffic protection and maintenance, including adequate use of signs, barriers, and flag persons during working and non-working hours until construction is completed. All sketches will be stamped with "MAINTENANCE OF TRAFFIC SHALL BE IN CONFORMANCE WITH THE NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."

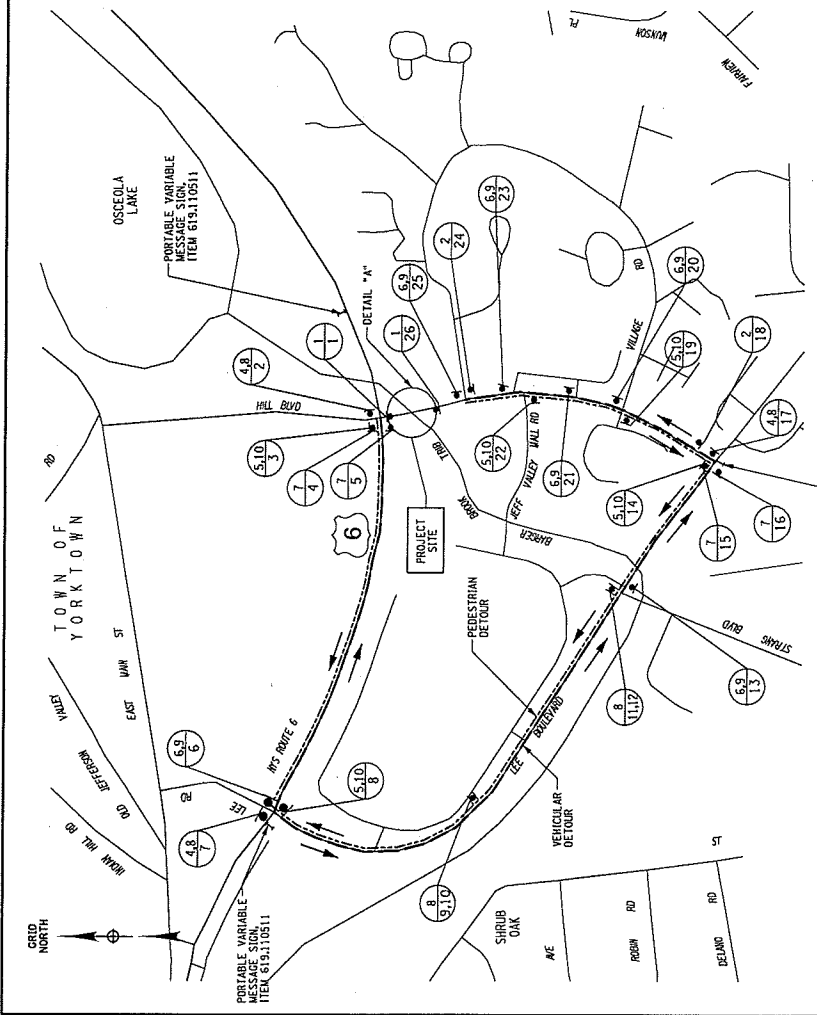
11. COST OF INSPECTION AND SUPERVISION: Prior to issuance of the Highway Work Permit, the permittee may be required to sign an **INSPECTION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS (FORM PERM 50)** agreeing to the payment of construction inspection charges, based on the number of work days involved. In certain cases, the permittee may also be required to sign a **PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS DESIGN REVIEW (FORM PERM 51)** agreeing to design review charges, based on the number of work hours in which Department employees were engaged in design review activity.

12. SCOPE:

- **Areas Covered:** Permits issued are for highways, bridges and culverts over which the New York State Department of Transportation has jurisdiction. (Local governments issue permits for highways under their jurisdiction.) Work locations must be approved by the Department.
- **Maintenance:** Unless noted otherwise, applicant shall be fully responsible for the maintenance of all items installed and/or altered as shown on the approved permit plans and documents. Property owners having access to a state highway shall be fully responsible for the maintenance of their driveway in accordance with **POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.**
- **Work Commencement:** The Permittee shall have a copy of the permit available at the site during the construction period. Work should start within 30 days from validation date of permit or said permit may be revoked.

13. REPORTING ACCIDENTS: Permittee is required to report any accidents that occur during the course of the permit work to their insurance company, and to provide the Department with a copy of any such report.

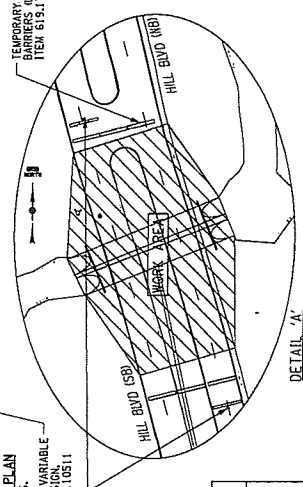
14. COMPLETION OF PROJECT: Upon completion of the work within the State highway right-of-way authorized by the work permit, the person and his or its successors in interest shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the Terms and Conditions of the Highway Work Permit.



SIGN #	MUTCD #	LOCATION	TEXT	SIZE (IN)
1	R11-2 (MOD)	1, 26	BRIDGE CLOSED	48 X 30
2	R11-3B (MOD)	18, 24	BRIDGE CLOSED AHEAD LOCAL TRAFFIC ONLY	60 X 30
4	M4-9	2, 7, 17	HILL BLVD DETOUR	30 X 12 30 X 24
5	M4-9R	3, 8, 14, 19, 22	HILL BLVD DETOUR	30 X 12 30 X 24
6	M4-9L	6, 13, 20, 21, 23, 25	HILL BLVD DETOUR	30 X 12 30 X 24
7	M4-8A	4, 5, 15, 16	END DETOUR	24 X 18
8	M4-9AA	2, 7, 9, 10, 11, 12, 17	HILL BLVD DETOUR	30 X 12 30 X 24
9	M4-9AL	6, 13, 20, 21, 23, 25	HILL BLVD DETOUR	30 X 12 30 X 24
10	M4-9AR	3, 8, 14, 19, 22	HILL BLVD DETOUR	30 X 12 30 X 24

LEGEND:
 SIGN NO. APPROX. SIGN LOC.
 VEH. DETOUR
 PED. DETOUR
 SIGN NO. LOCATION

- NOTES:**
1. MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE IN ACCORDANCE WITH THE 2009 NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, THE NEW YORK STATE TRAFFIC CONTROL DEVICES, AND THE CONTRACT DOCUMENTS THROUGHOUT THE LENGTH AND DURATION OF THE CONTRACT.
 2. SIGN LOCATIONS SHOWN ARE APPROXIMATE ONLY, AND MAY BE REVISED BY THE ENGINEER TO MEET FIELD CONDITIONS OR NEARBY ROADWAY ALIGNMENTS, ETC.
 3. THE SIGNING SHOWN IS MINIMUM ONLY. ADDITIONAL SIGNING MAY BE REQUIRED TO MEET TRAFFIC AND/OR FIELD CONDITIONS.
 4. DURING NON WORKING HOURS, ALL CONSTRUCTION EQUIPMENT AND MATERIALS SHALL BE REMOVED FROM THE CLOSED PORTION OF THE ROADWAY BEHIND THE TRAFFIC BARRIERS.
5. ALL PRIVATE VEHICLES SHALL BE PARKED OUTSIDE THE WORK ZONE AND OFF THE TRAVELED WAY.
 6. FOR SIGN POSITIONING DETAILS, SEE STANDARD SHEET 645-03.
 7. SIGNS AND SIGN POSTS ARE TO BE PAID FOR UNDER ITEM 619.01, BASIC ITEM ZONE TRAFFIC CONTROL. SIGN POSTS SHALL MEET THE REQUIREMENTS OF ITEM 645.01 BUT SHALL BE PAID FOR UNDER ITEM 619.01.
 8. SHOULD FIELD CONDITIONS DICTATE THE NEED, SIGNS MAY BE INSTALLED ON TEMPORARY WOODEN SUPPORTS, AS PER NYSDOT STANDARD SHEET 619-04. THE ENGINEER SHALL BE CONSULTED BEFORE PERFORMING SUCH AN INSTALLATION.



DETOUR PLAN N.T.S.
 PORTABLE VARIABLE MESSAGE SIGN, ITEM 619.04 (TTP)
 TYPE III CONSTRUCTION BARRIERS WITH SIGNPOSTS, ITEM 619.04 (TTP)
 1 BRIDGE CLOSED BARRIERS MOUNTED

ALTERED BY: _____
 ON: _____

ALTERED BY: _____
 ON: _____

AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:

HILL BOULEVARD OVER TRIBUTARY TO BARGER CREEK
 VETERANS ROAD OVER HILLOCKS WILL BROOK
 TOWN OF YORKTOWN

PIN 8163.65
 BIN 256539

SCALE DATE: DECEMBER 2018

REGION: 8
 COUNTY: MICHIGAN

CONTRACT NUMBER
 DETOUR PLAN
 HILL BOULEVARD

DRAWING NO. HB-2
 SHEET NO. 7

WSP



UNDERTAKING

For the benefit of

The New York State Department of Transportation

In connection with work affecting state highways

(For use by New York municipalities and federal agencies)

WHEREAS, the undersigned Town of Yorktown (Municipality, County, Town, City or Village, or any agency of the federal government, hereinafter referred to as "Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration

2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.

3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.

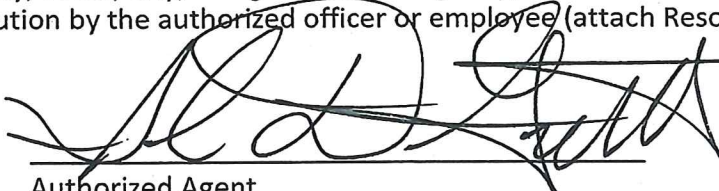
4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.

5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations.

This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

IN WITNESS WHEREOF, Town of Yorktown (Municipality-County, Town, City, Village or federal agency) agrees to the terms of this Undertaking, and has caused its execution by the authorized officer or employee (attach Resolution of Approval).



Authorized Agent

9/27/18
Date

Ilan Gilbert, Town Supervisor
Print Name/Title

Yorktown Town Hall
Address
363 Underhill Avenue
Yorktown Heights, NY 10598
Address

(914) 962-5722 x200
Phone number
igilbert@yorktownny.org
e-mail

Approved as to form only by:
TOWN ATTORNEY

by Town Board resolution dated:
9-25-18

METHOD OF PERFORMING WORK
WITHIN THE STATE HIGHWAY RIGHT OF WAY

I. GENERAL CONDITIONS

These conditions and regulations apply to Highway Work Permits authorizing work within the State highway right-of-way for water mains, gas mains, sewer lines and miscellaneous structures. General conditions apply to telephone and telegraph installations as well as specific conditions on the setting and resetting of poles. These conditions, and any special conditions which are added to this form, are enforceable by the Department of Transportation.

A. TIME

1. Work under the permit shall be commenced within thirty (30) days from the date of permit issuance unless a later starting date is approved by the Regional Traffic Engineer.

B. REQUIREMENTS

All the current requirements of the following shall apply: Occupational Safety and Health Administration, Federal Department of Labor, Safety and Health Standards (29 CFR 1926/1910); Part 131, Title 17, New York Code of Rules and Regulations, Accommodation of Utilities Within State Right-of-Way; New York State Department of Labor, Industrial Code Rule 23, Protection of Persons Employed in Construction and Demolition Work; Industrial Code Rule 53, Construction, Excavation and Demolition Operations At Or Near Underground Facilities.

Temporary soil erosion and water pollution controls shall be used as required. The final decision on the method of underground installation will be made by the Regional Director or his representative.

1. Work Within Pavement and Shoulder Areas

- a. Installations that cross the pavement and shoulder area. Wherever practical, all underground installations shall be placed beneath the pavement and shoulder areas without disturbance to these paved surfaces.

1) Boring, Jacking, and Tunneling Methods

DESIGN

- a) The location of all excavations (jacking pits, etc.) shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- ~~c) The location of all other existing utilities shall be shown.~~
- d) The construction equipment and procedures to be used shall be described in the permit application.
- e) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- f) The underground installation shall be described in detail, i.e. size, length, depth, material, provisions for grouting, etc.
- g) Pipes shall generally be encased in sleeves or larger pipes. Small diameter services (2 inch I.D. or smaller) may be placed without sleeving at the discretion of N.Y.S.D.O.T.
- h) The limits of an open excavation shall not be closer than 10 feet to the edge of the pavement unless approved by the Department. Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

CONSTRUCTION

- a) Grouting operations may be required if surface settlement, loss of soil or voids around the pipe develop. When grout is required, it shall consist of 1 part cement to 2 parts sand, by volume, and sufficient water to produce a consistency suitable for placing the grout.
- b) Backfill of open excavations shall be as required under 2.) f) Open Excavation Method.

2) Open Excavation Method

DESIGN

- a) The location of all pavement crossing by the open excavation method shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The location of all other existing utilities shall be shown.
- d) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- e) When requested, the construction equipment and procedures to be used shall be described in the permit application.
- f) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the material requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications including addenda. Exceptions will only be allowed if prior approval is granted by the Regional Soils Engineer.
- g) Pavement shall be saw cut at termination points of pavement replacement.

CONSTRUCTION

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Temporary pavements and shoulders shall be placed as soon as a crossover installation is completed.

- b. Installations that are longitudinal to the pavement.

1) Open Excavation Method

DESIGN

- a) The location of all open excavations shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- d) The location of all other existing utilities shall be shown.
- e) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the material requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications, including addenda. Exceptions will only be allowed if prior approval is granted by the Regional Soils Engineer.

CONSTRUCTION

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Permanent or temporary pavement shall be placed immediately as sections of the total installation are completed to subbase elevation. Gravel surfaces in shoulder areas may be used if prior approval is granted.

2) Boring, Jacking, and Tunneling Methods

DESIGN

- a) All the requirements of B.1. a. 1.) DESIGN a) through g) shall apply.

CONSTRUCTION

- a) All the requirements of B.1. a. 1.) CONSTRUCTION a) and b) shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.
- c) The requirements of B.1. b. 1.) CONSTRUCTION d) shall apply.

2. Work Outside the Pavement and Shoulder Areas

a. Open Excavation Method

DESIGN

- a) All the requirements of B.1. b. 1.) DESIGN shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

CONSTRUCTION

- a) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.

HIGHWAY WORK PERMIT ATTACHMENT

NYSDOT Residency Contact Information

Residency 8-1, Columbia County	307 Route 66	Hudson, NY 12534
Tom Story, Acting Resident Engineer Richard Frick, Assistant Resident Engineer	Telephone: (518) 828-9401/9402	Fax: (518) 828-2029
Joseph A. Visconti, Permit Field Engineer	Telephone: (518) 828-5137	Fax: (518) 828-2029
Residency 8-2, Dutchess County North & Central	334 Violet Avenue (Route 9G)	Poughkeepsie, NY 12601
William LaRose, Acting Resident Engineer William LaRose, Assistant Resident Engineer	Telephone: (845) 454-3390/3742	Fax: (845) 454-6763
Chuck Walter, Permit Field Engineer	Telephone: (845) 473-3076	Fax: (845) 454-6763
Residency 8-3, Dutchess South & Putnam Counties	106 Ludingtonville Road	Holmes, NY 12531
Michael Sassi, P.E., Resident Engineer Temp. Vacant, Assistant Resident Engineer	Telephone: (845) 878-6361	Fax: (845) 878-3618
Rock DeNigro, Permit Field Engineer	Telephone: (845) 878-6363	Fax: (845) 878-3618
Residency 8-4, Orange County East	112 Dickson Street	Newburgh, NY 12550
Shahid Quadri, P.E., Resident Engineer Vacant, Assistant Resident Engineer	Telephone: (845) 562-4020/4021	Fax: (845) 562-4190
Siby Zachariah-Carbone, Permit Field Engineer	Telephone: (845) 562-8368	Fax: (845) 562-4190
Residency 8-5, Orange County West	3233 Route 6	Middletown, NY 10940
Rich Gaupman P.E., Resident Engineer Peter Schick, Assistant Resident Engineer	Telephone: (845) 343-4638/4681	Fax: (845) 343-7217
Vacant, Permit Field Engineer	Telephone: (845) 344-5819	Fax: (845) 343-7217
Residency 8-6, Rockland County	275 Ridge Road	New City, NY 10956
Steve DeMassio, P.E., Acting Resident Engineer James J. Murawski, Assistant Resident Engineer	Telephone: (845) 634-4661/4662	Fax: (845) 634-2141
Joseph Taylor, Permit Field Engineer	Telephone: (845) 634-1892	Fax: (845) 634-2141
Residency 8-7, Ulster County	11 Quarry Street	Kingston, NY 12401
Dave Corrigan, Acting Resident Engineer Dave Corrigan, Assistant Resident Engineer	Telephone: (845) 331-5533/5535	Fax: (845) 331-9236
John Reilly, Permit Field Engineer	Telephone: (845) 340-1723	Fax: (845) 331-9236
Residency 8-8, Westchester County North	85 Route 100	Katonah, NY 10536
Dave Chomycz, Acting Resident Engineer Mike LeRose, Assistant Resident Engineer Daniel DeGrosa P.E. Residency Program Engineer	Telephone: (914) 232-3060/3776	Fax: (914) 232-0719
Anne Darelius, P.E., Permit Field Engineer	Telephone: (914) 232-5065	Fax: (914) 232-0719
Residency 8-9, Westchester County South	Saw Mill River Road (Route 9A & Dana Road)	Valhalla, NY 10595
Jorge Argote, P.E., Resident Engineer Mohammed Islam, Assistant Resident Engineer Lynn Jablowsky P.E., Residency Program Engineer	Telephone: (914) 592-6557	Fax: (914) 592-4956
Anne Darelius, P.E., Acting Permit Field Engineer Kamal Ahmed, Assistant Permit Field Engineer	Telephone: (914) 592-6557 Telephone: (914) 592-1589	Fax: (914) 592-4956

SPECIAL NOTES MAINTENANCE & PROTECTION OF TRAFFIC

1. Maintenance and Protection of Traffic is the responsibility of the permittee. Any subcontractors working for the permittee must have a copy of the Highway Work Permit on the site and must be familiar with the traffic control requirements. It is strongly advised that a "tailgate" safety meeting with each work crew be initiated before the start of work.
2. Traffic control schemes must be in place, and maintained, throughout the duration of work.
3. All Maintenance and Protection of Traffic to be in accordance with the National Manual of Uniform Traffic Control Devices and the NYS Supplement. Refer to NYSDOT's web site <https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/safety-program-technical-operations/work-zone-control> for work zone traffic control typical drawings.
4. Anyone working within the highway right-of-way shall wear high-visibility apparel meeting the ANSI 107-2004 Class II standards and a hard hat.
5. At the start of work on the project, all work zone traffic control devices shall appear in "acceptable" condition. These devices shall not be allowed to fall below the "marginal" condition at any time during the life of the project. Faded and deteriorated panels and non-standard legends are not acceptable.
6. All orange signs on rigid panels shall be fluorescent-orange ASTM Type IX sheeting. All other signs shall meet the reflectivity requirements of the Standard Specifications.
7. Flagger signs are to be used only when a flagger is actually present and visible to the motorist. They shall be covered or removed at all other times. Stop/slow paddles are required.
8. No low-mounted signs shall be permitted, except for flexible panels meeting the current specification requirements.

**TABLE NY-1-A
BARRIER VEHICLE USE REQUIREMENTS
LONG TERM, INTERMEDIATE TERM, AND SHORT TERM STATIONARY CLOSURES**

CLOSURE TYPE	EXPOSURE CONDITION ¹	USE REQUIREMENTS ^{4,5}	
		NON-FREEMAY PRECONSTRUCTION POSTED SPEED LIMIT ²	FREEMAY
LANE CLOSURE	WORKERS ON FOOT OR IN VEHICLES EXPOSED TO TRAFFIC	REQUIRED ³	OPTIONAL ²
	LANE CLOSURE WITH EXCAVATION ONLY	REQUIRED ³	OPTIONAL ²
	NO WORKERS EXPOSED	REQUIRED ³	OPTIONAL ²
SHOULDER CLOSURE	WORKERS ON FOOT OR IN VEHICLES EXPOSED TO TRAFFIC	REQUIRED ³	OPTIONAL ²
	NON-TRANSFERABLE HAZARD (IE. EXCAVATION, MATERIALS, NO WORKERS EXPOSED)	REQUIRED ³	OPTIONAL ²
	NON-TRANSFERABLE HAZARD (IE. EXCAVATION, MATERIALS, NO WORKERS EXPOSED)	REQUIRED ³	OPTIONAL ²

1. THE EXPOSURE CONDITION DESCRIBED IN TABLE NY-1-A, SCENES, THERE IS NO POSITIVE PROTECTION (STATIONARY TRAFFIC BARRIER PRESENT). THESE WORKERS OR HAZARDS ARE PROTECTED BY A TEMPORARY TRAFFIC BARRIER, BARRIER VEHICLE OR HAZARD IS PROTECTED BY A TEMPORARY BUFFER SPACE (TABLE 6C-2) SHALL BE PROVIDED.
2. WHERE THE REQUIREMENT IS "OPTIONAL", EITHER A BARRIER VEHICLE OR THE STANDARD LONGITUDINAL BUFFER SPACE (TABLE 6C-2) SHALL BE PROVIDED.
3. REQUIREMENTS SHALL INCLUDE PROVIDING A SEPARATE BARRIER VEHICLE FOR EACH CLOSED LANE AND EACH CLOSED SHOULDER 8' OR GREATER IN WIDTH. IF THE WORK SPACE MOVES WITHIN THE STATIONARY CLOSURE, THE BARRIER VEHICLE SHALL BE REPOSITIONED ACCORDINGLY. BARRIER VEHICLES SHALL BE REPOSITIONED UNTIL THE HAZARD NO LONGER EXISTS. EXCEPTIONS TO THESE REQUIREMENTS MAY BE MADE AS APPROVED BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE. THESE BARRIER VEHICLE PLACEMENT WOULD BE INEFFECTIVE OR WOULD INTERFERE WITH THE SAFE OPERATION OF TRAFFIC.
4. BARRIER VEHICLES ARE NOT REQUIRED FOR MILLING AND/OR PAVING OPERATIONS, BUT THE STANDARD LONGITUDINAL BUFFER SPACE (TABLE 6C-2) SHALL BE PROVIDED.
5. BARRIER VEHICLES ARE NOT REQUIRED FOR FLAGGING OPERATIONS, BUT THE STANDARD LONGITUDINAL BUFFER SPACE (TABLE 6C-2) SHALL BE PROVIDED.

**TABLE NY-1-B
SHADOW VEHICLE USE REQUIREMENTS
(MOBILE CLOSURES)**

CLOSURE TYPE	EXPOSURE CONDITION	USE REQUIREMENTS	
		NON-FREEMAY PRECONSTRUCTION POSTED SPEED LIMIT ²	FREEMAY
LANE CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
SHOULDER CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}

1. A MOBILE CLOSURE SHALL BE USED FOR ANY WORK ACTIVITY THAT MOVES CONTINUOUSLY OR INTERMITTENTLY ALONG THE TRAVELED WAY OR SHOULDER SLOWER THAN THE PREVAILING SPEED OF TRAFFIC. CHANNELIZING DEVICES ARE NOT USED FOR MOBILE CLOSURES.
2. SHADOW VEHICLES SHALL BE EQUIPPED WITH AN APPROVED REAR MOUNTED ATTENUATOR (TRUCK MOUNTED ATTENUATOR OR TRAILER MOUNTED) FOR THE FOLLOWING APPLICABLE CLOSURES: LANE CLOSURES ON FREEWAYS, LANE CLOSURES ON FREEWAYS AND SHOULDER CLOSURES ON FREEWAYS. SHADOW VEHICLES SHALL BE EQUIPPED WITH A PRE-CONSTRUCTION SPEED LIMIT OF 45 MPH OR LESS.
3. FOR MOBILE LANE CLOSURES ON NON-FREEMAY ROADWAYS HAVING A PRE-CONSTRUCTION POSTED SPEED LIMIT OF 30 MPH OR LESS AND MOBILE SHOULDER CLOSURES ON NON-FREEMAY ROADWAYS HAVING A PRE-CONSTRUCTION SPEED LIMIT OF 40 MPH OR LESS, SHADOW VEHICLES ARE NOT REQUIRED TO BE EQUIPPED WITH A REAR MOUNTED ATTENUATOR.
4. A SHADOW VEHICLE IS USED TO PROTECT EXPOSED WORKERS ON FOOT OR IN A VEHICLE AND SHALL BE REQUIRED TO BE EQUIPPED WITH AN APPROVED REAR MOUNTED ATTENUATOR (TRUCK MOUNTED ATTENUATOR OR TRAILER MOUNTED) FOR THE FOLLOWING APPLICABLE CLOSURES: LANE CLOSURES ON FREEWAYS, LANE CLOSURES ON FREEWAYS AND SHOULDER CLOSURES ON FREEWAYS. SHADOW VEHICLES SHALL BE EQUIPPED WITH A PRE-CONSTRUCTION SPEED LIMIT OF 45 MPH OR LESS. SHADOW VEHICLES MAY BE REQUIRED TO PROMOTE THE SAFE OPERATION OF TRAFFIC AND THE INCREASED PROTECTION OF EXPOSED WORKERS, AS DIRECTED BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE.

TABLE 6A-4 FORMULAS FOR DETERMINING TAPER LENGTHS

SPEED LIMIT (SI) (40 MPH OR LESS 45 MPH OR MORE)	TAPER LENGTH (L) (FT.)	L = WS ² / 40 L = WS	
		W = TAPER LENGTH WITH MINIMUM SLOPE (FT.)	S = PRECONSTRUCTION POSTED SPEED LIMIT (MPH)
45	85	110	200
50	110	180	240
55	135	225	300
60	160	270	360
65	185	315	420
70	210	360	480
75	235	405	540
80	260	450	600
85	285	495	660
90	310	540	720
95	335	585	780
100	360	630	840

**TABLE 6C-2
LONGITUDINAL BUFFER SPACE**

PRECONSTRUCTION POSTED SPEED LIMIT (MPH)	DISTANCE (FT.)
45	75
50	90
55	105
60	120
65	135
70	150
75	165
80	180
85	195
90	210
95	225
100	240

**TABLE NY-2-A
PLACEMENT DISTANCE FOR BARRIER VEHICLES**

PRECONSTRUCTION POSTED SPEED LIMIT (MPH)	PLACEMENT DISTANCE (FT.)	
	MINIMUM	MAXIMUM
> 55	100 FT.	200 FT.
45 - 55	100 FT.	200 FT.
< 45	85 FT.	165 FT.

- * AS DEFINED BY NYSDOT STANDARD SPECIFICATION 619.
- BARRIER VEHICLE - VEHICLE USED FOR STATIONARY SHOULDER CLOSURES, LANE CLOSURES, AND OTHER STATIONARY WORK ZONES.
- MINIMUM DISTANCE SHOWN REFLECTS THE ACTUAL ROLL AHEAD DISTANCE FROM MANUFACTURER.

**TABLE NY-2-B
PLACEMENT DISTANCE FOR SHADOW VEHICLES**

PRECONSTRUCTION POSTED SPEED LIMIT (MPH)	PLACEMENT DISTANCE (FT.)	
	MINIMUM	MAXIMUM
> 55	200 FT.	300 FT.
45 - 55	100 FT.	150 FT.
< 45	100 FT.	100 FT.

- * AS DEFINED BY NYSDOT STANDARD SPECIFICATION 619.
- SHADOW VEHICLE - VEHICLE USED FOR MOBILE OR SHORT DURATION WORK OPERATIONS.
- MINIMUM DISTANCE SHOWN REFLECTS THE ACTUAL ROLL AHEAD DISTANCE FROM MANUFACTURER.

**TABLE 6C-3
TAPER LENGTH FOR TEMPORARY TRAFFIC CONTROL ZONES**

TYPE OF TAPER	TAPER LENGTH (L)
MESSAGING TAPER	L
SHOULDER TAPER	L/2
ONE-LANE TAPER	100 FT. PER LANE
UNIDIRECTIONAL TAPER	100 FT. PER LANE

**TABLE 619-4
FLARE RATES FOR POSITIVE BARRIER**

TYPE OF POSITIVE BARRIER	POSTED SPEED LIMIT
TEMPORARY CONCRETE BARRIER	30 40 50 55 65
BOX BEAM OR HEAVY POST CORRUGATED BEAM	30 40 50 55 65
	75 80 85 90 95
	100 110 120 130 140
	150 160 170 180 190

**TABLE NY69-3
ADVANCE WARNING SIGN SPACING**

ROAD TYPE	DISTANCE BETWEEN SIGNS					SIGN LEGEND
	A (FT.)	B (FT.)	C (FT.)	XX	YY	
URBAN (5-30 MPH)	100	100	100	AHEAD	AHEAD	
URBAN (35-40 MPH)	200	200	200	AHEAD	AHEAD	
URBAN (45-50 MPH)	300	300	300	AHEAD	AHEAD	
RURAL	500	500	500	1500 FT. 1000 FT.		
EXPRESSIONWAY / FREEWAY	1000	1500	2500	1.1 MILE 1/2 MILE		

- * PRECONSTRUCTION POSTED SPEED LIMIT
- URBAN: MEETS MORE THAN 1 OF THE FOLLOWING CRITERIA: SIDEWALKS, BICYCLE USAGE, CURBING, CLOSED DRAINAGE SYSTEMS, DRIVEWAY DISTANCES GREATER THAN 70 FEETWAYS PER MILE, HIGH DENSITY OF TRAFFIC, TRUCK TRAILERS, TRUCKS, TRUCKS WITH GREATER MAJOR COMMERCIAL DRIVERS, NUMEROUS RIGHT OF WAY CONSTRAINTS, HIGH DENSITY OF CROSS STREETS, 85TH PERCENTILE SPEEDS OF 45 MPH OR LESS.
- RURAL: ANY AREA NOT EXHIBITING MORE THAN ONE OF THE ABOVE CHARACTERISTICS.
- EXPRESSIONWAY: DIVIDED HIGHWAYS FOR TRAFFIC WITH FULL OR PARTIAL CONTROL OF ACCESS AND GENERALLY WITH GRADE SEPARATIONS AT MAJOR CROSSROADS.
- FREEWAYS/INTERSTATES: LOCAL OR INTER REGIONAL HIGH-SPEED, DIVIDED, HIGH-VOLUME FACILITIES WITH FULL OR PARTIAL CONTROL OF ACCESS.

WORK ZONE DEFINITIONS

- LONG-TERM STATIONARY IS WORK THAT OCCUPIES A LOCATION MORE THAN 3 CONSECUTIVE DAYS.
- INTERMEDIATE-TERM STATIONARY IS WORK THAT OCCUPIES A LOCATION MORE THAN 3 CONSECUTIVE DAYS, BUT NOT MORE THAN 1 HOUR NIGHTTIME WORK LASTING MORE THAN 1 HOUR.
- SHORT-TERM STATIONARY IS DAYTIME WORK THAT OCCUPIES A LOCATION FOR LESS THAN 1 HOUR WITHIN A SINGLE UNILIGHT PERIOD.
- SHORT DURATION IS WORK THAT OCCUPIES A LOCATION UP TO 1 HOUR.
- MOBILE IS WORK THAT MOVES INTERMITTENTLY OR CONTINUOUSLY.

SYMBOL	DESCRIPTION
	ARROW PANEL
	ARROW PANEL, CAUTION MODE
	ARROW PANEL TRAILER OR SUPPORT
	CHANGEABLE MESSAGE SIGN PANELS
	CHANNELIZING DEVICE
	CRASH CUSHION/TEMPORARY IMPACT ATTENUATOR
	DIRECTION OF TEMPORARY TRAFFIC DETECTOR
	DIRECTION OF TRAFFIC
	FLAGGER
	FLAG TREE
	LUMINAIRE
	PERMANENT MARKINGS THAT WILL BE REMOVED FOR A LONG TERM PROJECT
	SIGN, TEMPORARY
	TEMPORARY BARRIER
	TEMPORARY BARRIER WITH WARNING LIGHTS
	TRAFFIC OR PEDESTRIAN SIGNAL
	TYPE III BARRICADE
	WARNING LIGHTS
	WORK SPACE
	WORK VEHICLE
	WORK VEHICLE WITH TRUCK MOUNTED ATTENUATOR

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION

U.S. CUSTOMARY STANDARD SHEET

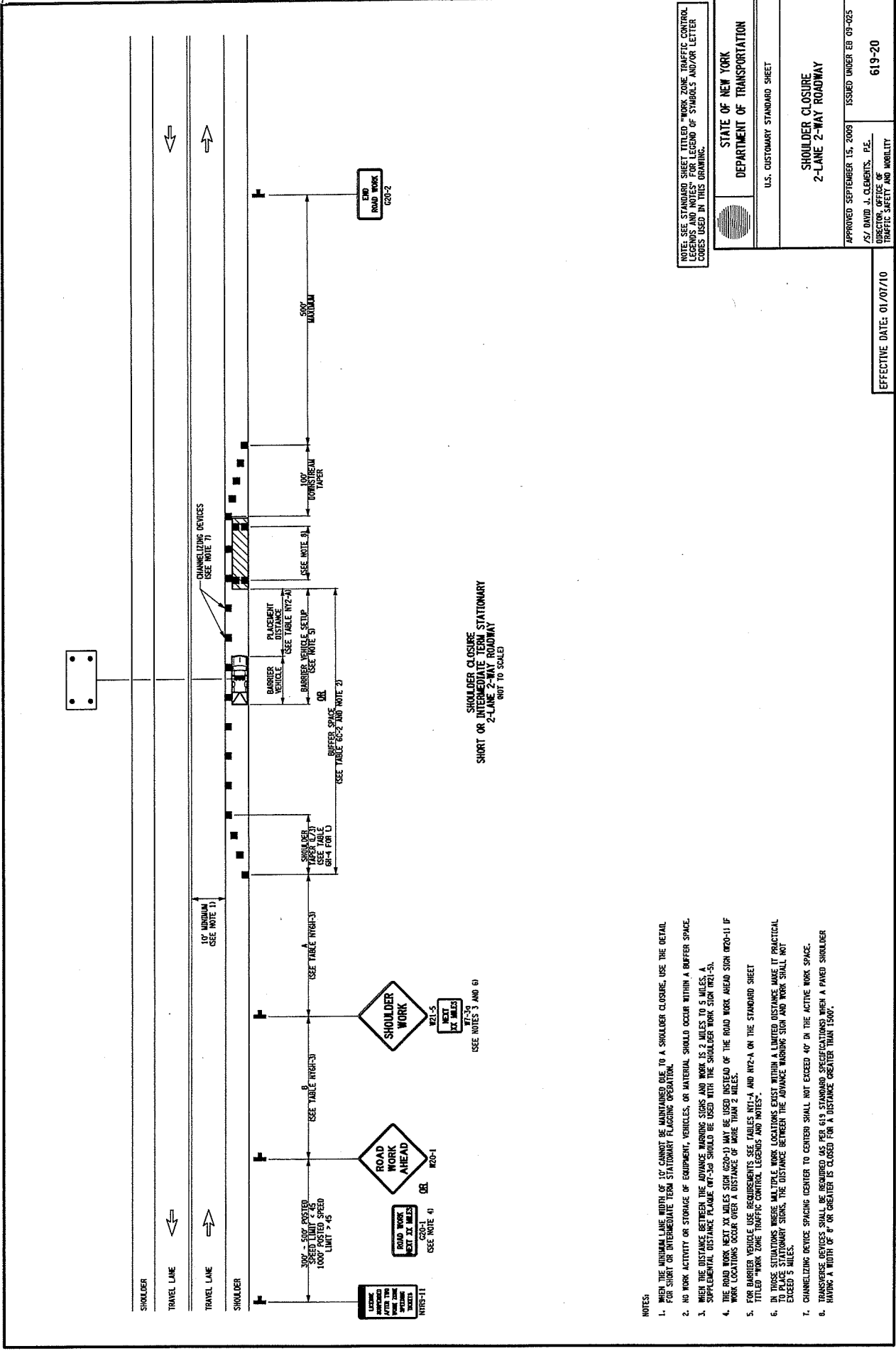
WORK ZONE TRAFFIC CONTROL LEGENDS AND NOTES

APPROVED SEPTEMBER 18, 2009
/S/ DAVID J. CLEMENTS, P.E.
DIRECTOR, OFFICE OF TRAFFIC SAFETY AND MOBILITY

ISSUED UNDER E08-09-006

619-11

EFFECTIVE DATE: 01/09/09



**SHOULDER CLOSURE STATIONARY
SHORT OR INTERMEDIATE TERM ROADWAY
NOT TO SCALE**

- NOTES:**
1. WHEN THE UNPAVED LANE WIDTH IS 10' CANNOT BE MAINTAINED ONE TO A SHOULDER CLOSURE, USE THE DETAIL FOR SHORT OR INTERMEDIATE TERM STATIONARY FLAGGING OPERATION.
 2. NO WORK ACTIVITY OR STORAGE OF EQUIPMENT, VEHICLES, OR MATERIAL SHOULD OCCUR WITHIN A BUFFER SPACE.
 3. WHEN THE DISTANCE BETWEEN THE ADVANCE WARNING SIGNS AND WORK IS 2 MILES TO 5 MILES, A SUPPLEMENTAL DISTANCE PLATE (W2-3a) SHOULD BE USED WITH THE SHOULDER WORK SIGN (W2-5).
 4. THE ROAD WORK NEXT XX MILES SIGN (W2-11) MAY BE USED INSTEAD OF THE ROAD WORK AHEAD SIGN (W2-1) IF WORK LOCATIONS OCCUR OVER A DISTANCE OF MORE THAN 2 MILES.
 5. FOR BARRIER VEHICLE USE REQUIREMENTS, SEE TABLES W2-4 AND W2-4 ON THE STANDARD SHEET TITLED "WORK ZONE TRAFFIC CONTROL LEGEND AND NOTES".
 6. IN THOSE SITUATIONS WHERE MULTIPLE WORK LOCATIONS EXIST WITHIN A LIMITED DISTANCE MAKE IT PRACTICAL TO PLACE STATIONARY SIGNS, THE DISTANCE BETWEEN THE ADVANCE WARNING SIGN AND WORK SHALL NOT EXCEED 5 MILES.
 7. CHANNELIZING DEVICE SPACING CENTER TO CENTER SHALL NOT EXCEED 40' IN THE ACTIVE WORK SPACE.
 8. TRANSVERSE DEVICES SHALL BE REMOVED AS PER 619 STANDARD SPECIFICATIONS WHEN A PAVED SHOULDER HAVING A WIDTH OF 6' OR GREATER IS CLOSED FOR A DISTANCE GREATER THAN 1500'.

**New York State Department of Transportation
Lane Closure Procedures and Limitations**

Road Work Form: All travel lane and shoulder closures must conform to the latest MUTCD and the NYS Supplement. Closures must be approved by the Hudson Valley Transportation Management Center (TMC). The attached Road Work Form (RWF) is to be submitted to the TMC one week in advance of any planned lane or shoulder closures. One RWF can cover several weeks of work if the lane/shoulder closure is stationary and the work limits identified in the RWF don't change.

The **Key Corridor** section of the RWF is used when lanes are being closed on the following roadways:

- I-684
- Taconic State Parkway (TSP)
- Palisades Interstate Parkway (PIP)
- Sprain Brook Parkway (SBP)
- Saw Mill River Parkway (SMRP)
- Hutchinson River Parkway(HRP)
- Cross County Parkway(CC)
- NYA Route 17 (Future I-86)
- I-84
- 9W

Other Corridors section is to be used for lane/shoulder closure requirements for all other state roadways.

Please fill out the form as required and email to stc-r08@dot.state.ny.us , (cc: residency permit engineer). The TMC will acknowledge and approve the closures, including notes on any contact and coordination necessary for any work in the vicinity.

Lane Closure Constraints:

Lanes may be closed between the hours of 9:00 AM to 3:30 PM.

The contractor is advised that the state reserves the right to preclude lane closures during periods of inclement weather, wet or icy pavement, reduced visibility, traffic accidents or any other emergencies. The state may alter any lane closures should traffic conditions or other unforeseen circumstances arise which would adversely affect the traffic flow. The contractor is also alerted to the fact that incident management or traffic conditions might force his/her construction operation to stop, even during time where such operation would normally be permitted. The contractor shall have no claim against the state for any delays or extra costs incurred in complying with these restrictions. The state may grant a waiver of these restrictions upon a timely receipt of a request for waiver from the contractor. A minimum of five working days for the review of the contractor's request will be required.

Holiday Lane Closure Restrictions:

Holiday	Day of Week of Holiday	Temporary Lane Closures are NOT allowed	
		From	To
New Year's Day	Sunday or Monday	6:00 AM the Friday before	10 AM the Tuesday after holiday
	Tuesday	6:00 AM the Saturday before	10 AM the Wednesday after holiday
Independence Day	Wednesday	6:00 AM the Tuesday before	10 AM the Thursday after holiday
Memorial Day	Thursday	6:00 AM the Wednesday before	10 AM the Monday after holiday
	Friday or Saturday	6:00 AM the Thursday before	10 AM the Monday after holiday
Labor Day	Sunday or Monday	6:00 AM the Friday before	10 AM the Tuesday after holiday
	Tuesday	6:00 AM the Friday before	10 AM the Wednesday after holiday
	Wednesday	6:00 AM the Saturday before	10 AM the Thursday after holiday
	Thursday	6:00 AM the Wednesday before	10 AM the Monday after holiday
	Friday or Saturday	6:00 AM the Thursday before	10 AM the Monday after holiday
Christmas Day	Sunday or Monday	6:00 AM the Friday before	10 AM the Tuesday after holiday
	Tuesday	6:00 AM the Friday before	10 AM the Wednesday after holiday
	Wednesday	6:00 AM the Saturday before	10 AM the Thursday after holiday
	Thursday	6:00 AM the Wednesday before	10 AM the Monday after holiday
	Friday or Saturday	6:00 AM the Thursday before	10 AM the Monday after holiday
Thanksgiving Day	Thursday	6:00 AM the Wednesday before	10 AM the Monday after holiday

Additional Notification requirements:

Road work plans change because of weather and work schedules. The TMC must be called at the start of any closures, and again at the end of the day when the lane/shoulder is reopened to traffic at **(914)742-6100**.

Be prepared to provide:

- Permit number
- Caller name
- Callback number
- Location of roadwork
- Lane blockage details
- Type of work
- Planned start and finish times for the day

Hudson Valley Transportation Management Center Road Work Form

Date Submitted: _____

Contract/Permit # _____

Anticipated Traffic Impact: _____

County: _____

of PVMS Units in Contract: _____

24/7 Closure? _____

Police Presence Required? _____

Lane Width Restriction: _____

Work Description: _____

Comments: _____

Submitted by: _____

Telephone # _____

Emergency Contact: _____

Town(s): _____

Type of Work: _____

Posted Detour? _____

Night Time Work? _____

All Lanes Closed? _____

Date Range of Requested Closing	Day(s) of the Week	Roadway (NYSDOT Route #)	Direction	Reference Markers		Exits/Cross Streets		Total # of Lanes in Direction of Work	# of Lanes to be Closed	Lane (RL, LL or ML) or Shoulder	Estimated Time in 24 Hour Format	
				From	To	From	To				Start	Finish
KEY CORRIDORS												

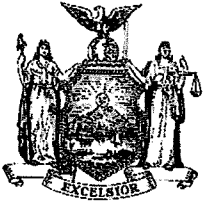
Date Range of Requested Closing	Day(s) of the Week	Roadway (NYSDOT Route #)	Direction	Reference Markers		Exits/Cross Streets		Total # of Lanes in Direction of Work	# of Lanes to be Closed	Lane (RL, LL or ML) or Shoulder	Estimated Time in 24 Hour Format	
				From	To	From	To				Start	Finish
OTHER CORRIDORS												

See Regional Bulletin 8-B-07-21 for Road Work Policy and Procedures.
Call HVTMC Operations with any updates: (914) 742-6100

This form must be submitted seven business days in advance to dot.sm.r08.stc@dot.ny.gov
Revision 09/2018

**State of New York
Department of Transportation**

Highway Work Permit



Permit No.: 20180874106
Date Issued: 12/13/2018
Project ID No.:
Expiration Date: 12/02/2019

***Permittee 1:**

TOWN OF YORKTOWN, ILAN GILBERT
 363 UNDERHILL AVE
 YORKTOWN HEIGHTS, NY 10598
 Emergency Contact: MICHAEL QUINN
 Emergency Number: 914-962-5722 Ext: 200

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

INSTALL DETOUR SIGNAGE ON NYS RTE. 35/118/202 IN CONNECTION WITH THE REPLACEMENT OF THE VETERANS ROAD BRIDGE. INSTALLATION TO INCLUDE INSTALLATION OF A MODEM AND TRANSFER SWITCH AT SIGNAL W-180, THE INTERSECTION OF SAW MILL RIVER ROAD AND CROMPOND ROAD. ALL SIGNS, HARDWARE AND ASSEMBLIES WILL MEET THE MUTCD AND NYS SUPPLEMENT. ALL WORK TO BE DONE IN ACCORDANCE WITH NYSDOT STANDARDS AND SPECIFICATIONS AND ALL ATTACHMENTS SHALL APPLY. PLEASE READ ENTIRE PERMIT PRIOR TO STARTING WORK.

THE PERMITTEE IS RESPONSIBLE FOR TEMPORARY TRAFFIC CONTROL IN ACCORDANCE WITH THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE NYS SUPPLEMENT. ANYONE WORKING WITHIN THE HIGHWAY RIGHT-OF-WAY SHALL WEAR HIGH-VISIBILITY APPAREL MEETING THE ANSI 107-2004 CLASS II STANDARDS AND A HARD HAT.

County	Municipality	State Hwy	State Route	Beg Ref	End Ref
WESTCHESTER	YORKTOWN	0149	35	35 87012068	35 87012078

as set forth and represented in the attached application at the particular location or areas, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit. See additional conditions on PAGE 2.

THIS PERMIT IS ISSUED BASED ON ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS BEING SATISFIED.

Dated at: Poughkeepsie **Date Signed:** 12/13/2018 **Commissioner of Transportation** **By:** Ed Goff

IMPORTANT:

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED, SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY:

Dave Chomycz, Resident Engineer 914-232-3060

"UPON COMPLETION OF WORK", SECOND TO LAST PAGE, MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.

The issuing authority reserves the right to suspend or revoke this permit at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

*** Upon completion of the work within the state highway right-of-way authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his/her or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.**

Permit Fee : \$0.00

Insurance Fee: \$0.00

Total Fees: \$0.00

UOF: App 1: UOF App 2: No

Attachments and additional requirements to this Highway Work Permit include:

PERM 33 - Highway Work Permit Application for Non_Utility Work

PERM 41-1d - Method of Performing Work within the State Right of Way

Contact List

Other - Attach 1 MP&T Notes, 619-11, 619-20

Other - Attach 2 Lane Closure Procedure, RWF

END OF ATTACHMENTS

State of New York
Department of Transportation

Highway Work Permit



Permit No.: 20180874106

Date Issued: 12/13/2018

Project ID No.:

Expiration Date: 12/02/2019

Return this page to:

Dave Chomycz, Resident Engineer
85 Route 100
Katonah, NY 10536

Permittee 1: TOWN OF YORKTOWN, ILAN
GILBERT
363 UNDERHILL AVE
YORKTOWN HEIGHTS, NY 10598 -

UPON COMPLETION OF WORK AUTHORIZED, THIS PAGE OF THE PERMIT MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.

Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.

DATE PERMITTEE AUTHORIZED AGENT (if any)

TO BE COMPLETED BY NYSDOT:

Work authorized by this permit has been satisfactorily completed and is accepted. **Inspection Report must be completed.**

- Refund of Deposit is authorized
- Return of Bond is authorized
- Unable to meet schedule as specified in bid proposal
- Amount charged against Bond may be released.
- Retain bond for future permits
- Forfeit of Guarantee Deposit is authorized
- Other

DATE RESIDENT ENGINEER

Mailing address of refund has been verified.
If different, list new address:

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- Permit closed
- Bond returned/released
- Refund of Guarantee Deposit on this permit is authorized
- Forfeit Guarantee Deposit to NYSDOT
- Other

DATE REGIONAL TRAFFIC ENGINEER

INSPECTION REPORT

For each Highway Work Permit issued, inspections will be performed. The following report must be completed for each site visit, indicating the date, inspector, and hours spent on inspection. **If the total inspection time exceeds 1 hour, then a FIN 12 (PERMIT INSPECTION FOR DEPARTMENT SERVICES) is REQUIRED.**

INSPECTION REPORT LOG

HOURS WORKED BY DATE									HOURS	
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									

**Complete hours for each date inspected.
 Add regular hour numbers across rows, and then overtime hours across rows.
 Add hour columns down for total hours of permit inspection time.**

COMMENTS/OBSERVATIONS:

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

 NAME TITLE

Revision Date: 5/5/2016

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT APPLICATION FOR NON-UTILITY WORK

Application is hereby made for a highway work permit:

For Joint application, name and address of Applicant 2 below:

Name Ilan Gilbert, Town Supervisor
Address 363 Underhill Avenue
City Yorktown Heights State NY Zip 10598
Applicant Phone (914) 962-5722 x200
Applicant Email Address igilbert@yorktownny.org

Name _____
Address _____
City _____ State _____ Zip _____
Applicant 2 Phone (____) _____
Applicant 2 Email Address _____

Emergency Contact Michael Quinn, Town Engineer
Emergency Phone (914) 962-962-5722 x218

RETURN PERMIT TO: (if different from Permittee)

RETURN DEPOSIT/BOND TO: (if different from Permittee)

Name Michael Quinn, Town Engineer
Address 363 Underhill Avenue, Eng. Dept.
City Yorktown Heights State NY Zip 10598

Name _____
Address _____
City _____ State _____ Zip _____

DESCRIPTION OF PROPOSED WORK:

Install detour signage on NYS ROW (NYS Route 35 and NYS Route 118) in connection with the replacement of the Veterans Road Bridge. All signs, hardware, and assemblies will meet the MUTCD and NYS Supplement.

Estimated cost of work being performed in highway right-of-way: \$ _____

Anticipated duration of work: From 4/30/2019 to 10/30/2019 (applies to the operations indicated on the reverse side)

WILL OVERHEAD OR UNDERGROUND (5'+) OPERATIONS BE INVOLVED IN THE PROPOSED WORK? YES NO

ATTACHED: Plans Specifications

LOCATION: State Route: 6 Located Between Reference Markers Veterans Rd and Greenwood St
City/Town/Village of Town of Yorktown County of Westchester

SEQR REVIEW (select one)

Type II Type I Unlisted LEAD AGENCY: _____ DATE OF DETERMINATION: _____

Insurance (check one): General Liability Insurance Undertaking Insurance Fee (residential operations only)

NOTE: PERMIT IS ISSUED CONTINGENT UPON ALL LOCAL REQUIREMENTS BEING SATISFIED

ACKNOWLEDGMENT: ON BEHALF OF THE APPLICANT, I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND THE OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

Applicant Signature [Signature] Date 9/27/18
Applicant 2 Signature _____ Date _____

Approval recommended by Resident Engineer	Res No _____	Date _____
Approved as to form only by: <u>TOWN ATTORNEY</u>	Reg No <u>8</u>	Date <u>12/13/18</u>
Approved by Regional Traffic Engineer: <u>[Signature]</u>		
by Town Board resolution dated: <u>2-25-18</u>		

Operational Type and Description		Permit Fee	Insurance Fee	Total Fees
DRIVEWAYS				
<input type="checkbox"/>	5a1 Residential Driveway (includes field entrances)	15	25	
<input type="checkbox"/>	5a6 Temporary access road or street	200		
<i>For Commercial Driveways and subdivisions streets, use form PERM 33-COM</i>				
IMPROVEMENTS				
<input type="checkbox"/>	5b1 Residential	15	25	
<input type="checkbox"/>	5b2a Commercial- Sidewalk, curb paving, drainage, etc.	200		
<input type="checkbox"/>	5b2b Commercial – Grade, seed, improve land contour, clear brush	100		
<input type="checkbox"/>	5b2c Commercial – Resurface existing road or driveway	50		
<input type="checkbox"/>	5b2d1 Annual resurfacing of roadways and driveways – PER COUNTY	150		
	Number of counties:			
<input type="checkbox"/>	5b2d2 Annual resurfacing of roadways and driveways – PER REGION/	400		
TREE WORK				
<input type="checkbox"/>	5c1 Residential	15	25	
<input type="checkbox"/>	5c2a Commercial removal or planting	25		
<input type="checkbox"/>	5c2b Commercial pruning, applying chemicals to stumps	25		
<input type="checkbox"/>	5c3 Vegetation control for advertising signs – PER SIGN	150		
	Number of Signs:			
MISCELLANEOUS CONSTRUCTION AND WORK OPERATIONS				
<input type="checkbox"/>	5d1 Beautify ROW (civic groups only)	N/C		
<input type="checkbox"/>	5d2a Temporary signs, banners, décor (not-for-profit organizations)	N/C		
<input type="checkbox"/>	5d2b Temporary signs, banners, décor (other organizations)	25		
<input type="checkbox"/>	5d3 Traffic control signals	500		
<input type="checkbox"/>	5d4 Warning and entrance signs	25		
<input type="checkbox"/>	5d5 Miscellaneous – Requiring substantial review (describe below)	400		
<input checked="" type="checkbox"/>	5d6 Miscellaneous (describe below)	25		
OTHER TYPES OF HIGHWAY WORK PERMITS				
<input type="checkbox"/>	6 Encroachment caused by DOT acquisition of property	25		
<input type="checkbox"/>	7a1 Compulsory permit required for demolition requested by DOT	N/C		
<input type="checkbox"/>	7a2 Compulsory permit required for moving requested by DOT	N/C		
<input type="checkbox"/>	7b Improvement to meet Department standards	N/C		
<input checked="" type="checkbox"/>	8 Miscellaneous (describe below)	25		
<input type="checkbox"/>	9 Adopt-a-Highway (exempt from insurance requirement)	N/C		
Description of Miscellaneous Operation:				
Installation of temporary detour signage.				

PERFORMANCE SECURITY (Select one): Guarantee Deposit - Cash Performance Bond Letter of Credit

Guarantee Deposit Amount: _____

Guarantee Deposit Check Number or Bond Number _____

(To be completed by NYSDOT issuing office)

Project Identification Number _____ Highway Work Permit No. _____

State Highway (SH) Number _____ Record ID Number _____

**RESPONSIBILITIES OF PERMITTEE
PURSUANT TO NON-UTILITY HIGHWAY WORK PERMITS**

NOTE: FAILURE TO OBTAIN A PERMIT OR FAILURE TO COMPLY WITH THE TERMS OF A PERMIT MAY RESULT IN THE DEPARTMENT HALTING THE ACTIVITY FOR WHICH A PERMIT IS REQUIRED UNTIL ADEQUATE CORRECTIONS HAVE BEEN MADE.

1. LIMITATIONS ON USE: The specific site identified in this Highway Work Permit, and only that site identified, will be available for use by Permittee only for the purpose stated in this Permit and only on the date(s) and for the duration designated in this permit. This Permit does not authorize any infringement of federal, state or local laws or regulations, is limited to the extent of the authority of NYSDOT and is transferable and assignable only with the written consent of the Commissioner of Transportation. The Commissioner reserves the right to modify fees and to revoke or annul the Permit at any time, at his/her discretion without a hearing or the necessity of showing cause.

2. CONDITIONS OF USE: NYSDOT makes no affirmation that the state-owned site used for the work has been designed, constructed, or maintained for the purpose of the conduct of the work. The Permittee assumes full responsibility for planning and conducting a safe and orderly project that does not expose workers or the public to any unreasonable hazards and that involves a minimal disruption of the normal uses of the state and local highway systems. It shall be the sole obligation of the Permittee to determine whether the site is suitable for the purpose of safely conducting the work. The Permittee assumes all responsibility for assuring that the use of the highway/property conforms to applicable requirements of law, including, but not limited to those set forth herein.

Permittee agrees to assure compliance with New York Labor Law, industrial regulations, and OSHA regulations, and to assure the safety of all workers who will be engaged to do the permitted work.

3. INSURANCE COVERAGE: Permittee must have the insurance that is required for the type and extent of the work being performed.

Permittee agrees to maintain liability insurance in full force and effect throughout the term of the highway work permit. Expiration of, or lack of, liability insurance automatically terminates the permit.

To comply with this requirement, an applicant must furnish the Department with one of the following:

- A completed **Certificate of Insurance** evidencing the required types and limits of insurance coverage, with New York State Department of Transportation named as an additional insured on the commercial general liability policy. An industry standard **ACORD 25** form with an **ACORD 855** Addendum is acceptable evidence of the required coverage. Certificate Holder should be indicated as New York State Department of Transportation, with the address of the issuing office.
- A fully executed **Undertaking Agreement** may be provided by Municipalities, Public Utilities, Transportation Corporations, Public Service Corporations or Railroads, as an alternative to providing proof of commercial general liability the insurance.
- **Homeowners** applying for a residential work permit (driveways, improvements or tree work) and performing their own work have the option to pay a **\$25 Insurance Fee**, and waive the requirement to provide insurance coverage. Any contractor doing work on the homeowner's behalf must be listed on the permit and provide satisfactory proof of insurance as set forth below.

See "PERM 33 Submission Package Requirements" on page 4 for more detailed guidance on insurance coverage.

4. COMPENSATION AND DISABILITY INSURANCE COVERAGE: Permittee is required to have compensation insurance and disability coverage as noted in the provisions of the Worker's Compensation Law and Acts amendatory thereof for the entire period of the permit, or the permit will be invalid. Applicant must provide proof of coverage (Form C-105.2, U-26.3 or SI-12 for Worker's Compensation, and DB-120.1 or DB-155 for Disability Benefits), or provide proof of exemption from this requirement (Form CE-200).

5. INDEMNIFICATION: Permittee agrees that, in addition to any protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations; whether undertaken by Permittee's own forces or by contractor or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT and their agents from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of any claim, including but not limited to claims for personal injuries, property damage or wrongful death and/or environmental claims, in any way associated with the Permittee's activities or operations, no matter how caused.

6. NOTIFICATION: The following should be notified at the appropriate time as shown below:

- Commissioner of Transportation, through the NYSDOT regional office, one week prior to commencing work.
- Area gas distributors, 72 hours prior to any blasting.
- Utility companies with facilities in work areas, before starting work (in accordance with Industrial Code 53).
- Permission from utility company must be obtained before commencing work affecting the utilities' facilities.
- NYSDOT regional signal maintenance shop, 3 days prior to starting work (traffic signal work).
- NYSDOT regional office, at conclusion of work, and return original copy of permit to Resident Engineer.

NOTIFICATION FOR ANNUAL PERMITS: Notify by phone, the Regional or Resident Engineer's Office, one week in advance, each time regular maintenance work is to be performed. In emergencies, notification by phone, fax or email should be made as soon as is practical, no later than the next business day.

7. SITE CARE AND RESTORATION: A bond, deposit (bank cashier's check), or a Letter of Credit, in an amount designated by the Department of Transportation, may be required before a permit is issued, in order to guarantee restoration of the site to its original condition. A fully executed Undertaking Agreement may be accepted as an alternative security, where applicable. If the Department is obliged to restore the site to its original condition, the costs to the Department will be deducted from the amount of the permittee's deposit at the conclusion of the work. Costs in excess of the bond/deposit on file will be billed directly to the permittee. If permittee posts a Letter of Credit, the Department may elect to have a contractor restore the site, and issue a draft drawn against the Letter of Credit as payment.

- Anyone working within state highway right-of-way must wear **high visibility apparel** and **hard hat** meeting ANSI Class 2 requirements.
- No unnecessary obstruction is to be left on the pavement or the state highway right-of-way, or in such a position as to block warning signs during non-working hours.
- No work shall be done to obstruct drainage or divert creeks, water courses or sluices onto the state highway right-of-way.
- All false work must be removed and all excavations must be filled in and restored to the satisfaction of the Regional Maintenance Engineer.

8. COSTS INCURRED BY ISSUANCE OF THIS PERMIT: All costs beyond the limits of any liability insurance, surety deposits, etc. are the responsibility of the permittee. The State shall be held free of any costs incurred by the issuance of this permit, direct or indirect.

9. SUBMITTING WORK PLANS: The applicant will submit three (3) copies of work plans and/or maps as required by the Department. This shall include (but not limited to) such details as: measurements of driveways with relation to nearest property corner; location of existing and proposed poles, guide rail, signal equipment, trees or drainage structures; positions of guys supporting poles; a schedule of the number of poles and feet of excavation necessary for completion of work on the State right-of-way. A description of the proposed method of construction will be included.

- Plan work with future adjustments in mind, as any relocation, replacement or removal of the installation authorized by this permit and made necessary by future highway maintenance, reconstruction or new construction, will be the responsibility of the permittee.
- Driveway plans should be prepared in accordance with NYS DOT POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.
- The permittee must coordinate the work with any State construction being conducted.

10. TRAFFIC MAINTENANCE: A plan detailing how the permittee intends to maintain and protect traffic shall be submitted with work plans. Traffic shall be maintained on the highway in a safe manner during working and non-working hours until construction is completed. The permittee is responsible for traffic protection and maintenance, including adequate use of signs, barriers, and flag persons during working and non-working hours until construction is completed. All sketches will be stamped with "MAINTENANCE OF TRAFFIC SHALL BE IN CONFORMANCE WITH THE NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."

11. COST OF INSPECTION AND SUPERVISION: Prior to issuance of the Highway Work Permit, the permittee may be required to sign an INSPECTION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS (FORM PERM 50) agreeing to the payment of construction inspection charges, based on the number of work days involved. In certain cases, the permittee may also be required to sign a PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS DESIGN REVIEW (FORM PERM 51) agreeing to design review charges, based on the number of work hours in which Department employees were engaged in design review activity.

12. SCOPE:

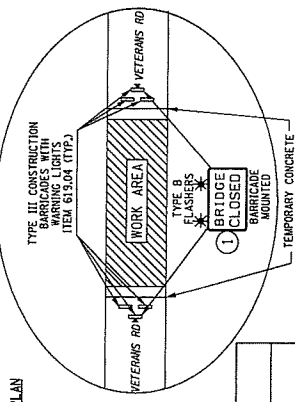
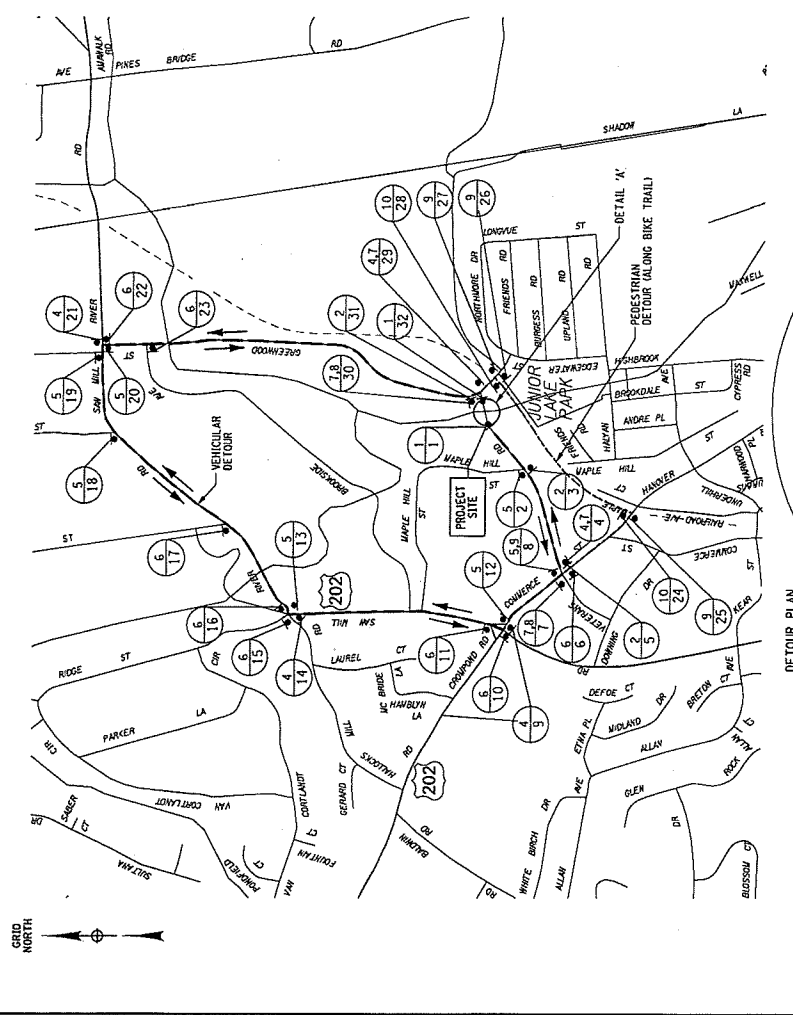
- **Areas Covered:** Permits issued are for highways, bridges and culverts over which the New York State Department of Transportation has jurisdiction. (Local governments issue permits for highways under their jurisdiction.) Work locations must be approved by the Department.
- **Maintenance:** Unless noted otherwise, applicant shall be fully responsible for the maintenance of all items installed and/or altered as shown on the approved permit plans and documents. Property owners having access to a state highway shall be fully responsible for the maintenance of their driveway in accordance with POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.
- **Work Commencement:** The Permittee shall have a copy of the permit available at the site during the construction period. Work should start within 30 days from validation date of permit or said permit may be revoked.

13. REPORTING ACCIDENTS: Permittee is required to report any accidents that occur during the course of the permit work to their insurance company, and to provide the Department with a copy of any such report.

14. COMPLETION OF PROJECT: Upon completion of the work within the State highway right-of-way authorized by the work permit, the person and his or its successors in interest shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the Terms and Conditions of the Highway Work Permit.

LEGEND:
 SIGN NO. (1)
 APPROX. SIGN LOC. (2)
 VEH. DETOUR (3)
 PED. DETOUR (4)
 SIGN NO. LOCATION (5)

SIGN #	MUTCD #	LOCATION	TEXT	SIZE (IN)
1	R11-2 (MOD)	1, 32	BRIDGE CLOSED	48 X 30
2	R11-3B (MOD)	3, 5, 31	BRIDGE CLOSED AHEAD LOCAL TRAFFIC ONLY	60 X 30
4	M4-9	4, 9, 14, 21, 29	VETERANS RD DETOUR	30 X 12 30 X 24
5	M4-9R	2, 8, 12, 13, 18, 19, 20	VETERANS RD DETOUR	30 X 12 30 X 24
6	M4-9L	6, 10, 11, 15, 16, 17, 22, 23	VETERANS RD DETOUR	30 X 12 30 X 24
7	M4-8A	4, 7, 29, 30	END DETOUR	24 X 18
8	M4-9A	7, 30	VETERANS RD DETOUR	30 X 12 30 X 24
9	M4-9AL	8, 25, 26, 27	VETERANS RD DETOUR	30 X 12 30 X 24
10	M4-9AR	27, 28	VETERANS RD DETOUR	30 X 12 30 X 24



WPT NOTES:

1. MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE IN ACCORDANCE WITH "THE 2009 NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", THE NEW YORK STATE CONTRACT DOCUMENTS THROUGHOUT THE LENGTH AND DURATION OF THE CONTRACT.
2. SIGN LOCATIONS SHOWN ARE APPROXIMATE ONLY AND MAY BE REVISED BY THE ENGINEER-IN-CHARGE TO MEET FIELD CONDITIONS (INTERMITS, ROADWAY ALIGNMENTS, ETC.).
3. THE STAFFING AND/OR FIELD SIGNING MAY BE REQUIRED TO BE DESCRIBED IN THE CLOSED PORTION OF THE ROADWAY BEHIND THE TRAFFIC BARRIERS.
4. DURING NON WORKING HOURS, ALL CONSTRUCTION EQUIPMENT AND MATERIALS SHALL BE STORED IN THE CLOSED PORTION OF THE ROADWAY BEHIND THE TRAFFIC BARRIERS.
5. ALL PRIVATE VEHICLES SHALL BE PARKED OUTSIDE THE WORK ZONE AND OFF THE TRAVELED WAY.
6. FOR SIGN POSITIONING DETAILS, SEE STANDARD SHEET 645-03.
7. SIGNS AND SIGN POSTS ARE TO BE PAID FOR UNDER ITEM 619.01, BASIC WORK 645.1 BUT SHALL BE PAID FOR UNDER ITEM 613.01.
8. SHOULD FIELD CONDITIONS DICTATE, THE NEED SIGNS MAY BE INSTALLED ON THE ROADWAY BEHIND THE BARRIERS. THE ENGINEER SHALL BE CONSULTED BEFORE PERFORMING SUCH AN INSTALLATION.
9. FOR SIGN TRAIL SIGNAGE, CONTACT DAVID DALUCCA AT WESTCHESTER COUNTY PARKS (914) 651-4970.

AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:
 N.T.S.

ALtered By: _____
 Date: _____

FILE NAME = FILE: \\c:\local\p\p\2018\11\27\2018\4747\AR...
 USER = PLOTTED BY: user04286
 DATE/TIME = DATE: 11/27/2018 9:47:47 AM
 JOB MANAGER DM
 DESIGN MS
 CHECK JS
 DRAFTING JS
 CHECK MS
 PROJECT MANAGER DM

HILL BOULEVARD OVER TRIBUNARY TO BARBER CREEK VETERANS ROAD OVER HALLOCKS MILL BROOK TOWN OF YORKTOWN		PIN 616.66 (04/11/1)		BRIDGES		ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED		CONTRACT NUMBER	
COUNTY: WESTCHESTER		PS&E DATE: DECEMBER 2018		CULVERTS		DETOUR PLAN		DRAWING NO. VR-2	
REGION: 8				VETERANS ROAD				SHEET NO. 30	
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY, IN ANY MANNER, WITHOUT THE WRITTEN CONSENT OF THE PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR. THE USER SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.									



UNDERTAKING

For the benefit of

The New York State Department of Transportation

In connection with work affecting state highways

(For use by New York municipalities and federal agencies)

WHEREAS, the undersigned Town of Yorktown (Municipality, County, Town, City or Village, or any agency of the federal government, hereinafter referred to as "Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration

2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.

3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.

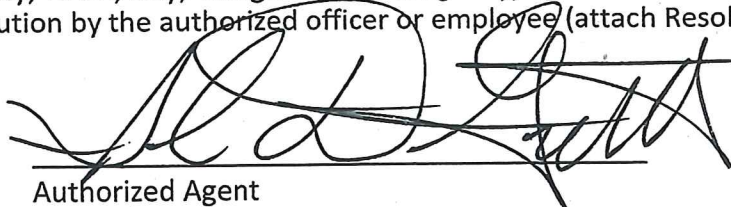
4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.

5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations.

This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

IN WITNESS WHEREOF, Town of Yorktown (Municipality-County, Town, City, Village or federal agency) agrees to the terms of this Undertaking, and has caused its execution by the authorized officer or employee (attach Resolution of Approval).

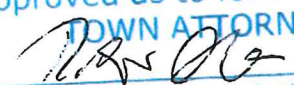

Authorized Agent

9/27/18
Date

Ilan Gilbert, Town Supervisor
Print Name/Title

Yorktown Town Hall
Address
363 Underhill Avenue
Yorktown Heights, NY 10598
Address

(914) 962-5722 x200
Phone number
igilbert@yorktownny.org
e-mail

Approved as to form only by:
TOWN ATTORNEY

by Town Board resolution dated:
9-25-18

METHOD OF PERFORMING WORK
WITHIN THE STATE HIGHWAY RIGHT OF WAY

I. GENERAL CONDITIONS

These conditions and regulations apply to Highway Work Permits authorizing work within the State highway right-of-way for water mains, gas mains, sewer lines and miscellaneous structures. General conditions apply to telephone and telegraph installations as well as specific conditions on the setting and resetting of poles. These conditions, and any special conditions which are added to this form, are enforceable by the Department of Transportation.

A. TIME

1. Work under the permit shall be commenced within thirty (30) days from the date of permit issuance unless a later starting date is approved by the Regional Traffic Engineer.

B. REQUIREMENTS

All the current requirements of the following shall apply: Occupational Safety and Health Administration, Federal Department of Labor, Safety and Health Standards (29 CFR 1926/1910); Part 131, Title 17, New York Code of Rules and Regulations, Accommodation of Utilities Within State Right-of-Way; New York State Department of Labor, Industrial Code Rule 23, Protection of Persons Employed in Construction and Demolition Work; Industrial Code Rule 53, Construction, Excavation and Demolition Operations At Or Near Underground Facilities.

Temporary soil erosion and water pollution controls shall be used as required. The final decision on the method of underground installation will be made by the Regional Director or his representative.

1. Work Within Pavement and Shoulder Areas

- a. Installations that cross the pavement and shoulder area. Wherever practical, all underground installations shall be placed beneath the pavement and shoulder areas without disturbance to these paved surfaces.

1) Boring, Jacking, and Tunneling Methods

DESIGN

- a) The location of all excavations (jacking pits, etc.) shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- ~~c) The location of all other existing utilities shall be shown.~~
- d) The construction equipment and procedures to be used shall be described in the permit application.
- e) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- f) The underground installation shall be described in detail, i.e. size, length, depth, material, provisions for grouting, etc.
- g) Pipes shall generally be enclosed in sleeves or larger pipes. Small diameter services (2 inch I.D. or smaller) may be placed without sleeving at the discretion of N.Y.S.D.O.T.
- h) The limits of an open excavation shall not be closer than 10 feet to the edge of the pavement unless approved by the Department. Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

CONSTRUCTION

- a) Grouting operations may be required if surface settlement, loss of soil or voids around the pipe develop. When grout is required, it shall consist of 1 part cement to 2 parts sand, by volume, and sufficient water to produce a consistency suitable for placing the grout.
- b) Backfill of open excavations shall be as required under 2.) f) Open Excavation Method.

2) Open Excavation Method

DESIGN

- a) The location of all pavement crossing by the open excavation method shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The location of all other existing utilities shall be shown.
- d) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- e) When requested, the construction equipment and procedures to be used shall be described in the permit application.
- f) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the material requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications including addenda. Exceptions will only be allowed if prior approval is granted by the Regional Soils Engineer.
- g) Pavement shall be saw cut at termination points of pavement replacement.

CONSTRUCTION

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Temporary pavements and shoulders shall be placed as soon as a crossover installation is completed.

- b. Installations that are longitudinal to the pavement.

1) Open Excavation Method

DESIGN

- a) The location of all open excavations shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- d) The location of all other existing utilities shall be shown.
- e) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the material requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications, including addenda. Exceptions will only be allowed if prior approval is granted by the Regional Soils Engineer.

CONSTRUCTION

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Permanent or temporary pavement shall be placed immediately as sections of the total installation are completed to subbase elevation. Gravel surfaces in shoulder areas may be used if prior approval is granted.

2) Boring, Jacking, and Tunneling Methods

DESIGN

- a) All the requirements of B.1. a. 1.) DESIGN a) through g) shall apply.

CONSTRUCTION

- a) All the requirements of B.1 a. 1.) CONSTRUCTION a) and b) shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.
- c) The requirements of B.1. b. 1.) CONSTRUCTION d) shall apply.

2. Work Outside the Pavement and Shoulder Areas

a. Open Excavation Method

DESIGN

- a) All the requirements of B.1. b. 1.) DESIGN shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

CONSTRUCTION

- a) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.

HIGHWAY WORK PERMIT ATTACHMENT

NYSDOT Residency Contact Information

Residency 8-1, Columbia County	307 Route 66	Hudson, NY 12534
Tom Story, Acting Resident Engineer Richard Frick, Assistant Resident Engineer	Telephone: (518) 828-9401/9402	Fax: (518) 828-2029
Joseph A. Visconti, Permit Field Engineer	Telephone: (518) 828-5137	Fax: (518) 828-2029
Residency 8-2, Dutchess County North & Central	334 Violet Avenue (Route 9G)	Poughkeepsie, NY 12601
William LaRose, Acting Resident Engineer William LaRose, Assistant Resident Engineer	Telephone: (845) 454-3390/3742	Fax: (845) 454-6763
Chuck Walter, Permit Field Engineer	Telephone: (845) 473-3076	Fax: (845) 454-6763
Residency 8-3, Dutchess South & Putnam Counties	106 Ludingtonville Road	Holmes, NY 12531
Michael Sassi, P.E., Resident Engineer Temp. Vacant, Assistant Resident Engineer	Telephone: (845) 878-6361	Fax: (845) 878-3618
Rock DeNigro, Permit Field Engineer	Telephone: (845) 878-6363	Fax: (845) 878-3618
Residency 8-4, Orange County East	112 Dickson Street	Newburgh, NY 12550
Shahid Quadri, P.E., Resident Engineer Vacant, Assistant Resident Engineer	Telephone: (845) 562-4020/4021	Fax: (845) 562-4190
Siby Zachariah-Carbone, Permit Field Engineer	Telephone: (845) 562-8368	Fax: (845) 562-4190
Residency 8-5, Orange County West	3233 Route 6	Middletown, NY 10940
Rich Gaupman P.E., Resident Engineer Peter Schick, Assistant Resident Engineer	Telephone: (845) 343-4638/4681	Fax: (845) 343-7217
Vacant, Permit Field Engineer	Telephone: (845) 344-5819	Fax: (845) 343-7217
Residency 8-6, Rockland County	275 Ridge Road	New City, NY 10956
Steve DeMassio, P.E., Acting Resident Engineer James J. Murawski, Assistant Resident Engineer	Telephone: (845) 634-4661/4662	Fax: (845) 634-2141
Joseph Taylor, Permit Field Engineer	Telephone: (845) 634-1892	Fax: (845) 634-2141
Residency 8-7, Ulster County	11 Quarry Street	Kingston, NY 12401
Dave Corrigan, Acting Resident Engineer Dave Corrigan, Assistant Resident Engineer	Telephone: (845) 331-5533/5535	Fax: (845) 331-9236
John Reilly, Permit Field Engineer	Telephone: (845) 340-1723	Fax: (845) 331-9236
Residency 8-8, Westchester County North	85 Route 100	Katonah, NY 10536
Dave Chomycz, Acting Resident Engineer Mike LeRose, Assistant Resident Engineer Daniel DeGrosa P.E. Residency Program Engineer	Telephone: (914) 232-3060/3776	Fax: (914) 232-0719
Anne Darelus, P.E., Permit Field Engineer	Telephone: (914) 232-5065	Fax: (914) 232-0719
Residency 8-9, Westchester County South	Saw Mill River Road (Route 9A & Dana Road)	Valhalla, NY 10595
Jorge Argote, P.E., Resident Engineer Mohammed Islam, Assistant Resident Engineer Lynn Jablowsky P.E., Residency Program Engineer	Telephone: (914) 592-6557	Fax: (914) 592-4956
Anne Darelus, P.E., Acting Permit Field Engineer Kamal Ahmed, Assistant Permit Field Engineer	Telephone: (914) 592-6557 Telephone: (914) 592-1589	Fax: (914) 592-4956

SPECIAL NOTES
MAINTENANCE & PROTECTION OF TRAFFIC

1. Maintenance and Protection of Traffic is the responsibility of the permittee. Any subcontractors working for the permittee must have a copy of the Highway Work Permit on the site and must be familiar with the traffic control requirements. It is strongly advised that a "tailgate" safety meeting with each work crew be initiated before the start of work.
2. Traffic control schemes must be in place, and maintained, throughout the duration of work.
3. All Maintenance and Protection of Traffic to be in accordance with the National Manual of Uniform Traffic Control Devices and the NYS Supplement. Refer to NYSDOT's web site <https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/safety-program-technical-operations/work-zone-control> for work zone traffic control typical drawings.
4. Anyone working within the highway right-of-way shall wear high-visibility apparel meeting the ANSI 107-2004 Class II standards and a hard hat.
5. At the start of work on the project, all work zone traffic control devices shall appear in "acceptable" condition. These devices shall not be allowed to fall below the "marginal" condition at any time during the life of the project. Faded and deteriorated panels and non-standard legends are not acceptable.
6. All orange signs on rigid panels shall be fluorescent-orange ASTM Type IX sheeting. All other signs shall meet the reflectivity requirements of the Standard Specifications.
7. Flagger signs are to be used only when a flagger is actually present and visible to the motorist. They shall be covered or removed at all other times. Stop/slow paddles are required.
8. No low-mounted signs shall be permitted, except for flexible panels meeting the current specification requirements.

TABLE 6H-4 FORMULAS FOR DETERMINING TAPER LENGTHS

LONG TERM, INTERMEDIATE TERM, AND SHORT TERM STATIONARY CLOSURES)

SPEED LIMIT (SI) (40 MPH OR LESS)	TAPER LENGTH (L) L = 10S ² / 60	STANDARD TAPER LENGTHS	
		TEMPORARY TRAFFIC CONTROL ZONE POSTED SPEED LIMIT (MPH)	POSTED SPEED LIMIT (MPH)
45	60	110	180
55	75	135	225
65	105	165	270
75	135	195	315
85	165	225	360
95	195	255	405
105	225	285	450
115	255	315	495
125	285	345	540
135	315	375	585
145	345	405	630
155	375	435	675
165	405	465	720
170	420	480	750

TABLE 6H-4 FORMULAS FOR DETERMINING TAPER LENGTHS

LONG TERM, INTERMEDIATE TERM, AND SHORT TERM STATIONARY CLOSURES)

SPEED LIMIT (SI) (40 MPH OR LESS)	TAPER LENGTH (L) L = 10S ² / 60	STANDARD TAPER LENGTHS	
		TEMPORARY TRAFFIC CONTROL ZONE POSTED SPEED LIMIT (MPH)	POSTED SPEED LIMIT (MPH)
45	60	110	180
55	75	135	225
65	105	165	270
75	135	195	315
85	165	225	360
95	195	255	405
105	225	285	450
115	255	315	495
125	285	345	540
135	315	375	585
145	345	405	630
155	375	435	675
165	405	465	720
170	420	480	750

**TABLE 6C-3
TAPER LENGTH FOR TEMPORARY TRAFFIC CONTROL ZONES**

TYPE OF TAPER	TAPER LENGTH (L)
MESSING TAPER	L
SHIFTING TAPER	L/2
SHOULDER TAPER	L/2
ONE-LANE TRAFFIC TAPER	100 FT. MINIMUM
UNIDIRECTIONAL TAPER	100 FT. PER LANE

**TABLE 6C-2
LONGITUDINAL BUFFER SPACE**

POSTED SPEED LIMIT (MPH)	MINIMUM DISTANCE (FT.)
30	15
40	20
50	25
60	30
70	35
80	40
90	45
100	50
110	55
120	60
130	65
140	70
150	75
160	80
170	85

**TABLE 6C-2
LONGITUDINAL BUFFER SPACE**

POSTED SPEED LIMIT (MPH)	MINIMUM DISTANCE (FT.)
30	15
40	20
50	25
60	30
70	35
80	40
90	45
100	50
110	55
120	60
130	65
140	70
150	75
160	80
170	85

**TABLE 619-4
FLARE RATES FOR POSITIVE BARRIER**

TYPE OF POSITIVE BARRIER	POSTED SPEED LIMIT (MPH)
TEMPORARY CONCRETE BARRIER	30, 40, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175
BOX BEAM OR HEAVY POST CORRUGATED BEAM	30, 40, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175

**TABLE 619-3
ADVANCE WARNING SIGN SPACING**

ROAD TYPE	A (FT.)	B (FT.)	C (FT.)	XX	YY
URBAN (≤ 30 MPH)	100	100	100	100	AHEAD
URBAN (35-40 MPH)	200	200	200	200	AHEAD
URBAN (45 MPH)	350	350	350	350	AHEAD
RURAL	300	300	300	300	1500 FT. AHEAD
EXPRESSWAY / FREEWAY	1000	1500	2640	1 MILE	1/2 MILE

**TABLE 619-2
LONGITUDINAL BUFFER SPACE**

POSTED SPEED LIMIT (MPH)	MINIMUM DISTANCE (FT.)
30	15
40	20
50	25
60	30
70	35
80	40
90	45
100	50
110	55
120	60
130	65
140	70
150	75
160	80
170	85

**TABLE 619-1
LONGITUDINAL BUFFER SPACE**

POSTED SPEED LIMIT (MPH)	MINIMUM DISTANCE (FT.)
30	15
40	20
50	25
60	30
70	35
80	40
90	45
100	50
110	55
120	60
130	65
140	70
150	75
160	80
170	85

**TABLE 617-1
SHADOW VEHICLE USE REQUIREMENTS (MOBILE CLOSURES)**

CLOSURE TYPE	EXPOSURE CONDITION	USE REQUIREMENTS	
		FREEWAY	NON-FREEWAY
LANE CLOSURE	WHEN ANY WORKER OR EQUIPMENT IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
SHOULDER CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}

**TABLE 617-1
SHADOW VEHICLE USE REQUIREMENTS (MOBILE CLOSURES)**

CLOSURE TYPE	EXPOSURE CONDITION	USE REQUIREMENTS	
		FREEWAY	NON-FREEWAY
LANE CLOSURE	WHEN ANY WORKER OR EQUIPMENT IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
SHOULDER CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}

**TABLE 617-2
SHADOW VEHICLE USE REQUIREMENTS (MOBILE CLOSURES)**

CLOSURE TYPE	EXPOSURE CONDITION	USE REQUIREMENTS	
		FREEWAY	NON-FREEWAY
LANE CLOSURE	WHEN ANY WORKER OR EQUIPMENT IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
SHOULDER CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}

1. A MOBILE CLOSURE SHALL BE USED FOR ANY WORK ACTIVITY THAT MOVES CONTINUOUSLY OR INTERMITTENTLY OR ALTERNATELY THROUGH THE CLOSURE. THE PREVAILING SPEED OF TRAFFIC, CHANNELIZING DEVICES ARE NOT USED FOR MOBILE CLOSURES.

2. SHADOW VEHICLES SHALL BE EQUIPPED WITH APPROVED BEAR MOUNTED ATTENUATED TRUCK MOUNTED ATTENUATOR (T-MATA) OR APPROVED MOBILE CLOSURES. THE CLOSURES SHALL BE PLACED IN THE CLOSURE OR ON NON-FREEWAY ROADWAYS HAVING A PRE-CONSTRUCTION POSTED SPEED LIMIT OF 35 MPH OR MORE. SHALL CLOSURES OF FREEWAYS AND SHOULDER CLOSURES ON NON-FREEWAY ROADWAYS HAVING A PRE-CONSTRUCTION SPEED LIMIT OF 45 MPH OR MORE.

3. FOR MOBILE CLOSURES ON NON-FREEWAY ROADWAYS HAVING A PRE-CONSTRUCTION POSTED SPEED LIMIT OF 40 MPH OR LESS, SHADOW VEHICLES ARE NOT REQUIRED TO BE EQUIPPED WITH A REAR MOUNTED ATTENUATOR.

4. A SHADOW VEHICLE IS USED TO PROTECT WORKERS ON FOOT OR IN A VEHICLE AND SHALL BE REQUIRED FOR ALL MOBILE CLOSURES. SHADOW VEHICLE REQUIREMENTS SHALL INCLUDE PROVIDING A SEPARATE SHADOW VEHICLE FOR EACH CLOSED LANE AND EACH CLOSED SHOULDER 8' OR GREATER IN WIDTH. ADDITIONAL PROTECTION OF EXPOSED WORKERS, AS DIRECTED BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE.

**TABLE 617-3
SHADOW VEHICLE USE REQUIREMENTS (MOBILE CLOSURES)**

CLOSURE TYPE	EXPOSURE CONDITION	USE REQUIREMENTS	
		FREEWAY	NON-FREEWAY
LANE CLOSURE	WHEN ANY WORKER OR EQUIPMENT IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
SHOULDER CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}

**TABLE 617-4
SHADOW VEHICLE USE REQUIREMENTS (MOBILE CLOSURES)**

CLOSURE TYPE	EXPOSURE CONDITION	USE REQUIREMENTS	
		FREEWAY	NON-FREEWAY
LANE CLOSURE	WHEN ANY WORKER OR EQUIPMENT IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
SHOULDER CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}
	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED ^{2,4}	REQUIRED ^{2,4}

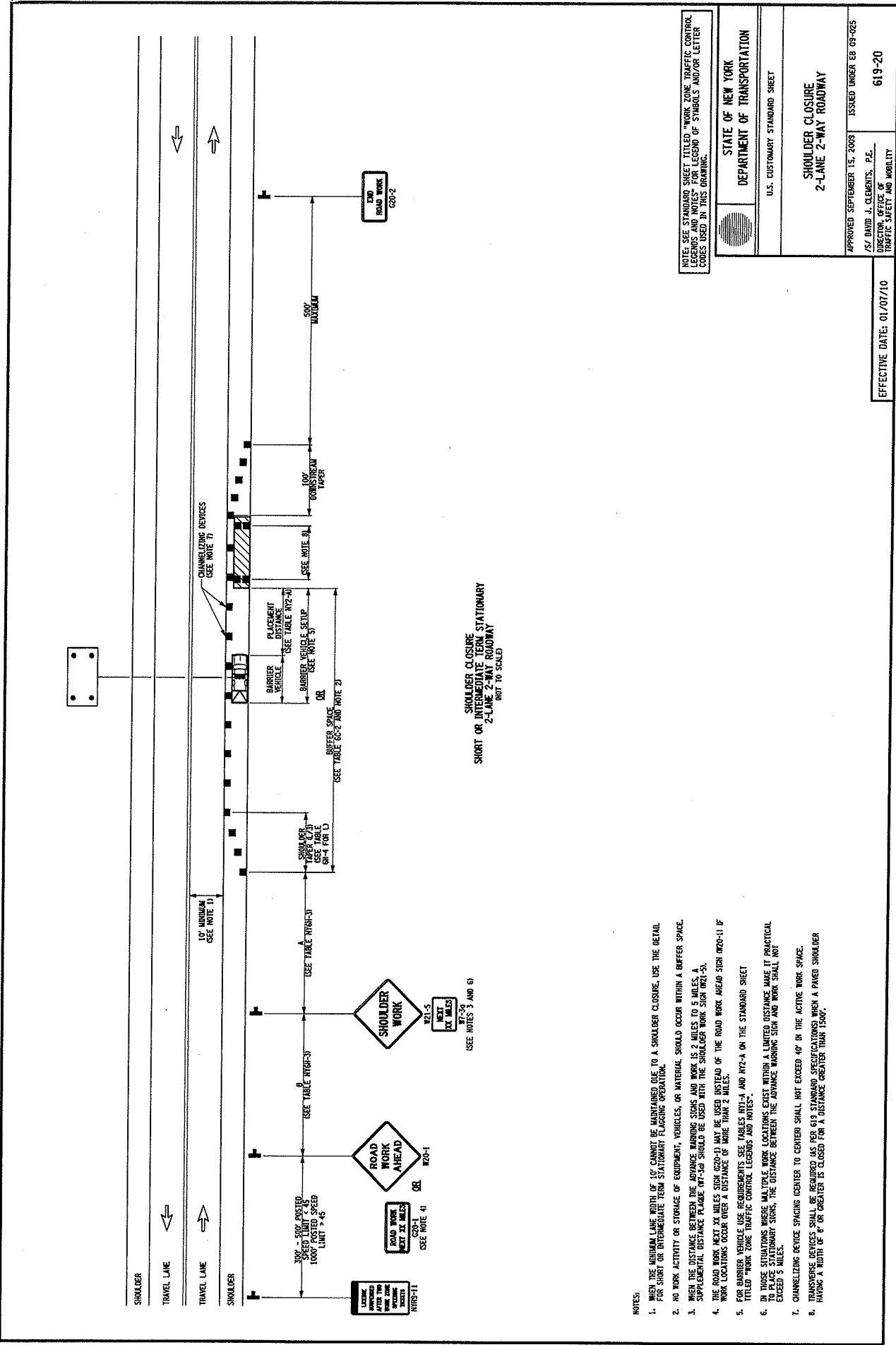
STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION

U.S. CUSTOMARY STANDARD SHEET

WORK ZONE TRAFFIC CONTROL LEGENDS AND NOTES

APPROVED SEPTEMBER 16, 2008
AS/DAVID J. CLEMENS, P.E.
DIRECTOR OFFICE OF TRAFFIC SAFETY AND MOBILITY

ISSUED UNDER EB 08-036
619-11



SHOULDER CLOSURE
SHORT OR INTERMEDIATE TERM STATIONARY
2-LANE 2-WAY ROADWAY
NOT TO SCALE

NOTE: SEE STANDARD SHEET TITLED "WORK ZONE TRAFFIC CONTROL LEGEND" FOR LISTING OF SYMBOLS AND/OR LETTER CODES USED IN THIS DRAWING.

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION	U.S. CUSTOMARY STANDARD SHEET
	U.S. CUSTOMARY STANDARD SHEET
SHOULDER CLOSURE 2-LANE 2-WAY ROADWAY	
APPROVED SEPTEMBER 15, 2009	ISSUED UNDER EB 09-205
/S/ DAVID J. CLEMENTS, P.E. DIRECTOR, OFFICE OF TRAFFIC SAFETY AND MOBILITY	
EFFECTIVE DATE: 01/07/10	
619-20	

- NOTES:
- WHEN THE MINIMUM LAKE WIDTH OF 10' CANNOT BE MAINTAINED DUE TO A SHOULDER CLOSURE, USE THE DETAIL FOR SHORT OR INTERMEDIATE TERM STATIONARY FLAGGING OPERATION.
 - NO WORK ACTIVITY OR STORAGE OF EQUIPMENT, VEHICLES, OR MATERIAL SHOULD OCCUR WITHIN A BUFFER SPACE.
 - WHEN THE DISTANCE BETWEEN THE ADVANCE WARNING SIGNS AND WORK IS 2 MILES TO 5 MILES, A SUPPLEMENTAL DISTANCE PLACED W20-30 SHOULD BE USED WITH THE SHOULDER WORK SIGN W20-1.
 - THE ROAD WORK NEXT EXIT UNLESS SIGN W20-13 MAY BE USED INSTEAD OF THE ROAD WORK AHEAD SIGN W20-11 IF WORK LOCATIONS OCCUR OVER A DISTANCE OF MORE THAN 2 MILES.
 - FOR BARRIER VEHICLE USE REQUIREMENTS, SEE TABLES W12-4 AND W12-5 ON THE STANDARD SHEET TITLED "WORK ZONE TRAFFIC CONTROL LEGENDS AND NOTES".
 - IN THOSE SITUATIONS WHERE MULTIPLE WORK LOCATIONS EXIST WITHIN A LIMITED DISTANCE, MAKE IT PRACTICAL TO PLACE STATIONARY SIGNS, THE DISTANCE BETWEEN THE ADVANCE WARNING SIGN AND WORK SHALL NOT EXCEED 5 MILES.
 - CHANNELIZING DEVICE SPACING CENTER TO CENTER SHALL NOT EXCEED 40' IN THE ACTIVE WORK SPACE.
 - TRANSVERSE DEVICES SHALL BE REQUIRED AS PER 615 STANDARD SPECIFICATIONS WHEN A PAVED SHOULDER HAVING A WIDTH OF 6' OR GREATER IS CLOSED FOR A DISTANCE GREATER THAN 1500'.

**New York State Department of Transportation
Lane Closure Procedures and Limitations**

Road Work Form: All travel lane and shoulder closures must conform to the latest MUTCD and the NYS Supplement. Closures must be approved by the Hudson Valley Transportation Management Center (TMC). The attached Road Work Form (RWF) is to be submitted to the TMC one week in advance of any planned lane or shoulder closures. One RWF can cover several weeks of work if the lane/shoulder closure is stationary and the work limits identified in the RWF don't change.

The **Key Corridor** section of the RWF is used when lanes are being closed on the following roadways:

- I-684
- Taconic State Parkway (TSP)
- Palisades Interstate Parkway (PIP)
- Sprain Brook Parkway (SBP)
- Saw Mill River Parkway (SMRP)
- Hutchinson River Parkway(HRP)
- Cross County Parkway(CC)
- NYA Route 17 (Future I-86)
- I-84
- 9W

Other Corridors section is to be used for lane/shoulder closure requirements for all other state roadways.

Please fill out the form as required and email to stc-r08@dot.state.ny.us , (cc: residency permit engineer). The TMC will acknowledge and approve the closures, including notes on any contact and coordination necessary for any work in the vicinity.

Lane Closure Constraints:

Lanes may be closed between the hours of 9:00 AM to 3:30 PM.

The contractor is advised that the state reserves the right to preclude lane closures during periods of inclement weather, wet or icy pavement, reduced visibility, traffic accidents or any other emergencies. The state may alter any lane closures should traffic conditions or other unforeseen circumstances arise which would adversely affect the traffic flow. The contractor is also alerted to the fact that incident management or traffic conditions might force his/her construction operation to stop, even during time where such operation would normally be permitted. The contractor shall have no claim against the state for any delays or extra costs incurred in complying with these restrictions. The state may grant a waiver of these restrictions upon a timely receipt of a request for waiver from the contractor. A minimum of five working days for the review of the contractor's request will be required.

Holiday Lane Closure Restrictions:

Holiday	Day of Week of Holiday	Temporary Lane Closures are NOT allowed	
		From	To
New Year's Day	Sunday or Monday	6:00 AM the Friday before	10 AM the Tuesday after holiday
Independence Day	Tuesday	6:00 AM the Saturday before	10 AM the Wednesday after holiday
Memorial Day	Wednesday	6:00 AM the Tuesday before	10 AM the Thursday after holiday
Labor Day	Thursday	6:00 AM the Wednesday before	10 AM the Monday after holiday
	Friday or Saturday	6:00 AM the Thursday before	10 AM the Monday after holiday
Christmas Day	Sunday or Monday	6:00 AM the Friday before	10 AM the Tuesday after holiday
	Tuesday	6:00 AM the Friday before	10 AM the Wednesday after holiday
	Wednesday	6:00 AM the Saturday before	10 AM the Thursday after holiday
	Thursday	6:00 AM the Wednesday before	10 AM the Monday after holiday
	Friday or Saturday	6:00 AM the Thursday before	10 AM the Monday after holiday
Thanksgiving Day	Thursday	6:00 AM the Wednesday before	10 AM the Monday after holiday

Additional Notification requirements:

Road work plans change because of weather and work schedules. The TMC must be called at the start of any closures, and again at the end of the day when the lane/shoulder is reopened to traffic at **(914)742-6100**.

Be prepared to provide:

- Permit number
- Caller name
- Callback number
- Location of roadwork
- Lane blockage details
- Type of work
- Planned start and finish times for the day

Hudson Valley Transportation Management Center

Road Work Form

Department of Transportation



Date Submitted: _____

Contract/Permit #: _____

Anticipated Traffic Impact: _____

County: _____

of PVMS Units in Contract: _____

24/7 Closure? _____

Police Presence Required? _____

Lane Width Restriction: _____

Work Description: _____

Comments: _____

Submitted by: _____

Telephone #: _____

Emergency Contact: _____

Town(s): _____

Type of Work: _____

Posted Detour? _____

Night Time Work? _____

All Lanes Closed? _____

KEY CORRIDORS

Date Range of Requested Closing	Day(s) of the Week	Roadway (NYSDOT Route #)	Direction	Reference Markers		Exits/Cross Streets	Total # of Lanes in Direction of Work	# of Lanes to be Closed	Lane (RL, LL or ML) or Shoulder	Estimated Time in 24 Hour Format	
				From	To					Start	Finish

OTHER CORRIDORS

Date Range of Requested Closing	Day(s) of the Week	Roadway (NYSDOT Route #)	Direction	Reference Markers		Exits/Cross Streets	Total # of Lanes in Direction of Work	# of Lanes to be Closed	Lane (RL, LL or ML) or Shoulder	Estimated Time in 24 Hour Format	
				From	To					Start	Finish

STREAM CONTROL DIVISION
ACCEPTANCE OF CONDITIONS
STREAM CONTROL PERMIT NO. 156
TOWN OF YORKTOWN
HILL BOULEVARD BRIDGE
SHRUB OAK BROOK

Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works & Transportation
Michaelian Office Building
148 Martine Avenue – Room 518
White Plains, New York 10601

Dear Sir:

The applicant hereby agrees to comply with all the terms, agreements, covenants and general special conditions set forth in Stream Control Permit No. 156 and to complete the work in accordance therewith, to request a final inspection and to file the formal "Certificate of Completion of Work" with you.

Very Truly Yours,

Permittee: (Print)



Permittee: (Signature)

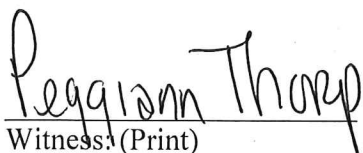
Date

SAME AS APPLICANT
Owner, if not applicant: (Print)



Owner: (Signature)

Date


Witness: (Print)


Witness: (Signature)

4/1/19
Date

**THE PERMIT IS ISSUED SUBJECT TO THE FOLLOWING
TERMS, AGREEMENTS, COVENANTS AND CONDITIONS**

- 1) The term "Commissioner" shall mean the Commissioner of Public Works and Transportation of the County of Westchester or his authorized representative.
- 2) The term "Permittee" shall mean the applicant obtaining the permit, or his or its duly authorized agents or representatives.
- 3) The Commissioner, by issuing the permit, assumes no liability or responsibility on his part or on the part of the County of Westchester of any kind or nature for this sufficiency of the design or the operations covered by the Permit.
- 4) The Permittee assumes all risks in the operations covered by the permit and shall be solely responsible and answerable in damages for all accidents or injuries to persons or property.
- 5) The Permittee shall indemnify and save harmless the County of Westchester and the Commissioner of Public Works and Transportation from any and all claims, suits, losses, damage to property or injury to persons of whatsoever kind and nature, whether direct or indirect, arising out of the Permittee's operations under the permit, and the Permittee agrees to reimburse the County of Westchester and the Commissioner of Public Works and Transportation for all expenses, costs of judgments to which they may be put arising from such operation.
- 6) No changes in the plans or in the nature and extent of the work shall be made without the Commissioner's written consent. The project shall be subject at all times to inspection by the Commissioner.
- 7) The Permittee agrees that, during the performance of the work, the Permittee will not cause or allow in any way or manner any unreasonable interference with the free flow of the stream, and that the Permittee will not place, store or dump any materials, equipment or debris in or about the stream or channel in any way which may cause interference with the free flow of water.
- 8) The Permittee, upon completion of the work, shall cause to be removed from within the channel lines and within 100 feet therefrom all equipment, surplus materials, debris and structures not shown on the approved plans.
- 9) Within 30 days after completion, the Permittee shall certify that the work has been completed in accordance with the permit and the approved plans and that all unauthorized channel obstructions have been removed.
- 10) Final inspection of all work authorized by the permit will be made by the Commissioner to determine that the work has been performed in compliance with the permit.
- 11) Completed work shall be diligently maintained by the owner of the land to prevent any danger of obstruction of the stream, water course, easement or right-of-way bounded by channel lines by reason of erosion or the collapse or other impairment of the completed work.
- 12) The permit shall be subject to all applicable zoning regulations of the municipality within which the land to which the permit applies is located, to Workmen's Compensation Law, Disability Benefits Law and to all other regulations thereof applying to the construction of buildings and other structures. Every building permit or certificate of occupancy issued by any municipality shall be subject to the limitations and requirements imposed by or pursuant to the Westchester County Stream Control Law, with respect to any work covered by such permit or certificate. In event of any conflict, the more restrictive provision shall prevail.
- 13) The Commissioner reserves the right to revoke or cancel the permit at any time should the Permittee fail to comply with any of the terms, agreements, covenants and conditions of the permit.
- 14) The permit does not give any property rights, either in real property or material, or any exclusive privileges. It does not authorize any injury to public or private property, any invasion of property rights, any occupation of riparian or County property, or any infringement of State or local laws or regulations. Local and State permits and consents must be obtained when necessary.
- 15) The work must be completed on or before the stated completion date and shall be under the direction of a licensed professional engineer or licensed architect until it is completed.
- 16) The Permit is not in force and effect until the executed acceptance form is received by the Commissioner.
- 17) SPECIAL CONDITIONS for this Permit are set forth on the attached sheet.
- 18) The application, the Special conditions and the following approved plans are part of the permit:

Permit is limited to work shown on the plans by WSP Global, dated November, 2018.

Applicant Initials

STREAM CONTROL DIVISION
CERTIFICATE OF COMPLETION OF WORK
STREAM CONTROL PERMIT NO. 156
TOWN OF YORKTOWN
HILL BOULEVARD BRIDGE
SHRUB OAK BROOK

Hugh J. Greechan, Jr., PE
Commissioner of Public Works & Transportation
Michaelian Office Building
148 Martine Avenue – Room 518
White Plains, New York 10601

Dear Sir:

The Permittee hereinafter named certifies that the proposed work for Stream Control Permit No. 156 for proposed of the Hill Boulevard Bridge replacement. In order to accommodate the replacement, work will extend 30 feet to the east and west from the fascia of the bridge into the stream. The project is detailed on drawings, dated November, 2018, by WSP Global and has been completed in accordance with all terms, agreements, covenants and conditions of Stream Control Permit No. 156 issued by you and the approved plans, and that all unauthorized channel obstructions have been removed.

The Permittee further certifies that the completed work will be diligently maintained by the Permittee and/or the owner of the land to prevent any danger of obstruction of the stream, water course, easement or right-of-way, bounded by the channel lines by reason of erosion, or the collapse or other impairment of the completed work.

Very Truly Yours,

_____ Permittee: (Print)	_____ Permittee: (Signature)	_____ Date
_____ Owner, if not applicant: (Print)	_____ Owner: (Signature)	_____ Date
_____ Witness: (Print)	_____ Witness: (Signature)	_____ Date

Initial: MB

APPENDIX F
HAZARDOUS MATERIALS SURVEY REPORT

**PRELIMINARY ENVIRONMENTAL ASSESSMENT AND
LIMITED HAZARDOUS MATERIALS SURVEY**

**BRIDGE AT HILL BOULEVARD
PIN 8761.66
YORKTOWN, WESTCHESTER COUNTY, NEW YORK**



WBE certified company

PREPARED BY:

**ATLANTIC TESTING LABORATORIES, LIMITED
251 Upper North Road
Highland, New York 12528**

PREPARED FOR:

**WSP USA Buildings, Inc.
555 Pleasantville, South Building
Briarcliff Manor, New York 10510**

ATL REPORT NO. PT5346CE-02-11-17

November 21, 2017

TABLE OF CONTENTS

1.0 INTRODUCTION	1
1.1 Purpose.....	1
1.2 Project Team and Certifications	1
2.0 SCOPE OF WORK	1
2.1 Project Description.....	1
2.2 Inaccessible Areas.....	1
2.3 Document Review.....	2
2.4 Limitations.....	2
3.0 PRELIMINARY ENVIRONMENTAL ASSESSMENT	2
3.1 Methodology	2
3.1.1 Environmental Database Review	2
3.1.2 Historical Aerial Photographs Review.....	4
3.1.3 Historical Sanborn Fire Insurance Maps Review.....	4
3.1.4 Site and Area Reconnaissance	4
3.2 Summary of Findings	5
4.0 LIMITED HAZARDOUS MATERIALS SURVEY	5
4.1 Asbestos	5
4.1.1 Methodology	5
4.1.2 Regulatory Compliance	5
4.1.3 Summary of Findings.....	6
4.2 Lead-Containing Paint	6
4.2.1 Methodology	6
4.2.2 Regulatory Compliance	6
4.2.3 Summary of Findings.....	7
4.3 Polychlorinated Biphenyls.....	7
4.3.1 Methodology	7
4.3.2 Regulatory Compliance	7
4.3.3 Summary of Findings.....	7
5.0 CONCLUSIONS AND RECOMMENDATIONS	8
5.1 General	8
5.2 Preliminary Environmental Assessment Conditions	8
5.3 Asbestos-Containing Materials	8
5.4 Lead-Containing Paint	8
5.5 PCB-Containing Materials.....	9

APPENDICES

Licenses and Certifications	A
Site Location Map	B
Environmental Database Information Obtained from EDR	C
Historical Aerial Photographs.....	D
Historical Sanborn Fire Insurance Maps.....	E
Hazardous Waste Screening Request Form	F
Sample Location Plan	G
Laboratory Reports and Custody Documentation.....	H
Summary Tables.....	I
Summary of XRF Results and Calibration Checks	J

1.0 INTRODUCTION

1.1 Purpose

Atlantic Testing Laboratories, Limited (ATL) was retained by WSP USA Buildings, Inc., to perform a preliminary environmental assessment and limited hazardous materials survey of the bridge at Hill Boulevard that is identified as PIN 8761.66. The assessment and survey were performed on October 18, 2017. The preliminary environmental assessment was performed as a cursory site and area review to assess the potential for surface and/or subsurface contamination relative to petroleum/chemical spills. The purpose of the limited hazardous materials survey was to identify asbestos-containing materials (ACM), lead-containing paint, and polychlorinated biphenyls (PCB)-containing caulk/sealant that are present on exposed surfaces within the subject areas, and may have a significant impact on planned rehabilitation activities. The assessment and survey procedures and report format that follow are in general compliance with applicable local, state, and federal rules and regulations, or pursuant to criteria specified in the scope of work for the project.

1.2 Project Team and Certifications

Members of the ATL project team included Cheyenne Dashnaw, P.E., Senior Engineer; Cameron Heller, Project Manager; and James Mikula, Environmental Specialist. Certifications of ATL's field survey team members and a copy of applicable company licenses maintained by ATL are included in Appendix A.

2.0 SCOPE OF WORK

2.1 Project Description

The project site is located at Hill Boulevard, Yorktown, Westchester County, New York. The four-lane bridge structure with grass-covered median is identified as PIN 8761.66. A Site Location Map, depicting the general location of the project site, is included in Appendix B.

The intent of the preliminary assessment was to assess, through a review of specific environmental database and historic information sources (as cited herein) and a visual reconnaissance of the subject site, the potential for surface and/or subsurface contamination relative to petroleum/chemical spills. The intent of the limited hazardous materials survey was to identify suspect ACM, lead-containing paint, and PCB-containing caulk/sealant that are located on designated areas of the bridge and may be impacted during a proposed rehabilitation project.

The preliminary environmental assessment and limited hazardous materials survey were conducted for the subject areas, as directed by representatives of WSP USA Buildings, Inc. The subject areas were operational at the time of the sampling event.

2.2 Inaccessible Areas

The extent of inaccessible areas is dependent upon the structure type, construction materials, history of renovations and repairs, and project scope. Concealed materials may exist in areas that are not readily exposed to view. Although this assessment and survey were performed to identify suspect or potential hazardous materials within the subject areas, potential hazardous materials may have escaped detection that could be encountered during future bridge demolition and/or rehabilitation activities. Bridge component systems and surrounding land may

contain concealed suspect hazardous materials. If any suspect hazardous materials are encountered during demolition and/or rehabilitation activities, the activities disturbing the suspect material must stop and the material must be sampled and laboratory analyzed or otherwise managed in accordance with applicable regulations.

2.3 Document Review

No historical environmental assessment or hazardous materials survey reports were available for review at the time of the work. Documents obtained by ATL and reviewed as part of the preliminary environmental assessment are described in Section 3.

2.4 Limitations

This report has been prepared in accordance with the scope of work outlined in ATL's contract (ATL No. PT5998-627X-08-17), dated September 12, 2017, and should not be used as abatement/remediation specifications or design documents. The findings, conclusions, and recommendations presented in this report are based on the field observations made by representatives of ATL and the information provided by representatives of WSP USA Buildings, Inc.

The type of assessment and survey conducted for this project is not an exhaustive assessment of a property, and no environmental assessment can completely eliminate uncertainty as to the potential for negative environmental conditions associated with a property. ATL is not able to represent that the subject property or adjoining properties contain no hazardous materials, petroleum/chemical products, or other latent condition beyond those detected or observed by ATL during the assessment and survey. The possibility always exists for concealed materials in inaccessible areas (as described in Section 2.2) or for contaminants to migrate through the surface water, groundwater, or air.

Quantities and locations of sampled materials are approximate, and should be verified by the abatement contractor(s) prior to providing actual cost quotations and/or initiating abatement activities. Variations in reported quantities and locations for sampled materials, in addition to the discovery of suspect materials not identified in this report, is possible due to the presence of inaccessible areas, as described in Section 2.2 of this report.

The findings and opinions are relevant to the dates of our site work and should not be relied on to represent conditions at substantially later dates.

3.0 PRELIMINARY ENVIRONMENTAL ASSESSMENT

3.1 Methodology

The preliminary environmental assessment for the subject site included a review of environmental databases, a review of readily available historical aerial photographs, a review of readily available historical Sanborn fire insurance maps, and a visual reconnaissance of the subject site and general area reconnaissance. Additional details pertaining to the methodology for the preliminary environmental assessment are provided in Sections 3.1.1 through 3.1.4.

3.1.1 Environmental Database Review

The environmental database review included a search of selected federal and state environmental databases. Federal and state environmental databases searched, and the

associated search distances, were selected pursuant to guidance provided in ASTM E 1527. The following ASTM-recommended state and federal records were researched to determine whether the subject site is identified on, or located within, the specified distances from sites that are identified on these listings.

FEDERAL LISTING	SEARCH DISTANCE
National Priority List (NPL)	1.0 Mile
Resource Conservation and Recovery Act Listings (RCRA) U.S. EPA Corrective Action Sites (CORRACTS) Facilities	1.0 Mile
RCRA Non-CORRACTS Transportation, Storage, & Disposal (TSD) Facilities	0.5 Mile
Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)	0.5 Mile
CERCLIS No Further Remedial Action Planned (NFRAP)	0.5 Mile
RCRA Large and Small Quantity Generators (LQG & SQG) List	Property and Adjoining
Institutional Control/Engineering Control (IC/EC) Registries	Property
Emergency Response Notification System (ERNS)	Property
STATE/LOCAL LISTING	SEARCH DISTANCE
NYSDEC Inactive Hazardous Waste Site (SHWS)	1.0 Mile
NYSDEC Solid Waste Management and Disposal Site (HSWDS)	0.5 Mile
NYSDEC Petroleum Bulk Storage Registry (UST)	Property and Adjoining
NYSDEC Petroleum Spill Site Listing (LTANKS)	0.5 Mile
Available Tribal Databases	Property
Available State Institutional Controls and Engineering Controls and (IC/EC)	Property

Environmental Data Resources, Inc. (EDR), of Shelton, Connecticut, was retained by ATL to conduct a search of the aforementioned databases. A copy of the information obtained from EDR is included in the Radius Map™ Report with Geocheck® document provided in Appendix C. As indicated in this report, EDR also provides a review of other available records in addition to the databases identified in the table above. For a complete listing of the databases searched by EDR, sources for these databases, and definitions of acronyms that are used for the database listings described herein, reference the “Governmental Records Searched/Data Currency Tracking” section of the EDR Radius Map™ Report with Geocheck® document contained in Appendix C.

The subject site was not found on regulatory lists/governmental records searched by EDR. Although the information provided in the report prepared by EDR indicates some listings as the target property, further review of the area indicates these are associated with nearby sites and not directly at the subject bridge site.

Sites identified within the ASTM-specified search radii for the federal and state databases specified in the table above, in addition to other available databases searched by EDR, included 19 LTANKS, 1 UST, 6 NY Spills, 1 RCRA NonGen/NLR, and 2 FINDS. ATL reviewed the information available for the listed facilities. Specifically, ATL assessed the respective physical and topographic locations of the listed facilities with respect to the subject site, the reported contaminants of concern, and the regulatory status of the referenced facilities. Additionally, ATL completed a hazardous waste screening form with description of sites located within a ¼ mile of the subject site that may represent a potential environmental concern to the subject site. This information is included as Appendix F. The listed facilities reviewed for this assessment are generally not considered to represent an environmental concern to the subject property. Information pertaining to various spills listed in the immediate vicinity of the subject site is further discussed below.

NYSDEC Spill No. 03-06224, listed at Hill Boulevard, and NYSDEC Spill Nos. 02-08250 and 03-00718, listed at Route 6 and Hill Boulevard, all included spills associated with discharge of raw

sewage into the nearby surface waters. While raw sewage release may represent an immediate concern in the area(s) of release, the historical raw sewage discharges are not considered to represent a significant environmental concern to the subject site at this time.

NYSDEC Spill No. 98-10142 is listed as having impacted Sparkle Lake at Village Road and Columbia Court. Information in the report provided by EDR indicates that the spill was believed to have been from a 200-gallon tank in the area and was originally reported in 1998. Additional inspection in 2009, due to subsequent reports on multiple occasions, indicated that the issue must have been dealt with and no further action was needed. While this spill has the potential for residual impacts in the area of Sparkle Lake, which is located in the immediate vicinity to the east of the subject site, the location of the intersection of Village Road and Columbia Court is of a distance that would suggest potential impacts to the subject site are limited.

3.1.2 Historical Aerial Photographs Review

Aerial photographs, available from EDR and provided in Appendix D, were reviewed for information pertaining to the historic usage of the subject site and surrounding area. This review included aerial photographs dated 2011, 2009, 2006, 1994, 1989, 1985, 1974, 1960, 1958, 1954, and 1941. The aerial photographs dated 1985 and later show the subject property and surrounding area with generally similar development to current conditions. The aerial photograph dated 1974 shows the subject property and surrounding area as predominantly residential developed area with much of the current commercial development not present. The aerial photographs dated 1960 and earlier show the area as generally undeveloped or agricultural developed land. The Hill Boulevard and Sparkle Lake are not shown on the aerial photographs dated 1960 and earlier. No environmentally significant developments were ascertained from the images shown on the referenced historical aerial photographs. It is noted that the scale and varying clarity of aerial photographs may affect assessment of specific property usage.

3.1.3 Historical Sanborn Fire Insurance Maps Review

A Sanborn fire insurance map dated 1942 was available for the subject site, and a copy was provided to ATL by EDR. No notable information was shown on this Sanborn fire insurance map, relative to environmental related conditions for the subject site. The Hill Boulevard is non-existent in the 1942 Sanborn fire insurance map and the area is primarily sectioned into different lots and estates under private ownership, with a utility easement under the Westchester Lighting Company. It is noted that the format and varying clarity of Sanborn fire insurance map copies may affect assessment of specific map details.

3.1.4 Site and Area Reconnaissance

A visual reconnaissance of the subject site and general area reconnaissance of the surrounding sites was conducted on October 18, 2017, to observe present site features and to identify obvious areas of potential environmental concern. The subject site was visually observed for evidence of suspect surface contamination. The surrounding area development was assessed for sites that may have an increased potential for surface/subsurface spills or environmental impacts that may affect the subject site. As part of the site an area reconnaissance, and in conjunction with the review of databases and documents described in Sections 3.1.1 through 3.1.3, a hazardous waste screening form was completed for the subject site. A copy of this information is provided in Appendix F.

Although it is difficult to ascertain the presence of surface or subsurface contamination at a site based on a visual reconnaissance of the site and surrounding properties, there are various visual and olfactive indicators that can provide evidence of spills. These indicators include, but are not limited to, surficial staining, distressed vegetation, unnatural vegetative growth, noxious odors, and discolored soil. No obvious indications of significant surficial spills were observed at the time of the preliminary environmental assessment.

A cursory review of development for areas surrounding the subject site did not identify specific sites of concern in the immediate vicinity. Several NYSDEC spill numbers have been assigned to nearby sites. These spill numbers are further described in Section 3.1.1 and noted on the hazardous waste screening form information in Appendix F.

3.2 Summary of Findings

The preliminary environmental assessment did not identify obvious sources of significant potential for surface and/or subsurface contamination, relative to the subject site. Various NYSDEC spill designations are identified for locations in close proximity to the site, as described in Section 3.1.1; however, existing available information and locations relative to the subject site do not suggest these referenced sites would have a significant adverse environmental impact to the subject site.

4.0 LIMITED HAZARDOUS MATERIALS SURVEY

4.1 Asbestos

4.1.1 Methodology

A visual examination of the subject areas was conducted by an Asbestos Building Inspector to identify suspect ACM. Functional spaces were identified to assist while locating suspect ACM. A functional space is defined as a spatially distinct area within a building or structure that contains identifiable populations of building occupants. A functional space may include a room, a group of rooms, or other defined area, and several functional spaces may comprise a single homogeneous sampling area. A homogeneous sampling area is defined as an area that is uniform by color, texture, construction/application, and general appearance. Each identified functional space was visually examined to determine the locations of suspect ACM. These materials were then delineated into homogeneous sampling areas.

Samples of each accessible homogeneous area were collected and placed in clean, labeled containers. The appropriate custody documentation was completed and the suspect ACM samples were submitted to AmeriSci New York (AmeriSci), located in New York, New York. The samples were laboratory analyzed by polarized light microscopy (PLM) and transmission electron microscopy (TEM) methodologies, as applicable. AmeriSci is a New York State Department of Health (NYSDOH) certified laboratory for PLM and TEM analysis under Environmental Laboratory Approval Program (ELAP) No. 11480. AmeriSci is also accredited by the National Institute of Standards and Technology (NIST), under the National Voluntary Laboratory Accreditation Program (NVLAP).

4.1.2 Regulatory Compliance

In New York State, there are multiple regulatory agencies that have jurisdiction over ACM in buildings. Asbestos survey requirements are primarily regulated or specified by the New York State Department of Labor (NYSDOL), the New York State Department of Health (NYSDOH),

the Occupational Safety and Health Administration (OSHA), and the United States Environmental Protection Agency (EPA).

The NYSDOL established Part 56 of The Official Compilation of Codes, Rules, and Regulations (cited as 12 NYCRR, Part 56) to address the proper identification, handling, removal, and disposal of ACM in buildings. Asbestos survey requirements are specified in Subpart 56-5.1 “Asbestos Survey Requirements for Building/Structure Demolition, Renovation, Remodeling and Repair.” The NYSDOL also works in conjunction with the NYSDOH to establish and maintain asbestos safety training program requirements, and enforce personnel certifications and licensing protocol for asbestos contractors.

The OSHA defines requirements for asbestos surveys and identification of ACM and presumed asbestos-containing materials (PACM) in 29 CFR 1926.1101 (k) “Communication of Hazards.” Under this regulation, OSHA makes reference to conducting inspections according to 1926.1101 (k)(5)(ii)(B) and 1926.1101 (k)(5)(iii) or pursuant to the requirements of the Asbestos Hazard Emergency Response Act (AHERA) 40 CFR Part 763, Subpart E “Asbestos-Containing Materials in Schools.” The AHERA is regulated by the EPA, and applies to primary and secondary schools only; however, the procedures mandated under AHERA are generally considered the industry standards for surveys, as these are typically the most stringent.

4.1.3 Summary of Findings

A homogeneous area of suspect ACM was identified during the visual examination, from which 2 bulk samples were collected and subsequently submitted to a NYSDOH approved laboratory for analysis. Approximate sample locations are depicted on the Sample Location Plan, contained in Appendix G. A copy of laboratory reports and sample custody documentation are contained in Appendix H. Table I-I, contained in Appendix I, provides a summary of the identified suspect ACM and associated analytical results.

The EPA, NYSDOL, and other regulatory agencies define ACM as any material containing greater than 1% of asbestos. The sampled material was not determined to be ACM.

4.2 Lead-Containing Paint

4.2.1 Methodology

A visual examination of the subject areas was conducted by a Lead Inspector to identify visible and accessible painted surfaces. The painted surfaces were categorized into homogeneous areas from which tests could be conducted. Each homogeneous area was tested using a Heuresis Pb200i XRF Analyzer. This equipment provides instantaneous measurements for lead concentration in mg/cm², and displays readings that are positive or negative indications for LCM. Calibration checks for the XRF equipment were performed in accordance with the manufacturer’s recommendations.

4.2.2 Regulatory Compliance

Although New York State has established Title X, Part 67 of The Official Compilation of Codes, Rules, and Regulations (cited as NYCRR Title X, Part 67) for “Lead Poisoning Prevention and Control,” lead-based paint (LBP) inspections and risk assessments are generally subject to the requirements of federal regulations. The United States Department of Housing and Urban Development (HUD), EPA, and OSHA are the primary federal regulatory agencies responsible

for the establishment and enforcement of such regulations. On a state level, the NYSDOH does require laboratories to be certified to perform lead analysis under the ELAP.

The HUD “Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing” include details pertaining to sampling and analysis of suspect LBP, in addition to the identification and control of LBP hazards. The HUD guidelines pertain to federally owned or assisted housing; however, these are commonly referenced and made mandatory by other regulatory agencies. The EPA requirements for LBP activities, specified in 40 CFR Part 745, apply to targeted housing and child-occupied facilities, and are similar to HUD guideline requirements.

The OSHA Construction Standard for Lead (29 CFR 1926.62) applies to employees of an employer who may or will be exposed to occupational levels of lead. OSHA requires employees to maintain, at a minimum, awareness, respiratory protection, and hazard communication training.

4.2.3 Summary of Findings

A total of 2 locations were tested using the XRF spectrometer. Approximate sample locations are depicted on the Sample Location Plan, contained in Appendix G. A summary of the XRF results and calibration checks are provided in Appendix J. Table J-I of Appendix J identifies painted surfaces that contain detectable concentrations of lead, but are not considered LBP, as compared to HUD criteria. Painted surfaces that did not contain lead at a concentration above the method detection limits are summarized in Table J-II of Appendix J. Calibration checks for the XRF spectrometer are provided in Table J-III of Appendix J.

4.3 Polychlorinated Biphenyls

4.3.1 Methodology

A visual examination of the subject areas was conducted by an Environmental Scientist to identify suspect PCB-containing caulk/sealant. No suspect PCB-containing materials were observed within the subject area.

4.3.2 Regulatory Compliance

PCB are primarily regulated by the EPA. The EPA has issued several documents and enforces federal mandated laws and regulations governing the usage, management, and disposal of PCB-containing materials. State and local regulatory agencies have also enacted laws and regulations concerning PCB materials, many of which are consistent with the regulations set forth by the EPA. In accordance with the regulations and guidelines presented in 40 CFR Parts 750 and 761 “Disposal of Polychlorinated Biphenyls; Final Rule,” PCB wastes are generally regulated for disposal under the Toxic Substances Control Act (TSCA) if the concentrations are 50 ppm or greater. Per New York State Department of Environmental Conservation (NYSDEC) regulations, material containing greater than 50 ppm is regulated hazardous waste.

4.3.3 Summary of Findings

No suspect PCB-containing caulk/sealants were observed within the subject areas.

5.0 CONCLUSIONS AND RECOMMENDATIONS

The following conclusions and recommendations are prepared from ATL's understanding that the subject bridge may be subject to rehabilitation projects. Should the management of the subject areas change, it is recommended that the findings be revisited to reflect appropriate operations and management practices for hazardous materials containing items.

5.1 General

1. Concealed regulated hazardous materials may exist at the site that could be encountered during future site work. Reference Section 2 for a description of the scope of work performed for the project and limitations.

5.2 Preliminary Environmental Assessment Conditions

1. As indicated in Section 3.2, the preliminary environmental assessment did not identify obvious sources of significant potential for surface and/or subsurface contamination, relative to the subject site. Various NYSDEC spill designations are identified for locations in close proximity to the site; however, existing available information and locations relative to the subject site do not suggest these referenced sites would have a significant adverse environmental impact to the subject site.
2. If sediment materials are scheduled for removal as part of the project, these may require sampling and analysis and applicable management pursuant to NYSDEC Division of Water Technical & Operational Guidance Series (TOGS) 5.1.9. Soil/sediment material that is scheduled for removal and disposition off-site should be sampled and laboratory analyzed to assess potential contaminants and determine if the material should be disposed of at a regulated landfill facility. Guidance provided in NYSDEC DER-10, Technical Guidance for Site Investigation and Remediation, can be referenced for recommended number of samples (Table 5.4(e)10) and for analytical parameters and allowable constituent levels (Appendix 5).

5.3 Asbestos-Containing Materials

1. The sampled material was not determined to be ACM.
2. Subpart 56-5(g) of 12 NYCRR Part 56 specifies requirements for transmittal of asbestos survey information by the owner or owner's agent. One copy of the asbestos survey report shall be sent to the local government entity charged with issuing a permit for such demolition, renovation, remodeling, or repair work under applicable State or local laws. If controlled demolition or pre-demolition activities will be performed, one copy of the asbestos survey report shall be submitted to the appropriate Asbestos Control Bureau district office. One copy of the asbestos survey report must be kept on the construction site throughout the duration of the asbestos project and any associated demolition, renovation, remodeling, or repair project.

5.4 Lead-Containing Paint

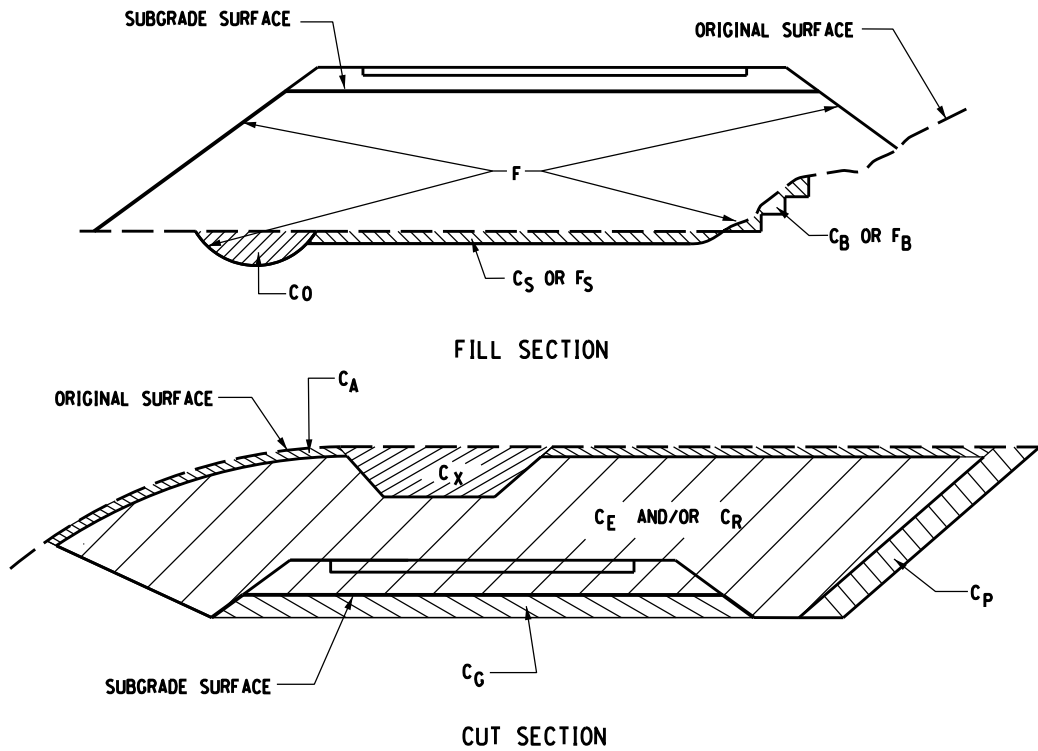
1. None of the materials sampled were determined to be LBP per HUD criteria. Table J-I of Appendix J shows tested materials that are not considered LBP per HUD criteria, but contain detectable concentrations of lead and are regulated under OSHA.

2. Paint with a detectable concentration of lead should be managed in accordance with applicable EPA and OSHA requirements prior to or during demolition, renovation, remodeling, or repair work.
3. Demolition/renovation contractors are required to conduct exposure monitoring or use historical objective data to ensure that employee exposures do not exceed the action level of $30 \mu\text{g}/\text{m}^3$.

5.5 PCB-Containing Materials

1. No suspect PCB-containing caulk/sealant materials were observed at the time of the sampling event.

Hazardous Materials Report
Appendices are available upon
request from the Town of Yorktown
Engineering Department



DEFINITIONS:

C_B - EXCAVATION FOR REQUIRED BENCHING, (BOTH LONGITUDINAL AND TRANSVERSE).

C_G - EXCAVATION FOR SUBGRADE IMPROVEMENT.

C_P - EXCAVATION FROM CUT SLOPE NECESSARY TO PLACE SLOPE PROTECTION.

C_E - PORTION OF CUT ASSUMED TO BE EARTH SUITABLE FOR EMBANKMENT CONSTRUCTION, EXCLUDING C_G AND C_P.

T_E - (C_B + C_G + C_P + C_E) TOTAL EARTH EXCAVATION ASSUMED SUITABLE FOR EMBANKMENT CONSTRUCTION.

C_A - EXCAVATION OF TOPSOIL (UNSUITABLE MATERIAL) IN CUT.

C_S - EXCAVATION OF TOPSOIL (UNSUITABLE MATERIAL) UNDER EMBANKMENT.

C_X - EXCAVATION OF UNSUITABLE MATERIAL IN CUT: SWAMP OR DUMP

C₀ - EXCAVATION OF UNSUITABLE MATERIAL BENEATH EMBANKMENT: SWAMP OR DUMP

T_U - (C_A + C_S + C_X + C₀) TOTAL EXCAVATION ASSUMED UNSUITABLE FOR EMBANKMENT CONSTRUCTION.

C_R - PORTION OF CUT ASSUMED TO BE ROCK, INCLUDING C_G IF APPLICABLE.

C_T - (T_E + T_U + C_R) TOTAL EXCAVATION.

F_B - FILL REQUIRED TO REPLACE BENCHES.

F_S - FILL REQUIRED TO REPLACE TOPSOIL REMOVED BENEATH EMBANKMENTS.

F - FILL REQUIRED TO COMPLETE EMBANKMENT TO SUBGRADE SURFACE AND SIDE-SLOPES AFTER FOUNDATION IS PREPARED.

F_T - (F_B + F_S + F) TOTAL FILL REQUIRED.

T_A - (T_E × F_E + C_R × F_R) THE VOLUME WHICH THE SUITABLE EXCAVATED MATERIAL COULD OCCUPY IN EMBANKMENT.

F_E - SHRINKAGE FACTOR FOR EARTH

F_R - SWELL FACTOR FOR ROCK

ALL DIMENSIONS ARE IN ft³ UNLESS OTHERWISE NOTED



Department of Transportation

COUNTY: WESTCHESTER PIN

SUMMARY OF EARTHWORK
PIN 8761.66 - HILL BOULEVARD OVER BARGER BROOK TRIBUTARY

SOURCE	EXCAVATION			ITEM 203.02/ 206.01	ITEM 203.03/ 203.21
	TE	CR	TU	CT	FT
11+87.00	0	0	3716	3716	0
11+97.36	750	0	1281.25	2031	750
12+02.36	0	0	375	375	0
12+12.36	2115	0	750	2865	2115
12+22.36	6721	0	750	7471	6721
12+32.36	10528	0	750	11278	10622
12+42.36	9641	0	750	10391	0
12+52.36	7437	0	750	8187	0
12+62.36	9464	0	750	10214	0
12+72.36	10528	0	750	11278	10622
12+82.36	6721	0	750	7471	6721
12+92.36	2115	0	750	2865	2115
12+96.00	0	0	273	273	0
13+06.00	750	0	750	1500	750
13+38.00	0	0	4100	4101	0
TOTALS				84016 ft ³	40416 ft ³

SUMMARY OF EARTHWORK
PIN 8761.71 - VETERANS ROAD OVER HALLOCKS MILL BROOK

SOURCE	EXCAVATION			ITEM 203.02/ 206.01	ITEM 203.03/ 203.21
	TE	CR	TU	CT	FT
12+21.75	0	0	118.86	118.86	0
12+31.75	622.50	0	420	1042.50	1441.25
12+41.75	3004.38	0	420	3424.38	4594.9875
12+51.75	7878.26	0	420	8298.26	4076.875
12+61.75	6053.56	0	420	6473.56	0
12+71.75	7878.26	0	420	8298.26	4076.875
12+81.75	3004.38	0	420	3424.38	4594.9875
12+91.75	622.50	0	420	1042.50	1441.25
12+96.50	0	0	199.5	199.50	0
TOTALS				32322.19 ft ³	20226.225 ft ³

NOTES:

THE CONTRACTOR'S ATTENTION IS DIRECTED TO THE FACT THAT THESE ARE ESTIMATED, AND ARE PROVIDED FOR THE PURPOSE OF PREPARING AN ESTIMATE. THEY ARE NOT TO BE CONSTRUED AS BEING EXACT. THEY ARE INTENDED TO QUANTIFY AND QUALIFY THE NATURE OF THE WORK. SIGNIFICANT DIFFERENCE FROM THIS REPRESENTATION, WHEN ENCOUNTERED DURING THE ACTUAL WORK, WILL BE HANDLED ACCORDING TO THE SPECIFICATIONS GOVERNING THIS PROJECT

- 203.02 UNCLASSIFIED EXCAVATION AND DISPOSAL
- 203.03 EMBANKMENT IN PLACE
- 206.01 STRUCTURE EXCAVATION
- 203.21 SELECT STRUCTURE FILL

ALL QUANTITIES ARE IN ft³ UNLESS OTHERWISE NOTED



**Department of
Transportation**