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Culvert Replacement

Berry Road, Sections 14 & 23, Rives Township

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Attachment B: Title VI Requirements
Attachment C: MDEQ Permit
August 8, 2016

INVITATION FOR BIDS

CULVERT REPLACEMENTS FOR
BERRY ROAD, SECTIONS 14 & 23, RIVES TOWNSHIP

Sealed bids will be received by the Jackson County Department of Transportation at their offices on 2400 North Elm Road, Jackson, Michigan 49201-7643 until **10:00 am Eastern Standard Time on Monday, August 21, 2017** for the removal and replacement of the culvert on Berry Road, T1S, R1W, Sections 14 & 23, Rives Township, Jackson County, Michigan.

All bids must be in sealed envelopes marked:

BERRY ROAD
CULVERT REPLACEMENT

The right is reserved to reject any or all bids and to make the award in the best interest of the Jackson County Department of Transportation and the County of Jackson.
PROJECT LOCATION

BERRY ROAD CULVERT
OVER THE UNNAMED TRIBUTARY STREAM
T1S, R1W, SECTIONS 14 & 23, RIVES TOWNSHIP
PROJECT LOCATION

BERRY ROAD CULVERT
BETWEEN ZION ROAD AND EASTON ROAD
T1S, R1W, SECTIONS 14 & 23, RIVES TOWNSHIP

ALL SIGNS, SIGN INSTALLATION, AND PLACEMENT SHALL ADHERE TO THE MMUTCD AND MDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.
# PROJECT DETOUR

**BERRY ROAD CULVERT REPLACEMENT**  
**BETWEEN ZION ROAD AND EASTON ROAD**  
**T1S, R1W, SECTIONS 14 AND 23, RIVES TOWNSHIP**  

## SIGN, TYPE B, TEMPORARY, PRISOMATIC

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**TOTAL:** 236

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ALL SIGNS, SIGN INSTALLATION, AND PLACEMENT SHALL ADHERE TO THE MMUTCD AND MDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.
GENERAL PROVISIONS & INSTRUCTIONS

FOR THE
BERRY ROAD CULVERT REPLACEMENT
SECTIONS 14 & 23, RIVES TOWNSHIP

JCDOT: CWB  1 of 2  08/07/2017

SCOPE OF WORK

The work covered by this proposal consists of installing required soil erosion and sedimentation control items, and stream diversion. Remove the existing culvert, subgrade undercut, if necessary. Place culvert bedding. Supply and place a 56 foot long, 9 foot span, 3 foot rise precast concrete box culvert according to the drawings and MDEQ permit with a recessed invert. Backfill structure, place aggregate base, riprap, HMA pavement, and restoration items on Berry Rd, Section 14 and 23, Rives Township.

All work shall be performed in accordance with the Michigan Department of Transportation's (MDOT) 2012 Standard Specifications for Construction or as modified by these General Provisions and Instructions.

SPECIAL REQUIREMENTS

- Persons wishing to submit a bid on this project shall submit the forms from Attachment A and Bid Security Requirements. Bid forms should be submitted to the Jackson County Department of Transportation. After the bid opening, a decision will be made to pursue what is in the best interest of the Jackson County Department of Transportation and the County of Jackson.

- The successful low bidder shall meet the requirements of Title VI of the Civil Rights Act of 1964 as shown in Attachment B.

- A preconstruction meeting will be held to finalize a progress schedule and determine execution-administration of the contract. Work on the project shall begin within 10 days of award or on a date agreeable with the Jackson County Department of Transportation. The completion date for all work shall be November 15, 2017 or a date agreed upon with JCDOT. Failure by the contractor to complete the work within the contract time will result in assessment of liquidated damages in accordance with Section 108.10 of MDOT 2012 Standard Specifications for Construction. Liquidated damages will be deducted from contractor payments.
• Payment: The contractor shall submit invoices for completed contract items to the Jackson County Department of Transportation (Charles Briner). The invoice will be processed and payment for approved contract items (less retainage, if necessary) will be made within thirty (30) calendar days or less of receiving the invoice.

• The contractor shall furnish a statement to the Jackson County Department of Transportation certifying that all subcontractors and suppliers that furnished labor, equipment, and materials for the project have been paid before the final payment on the contract is made.

**QUESTIONS-ADDITIONAL INFORMATION** Questions regarding this project should be directed to:

Charles Briner  
Jackson County Department of Transportation  
2400 Elm Road  
Jackson, MI 49201-7643  
Phone: (517) 768-6223  
E-mail: cbriner@co.jackson.mi.us
PROGRESS CLAUSE

FOR THE
BERRY ROAD CULVERT REPLACEMENT
SECTIONS 14 & 23, RIVES TOWNSHIP

JCDOT: CWB  1 of 1  08/07/2017

PROGRESS CLAUSE

Berry Road Culvert Replacement, Sections 14 & 23, Rives Township

Start work on the date shown below or on a date agreed upon with the Engineer.

START DATE: Within 10 days of Award or a date agreed upon with the engineer.

All contract work shall be completed by November 15, 2017 or a date agreed upon with the engineer

The approved low Bidder(s) for the work will be required to participate in a pre-construction meeting with the Jackson County Department of Transportation to work out a detailed progress schedule. The schedule for this meeting will be set within one (1) week after the approved low bidder is determined.

The Jackson County Department of Transportation will arrange the time and place for the meeting.

The Progress Schedule shall include, as a minimum, the controlling work items for the completion of the project and the planned dates or work days that these items will be controlling operations. When specified in the bidding proposal, the date the project is to be opened to traffic as well as the final project completion date shall also be included in the project schedule.
PROJECT LOCATION:

The Berry Road culvert is located on Berry Road, between Easton Road and Zion Road, T1S, R1W, Sections 14 & 23, Rives Township, Jackson County, Michigan. This culvert carries an unnamed tributary stream. Berry Road is a primary road in Jackson County and the average daily traffic is 875.

DESCRIPTION OF WORK:

Remove the existing 36” corrugated metal pipe culvert and replace with a 56 foot long, 9 foot span, 3 foot rise concrete box culvert. Place riprap erosion protection per plan. All activities shall be completed in accordance with approved plans and conditions of the MDEQ permit WRP007440.

LOG OF PROJECT:

1. Contractor will install all necessary traffic control items for road closure.
2. The contractor will be responsible for purchasing and providing the new 56 foot long, 9 foot span, 3 foot rise concrete box culvert that is specified in the MDEQ permit and plans.
3. Contractor is responsible for the disposal of all spoil and materials, including the existing culvert according to the conditions of the MDEQ permit to MDOT Specs.
4. Contractor shall present their plan for isolating all construction activities from the water to JCDOT for review and acceptance. Acceptable barriers would include, cofferdams of steel sheet piling, gravel bags, clean stone, coarse aggregate, concrete or other acceptable barriers.
6. Contractor shall follow all provisions and limitations of the MDEQ permit.
7. Contractor is advised that proposed invert elevations are critical and adherence to these elevations is mandatory.
8. The entire scope of work will include installation and maintenance of all required soil erosion and sedimentation control measures, the removal of the existing culvert, culvert bedding and installation of new culvert, culvert backfill, and replacement of existing asphalt road surface.
9. Construction methods including density requirements shall be met according to the Michigan Department of Transportation 2012 Standard Specifications and Construction.

**Berry Road Culvert Information**

Benchmark #1, elevation = 907.52 NAVD88
Flagged nail in the south side of Telephone Pole, 22 feet east of centerline of Easton Road and 55 feet North of centerline of Berry Road

North invert elevation = 903.60
South invert elevation = 903.56
Existing Berry Road centerline elevation = 908.06

New culvert will be **32 degrees offset** from the original culvert rotating around a point on the existing culvert at the center of the road.
General
Local traffic shall be maintained at all times during construction in accordance with Sections 104.07C, 104.11, 812, and 922 of the Michigan Department of Transportation 2012 Standard Specifications for Construction, the Michigan Manual of Uniform Traffic Control Devices (MMUTCD), and as specified herein.

Construction Influence Area
The Construction Influence Area (CIA) shall consist of the project right-of-way five hundred (500) feet in all directions at all intersecting roads. In addition, the CIA shall include the limits of all construction signing.

Traffic Control Devices & Restrictions
All traffic control devices and their usage must conform to Part 6 of the MMUTCD. The Contractor must review, adjust, and maintain all traffic control devices on a daily basis or as directed by the Engineer. The Contractor must notify the Engineer at least 24 hours in advance of erecting construction zone signing. Access to all businesses and residences must be maintained at all times and work must be coordinated with the Engineer.

The Contractor must maintain all traffic control devices and is responsible for reviewing the adequacy and condition of all traffic control devices at least once per day for the duration of the project. Replacement and repair of traffic control devices as necessary will be restricted to daylight hours. Any signs damaged as a result of the Contractor’s operations must be replaced by the Contractor at their expense.

Measurement and Payment
Items necessary for maintaining traffic will be measured and paid for separately. All work pertaining to traffic maintenance will be paid for at the contract unit price for the following pay items.

<table>
<thead>
<tr>
<th>Pay Item</th>
<th>Pay Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plastic Drum, High Intensity, Furn</td>
<td>Each</td>
</tr>
<tr>
<td>Plastic Drum, High Intensity, Oper</td>
<td>Each</td>
</tr>
<tr>
<td>Sign, Type B, Temp, Prismatic, Furn</td>
<td>Square Foot</td>
</tr>
<tr>
<td>Sign, Type B, Temp, Prismatic, Oper</td>
<td>Square Foot</td>
</tr>
<tr>
<td>Barricade, Type III, High Intensity, Double Sided, Lighted, Furn</td>
<td>Each</td>
</tr>
<tr>
<td>Barricade, Type III, High Intensity, Double Sided, Lighted, Oper</td>
<td>Each</td>
</tr>
</tbody>
</table>
DESCRIPTION:

The pay item “Stream Diversion, Temp, Modified” includes all labor, equipment, and materials required to temporarily divert the stream flow around the culvert construction area, isolating culvert removal and construction activities from the stream flow.

CONSTRUCTION METHODS:

The Contractor may choose from the methods shown below:

[Diagram showing three methods: Pump Method, Ditch Method, Offset Method.]
PUMP METHOD: (Figure 1)

The pump and hoses used to divert water around the construction area shall have sufficient flow capacity to minimize ponding of water against the upstream barrier and potential water damage to upstream properties. Water shall be discharged from the hoses onto an area stabilized with riprap.

All labor, equipment, and materials required to temporarily divert the stream flow with pumps and hoses, including a discharge area stabilized with riprap is included with the pay item “Stream Diversion, Temp, Modified”.

DIVERSION DITCH METHOD: (Figure 2)

Construction Sequence:

1. Excavate a diversion ditch from Point A to Point B.
2. Line the diversion ditch with plastic sheeting. The top edge of the plastic sheeting shall be anchored to the top of the ditch above the water surface. Sections of plastic sheeting shall be overlapped for a minimum distance of 2 feet in the downstream direction and have a sufficient quantity of washed 6A or 6AA stone placed on the overlap area to prevent undermining of the sheeting.
3. Excavate the diversion ditch from Point A to the stream then excavate from Point B to the stream. Stabilize the ditch in these areas with washed 6A or 6AA stone.
4. Place a barrier to direct flow through the diversion ditch at the upstream end.
5. Place a barrier at the downstream end.
6. Dewater the construction area.
7. Remove the existing culvert, place and backfill the new culvert. Place riprap at the culvert inlet and outlet as shown on the plans.
8. Remove the downstream barrier.
9. Remove the upstream barrier.
10. Backfill the diversion ditch. The diversion ditch in the area beneath the influence of the pavement and shoulder shall be backfilled in accordance with Section 401.03.F.1 of the Michigan Department of Transportation’s (MDOT’s) 2012 Standard Specifications for Construction.

All labor, equipment, and materials required to perform items 1-5 and 8-10 shown above are included with pay item “Stream Diversion, Temp, Modified”.
DIVERSION CULVERT METHOD: (Figure 2)

Construction Sequence

1. Install and backfill the temporary diversion culvert.
2. Stabilize the inlet and outlet ends of the culvert with 6A or 6AA aggregate and riprap.
3. Place a barrier upstream from the construction area to redirect flow into the inlet end of the diversion culvert.
4. Place a barrier downstream from the construction area.
5. Dewater the construction area.
6. Remove the existing culvert, install and backfill the culvert. Place riprap at the inlet and outlet ends of the new culvert.
7. Remove the downstream barrier.
8. Remove the upstream barrier.
9. Remove the temporary diversion culvert and backfill it's trench. The culvert trench under the influence of the pavement and shoulder shall be backfilled in accordance with Section 401.03.F.1 of the Michigan Department of Transportation's (MDOT's) 2012 Standard Specifications for Construction.

All labor, equipment, and materials required to perform items 1-4 and 7-9 shown above are included with the pay item “Stream Diversion, Temp, Modified”.

OFFSET METHOD: (Figure 3)

Construction Sequence:

Stage 1

1. Place upstream and downstream barriers as shown in Figure 3.
2. Install and backfill the new culvert, relocate the channel to align with the new culvert and place riprap as detailed on the plans.

Stage 2

1. Reorient the upstream and downstream barriers to direct the stream flow through the new culvert and isolate the existing culvert from the stream flow.
2. Remove and backfill the existing culvert.

All labor, equipment, and materials required to perform items in Stage 1 and 2 (other than removal of the existing culvert and installing the new culvert) shown above are included with the pay item “Stream Diversion, Temp, Modified”.
MATERIALS:

The upstream and downstream barriers shown in figures 1, 2, and 3 shall be constructed with steel interlocking sheet piling. Other materials may be used to construct these barriers if approved by the engineer.

Backfill materials for areas beneath the influence of the payment and shoulder shall be Granular material Class II meeting the requirements of Section 902.08 of MDOT’s 2012 Standard Specifications for Construction.

The stone used for stabilization shall be 6A or 6AA aggregate meeting the requirements of Section 902.03 of MDOT's 2012 Standard Specifications for Construction.

The culvert used for the “Diversion Culvert Method” shall have a cross-sectional area large enough to keep discharge velocities at the culvert end low enough to limit erosion. Any type of culvert that the contractor elects to use will be acceptable as long as water velocities exiting the downstream end of the culvert do not cause erosion.

MEASUREMENT AND PAYMENT:

“Stream Diversion, Temp, Modified” will be paid for at the contract unit price for the following Contract Item (Pay Item), which shall be payment in full for all labor, equipment, and materials required:

<table>
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<tr>
<th>PAY ITEM</th>
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<td>“Stream Diversion, Temp, Modified”</td>
<td>Lump Sum</td>
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JACKSON COUNTY DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION
FOR
CULVERT BEDDING, MODIFIED

DESCRIPTION:
The Pay Item “Culvert Bedding, Modified” includes all labor, equipment, and materials required to excavate, furnish and place culvert bedding materials, including the Geotextile Separator, as described in Section 401 of the 2012 Michigan Department of Transportation Standard Specifications for Construction and as directed by the Engineer.

MATERIALS:
The culvert bedding material shall be 6AA aggregate meeting the requirements of Section 902 of the 2012 Michigan Department of Transportation Standard Specifications for Construction.

The Geotextile used shall meet the requirements for a woven Geotextile Separator as shown on Table 910-1 of Section 910 of the 2012 MDOT Standard Specifications for Construction.

MEASUREMENTS AND PAYMENT:
“Culvert Bedding, Modified” will be measured by volume in cubic yards in the depth, length, and width shown on the plans or as directed by the Engineer, as needed to provide a stable foundation for the culvert. Payment for culvert bedding includes the cost of excavating and disposing of unsuitable material, furnishing, and placing the Geotextile Separator, furnishing, and placing the 6AA aggregate.

“Culvert Bedding, Modified” will be paid at the contract unit price for the following Contract Item (Pay Item)

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<thead>
<tr>
<th>Contract Item (Pay Item)</th>
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</table>
GENERAL

Pursuant to the Special Provision for Crushed Concrete near Water, included elsewhere in the contract documents, the use of crushed concrete for dense-graded aggregate, open-graded aggregate and granular material is prohibited within one hundred (100) feet of a water course or lake. The estimated amount of material and the location, by pay item, affected by this prohibition is:

**Berry Road**

Aggregate Base, 6 inch, 70 Syd
The contractor shall cooperate and coordinate construction activities with the owners of utilities as stated in Section 104.08 of the 2012 MDOT Standard Specifications for Construction. In addition, for the protection of underground utilities, the contractor shall follow the requirements in Section 107.12 of the 2012 MDOT Standard Specifications for Construction. Contractor delay claims, resulting from a utility, will be determined based upon Section 108.09 of the 2012 MDOT Standard Specifications for Construction.

For protection of underground utilities and in conformance with Public Act 53, the contractor shall dial 1-800-482-7171 at least a minimum of three full working days, excluding Saturdays, Sundays, and holidays prior to beginning each excavation in areas where public utilities have not been previously located. Members will thus be routinely notified. This does not relieve the contractor of the responsibility of notifying utility owners who may not be a part of the Miss Dig alert system.

The following public utilities have facilities located within the right-of-way:

**GAS**
CMS Energy  
1955 W. Parnall Rd  
Jackson, MI 49201-8644  
Tyler Lawrence | (517) 788-1191  
tyler.lawrence@cmsenergy.com

SEMCO Energy  
15851 Helmer Rd S.  
Battle Creek, MI 49015  
Erikk Marchese | (269) 209-1222  
erikk.marchese@semcoenergy.com

**ELECTRIC**
CMS Energy  
1955 W. Parnall Rd  
Jackson, MI 49201-8644  
David Southward | (517) 788-2400  
david.southward@cmsenergy.com

**CABLE TELEVISION**
Comcast  
41112 Concept Dr  
Plymouth, MI 48170  
Don Bowman | (734) 667-5731  
dbowman@bmcomcast.com

**TELEPHONE AND FIBER OPTICS**
Frontier Communications  
340 S. Main St  
Adrian, MI 49221  
Mark Spina | (517) 265-0648

The owners of existing service facilities that are within grading or structure limits will move them to locations designated by the Engineer or remove them entirely from the highway right-of-way. Owners of public utilities will not be required by the County or the City to move additional poles or structures in order to facilitate the operation of construction equipment unless it is determined by the Engineer that such poles or structures constitute a hazard to the public or are extraordinarily dangerous to the contractor’s operations.
ATTACHMENT “A”
JACKSON COUNTY DEPARTMENT OF TRANSPORTATION

BERRY ROAD CULVERT,
SECTIONS 14 & 23, RIVES TOWNSHIP

BID SECURITY

Bid Security shall be made payable to the Jackson County Department of Transportation in an amount equal to 5% of the total bid. The Bid Security can be cash, certified check, or a Bid Bond Issued by a Surety.

The Bid Security of the successful low bidder will be retained by the Jackson County Department of Transportation until a contract is executed. The Bid Security shall be returned to the successful low bidder within ten (10) business days of the date the contract is executed.

The successful low bidder’s Bid Security will be forfeited if the Jackson County Department of Transportation and the successful low bidder fail to reach agreement on a progress schedule or if the low bidder fails to return an executed contract to the Jackson County Department of Transportation within ten (10) business days of receiving notice of award.

The bid security of other bidders shall be returned within ten (10) business days of the bid opening.
### Schedule of Items (Itemized Bid Sheet)

**Letting Date:**  Tuesday, August 08, 2017 12:00 PM  
**Contract ID:** 2017 Berry Culv  
**Location:** Berry Road Between Zion rd and Easton rd  
**Description:** culvert replacement with a concrete box culvert  
**Project Number:** 489-L170  
**Estimate Number:** 1  
**Project Type:** Miscellaneous  
**Location:** Berry Road  
**Control Section:** Between Zion rd and Easton rd  
**Description:** culvert replacement with a concrete box culvert  
**Project Engineer:** Charles Briner  
**Date Created:** 8/1/2017  

**Instructions to Bidders:** IMPORTANT NOTICE:  
If the proposal establishes a maximum price for any of the following work items, and if you bid a price higher than that maximum price, your bid will be considered to have quoted the maximum price and your bid total will be adjusted to reflect that maximum price.  

If the proposal provides a specified price for any of the following work items, and if you bid a price higher or lower than that specified price, your bid will be adjusted to reflect that specified price.  

If your bid is the lowest accepted bid, and if you refuse to accept the award of the contract due to the change in what you quoted as a maximum or specified price, you will forfeit your proposal guaranty.
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<td>8120251</td>
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<td></td>
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<tr>
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<td>Syd</td>
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**Total Bid:**

Contractor: __________________________________________________________

__________________________________________
(Signature)  

__________________________________________
(Date)
ATTACHMENT “B”
March 28, 2014

James E. Shotwell Jr., Chairman of the Board  
Jackson County Department of Transportation  
2400 North Elm Road  
Jackson, MI 49201

Dear Mr. Shotwell:

The Michigan Department of Transportation (MDOT), Civil Rights Program Unit acknowledges receipt of your Title VI Non-Discrimination Plan. MDOT has reviewed the aforementioned document to ensure compliance with Title VI of the Civil Rights Act of 1964 and related federal regulations. Your Title VI Non-Discrimination Plan is substantially compliant with the requirements under Title 23, Code of Federal Regulations (CFR), Part 200 and 49 CFR, Part 21 and is therefore approved.

If you have questions concerning this matter, please contact Katie Russman at 517-335-2381.

Sincerely,

[Signature]

Cheryl J. Hudson  
MDOT EEO Officer/Title VI Coordinator  
Civil Rights Program Unit
ATTACHMENT “C”
NOTICE OF AUTHORIZATION

Permit Number: WRP007440 v. 1
Submission No.: 2NH-BAPS-MBC3
Site Name: 38 Berry Road, unnamed tributary stream
Date Issued: June 22, 2017
Expiration Date: June 22, 2022

The Michigan Department of Environmental Quality, Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

☑ Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
☒ Part 301, Inland Lakes and Streams.
☒ Part 303, Wetlands Protection.
☐ Part 315, Dam Safety.
☐ Part 323, Shorelands Protection and Management.
☐ Part 325, Great Lakes Submerged Lands.
☐ Part 353, Sand Dunes Protection and Management.

Authorized activity:

Remove the existing structure at the Berry Road crossing of an unnamed tributary stream. Install a single, 56 foot long 9 foot span by 3 foot rise precast concrete box culvert with a recessed invert. Place road fill and riprap slope protection impacting less than 0.01 acres of adjacent wetland.

Water Course Affected: unnamed tributary stream.
Property Location: Jackson County, Rives Township, Town/Range/Section: 01S01W14

Permittee:
Jackson County Department of Transportation
2400 North Elm Road
Jackson, MI 49201-7643

Holly Vickers
Grand Rapids District Office
Water Resources Division
616-295-2787

This notice must be displayed at the site of work.
Laminating this notice or utilizing sheet protectors is recommended.

Please refer to the above permit number with any questions or concerns.
Issued To:

Jackson County Department of Transportation  
2400 North Elm Road  
Jackson, MI 49201-7643

Permit No.: WRP007140 v.1  
Submission No.: 2NH-BAFS-MBC3  
Site Name: 38 Berry Road at Tributary of the Grand River  
Issued: June 22, 2017  
Revised:  
Expires: June 22, 2022

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ), Water Resources Division, under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- Part 301, Inland Lakes and Streams
- Part 303, Wetlands Protection  
- Part 315, Dam Safety  
- Part 31, Water Resources Protection (Floodplain Regulatory Authority)

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

**Authorized Activity:**

Remove the existing structure at the Berry Road crossing of an unnamed tributary stream. Install a single, 56 foot long 9 foot span by 3 foot rise precast concrete box culvert with a recessed invert. Place road fill and riprap slope protection impacting less than 0.01 acres of adjacent wetland.

Authorized Under Minor Permit Category: 31b. Public Transportation Projects 2. Culverts-Large  
Water Course Affected: unnamed tributary stream  
Property Location: Jackson County, Rives Township, Town/Range/Section: 01S01W14

**Authority granted by this permit is subject to the following limitations:**

A. Initiation of any work on the permitted project confirms the permittee’s acceptance and agreement to comply with all terms and conditions of this permit.

B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.

C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.

D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.

E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.

F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.

G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.

I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit by completing and forwarding the attached preaddressed postcard to the office addressed thereon.

J. This permit shall not be assigned or transferred without the written approval of the MDEQ.

K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.

L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).

M. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.

N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.

O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.

P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from the MDEQ. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.

Q. This permit may be transferred to another person upon written approval of the MDEQ. The permittee shall submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to the MDEQ to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all of the above information may be provided to the MDEQ. The MDEQ will review the request and, if approved, will provide written notification to the new owner.

R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.

S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.

T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).

U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.

V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.

W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.

X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources (MDNR), Fisheries Division.

Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:

1. All work shall be completed in accordance with plans attached and kept on file with the MDEQ's Water Resources Division, Transportation Review Unit.

2. Authority granted by this permit does not waive compliance requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA. Any discharge of sediment into waters of the state and/or off the road right-of-way is a violation of this permit, Part 91, and Part 31, Water Resources Protection, of the NREPA. A violation of these parts subjects the permittee to potential fines and penalties.
3. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.

4. The permittee is responsible for acquiring all necessary easements or rights-of-way before commencing any work authorized by this permit. All construction operations relating to or part of this project shall be confined to the existing right-of-way limits or other acquired easements.

5. Temporary soil erosion and sedimentation control measures shall be installed before or upon commencement of the earth change and shall be maintained daily. Temporary soil erosion and sedimentation control measures shall be maintained until permanent soil erosion and sedimentation control measures are in place and the area is stabilized. Permanent soil erosion and sedimentation control measures for all slopes, channels, ditches, or any disturbed area shall be installed within five (5) calendar days after final grading or the final earth change has been completed.

6. All raw areas in uplands resulting from the permitted construction activity shall be effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands. Temporary stabilization measures shall be installed before or upon commencement of the permitted activity, and shall be maintained until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.

7. All raw earth within 100 feet of a lake, stream, or wetland that is not brought to final stabilization by the end of the active growing season shall be temporarily stabilized with mulch blankets in accordance with the following dates: September 20th for the Upper Peninsula, October 1st for the Lower Peninsula north of US-10, and October 10th for the Lower Peninsula south of US-10.

8. This permit placard shall be posted at the work site, in a prominent location at all times for the duration of the project, or until permit expiration.

9. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee’s acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning at the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.

10. All dredge/excavated spoils including organic and inorganic soils, vegetation, and other material removed shall be placed on upland (non-wetland, non-floodplain or non-bottomland), prepared for stabilization, revegetated and reseeded with native Michigan species appropriate to the site, and mulched in such a manner so as to prevent and ensure against erosion of any material into any waterbody, wetland, or floodplain.

11. All riprap shall be properly sized and graded based on wave action and velocity, and shall consist of clean natural field stone or rock (free of paint, soil or other fines, asphalt, soluble chemicals, or organic material). Broken concrete, free of protruding metal, contaminants, and other foreign material may be used.

12. During removal or repair of the existing structure, every precaution shall be taken to prevent debris from entering any watercourse. Any debris reaching the watercourse during the removal and/or reconstruction of the structure shall be immediately retrieved from the water. All material shall be disposed of in an acceptable manner consistent with local, state, and federal regulations.

13. Prior to the removal of the existing structures, cofferdams of steel sheet piling, gravel bags, clean stone, coarse aggregate, concrete or other acceptable barriers shall be installed to isolate all construction activity from the water. The barriers shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site.

14. All cofferdam and temporary steel sheet pile shall then be removed in its entirety, unless specifically shown to be left in place on the accepted plans. Cofferdam and sheet pile that is left in place shall be cut off at the elevation shown on the plans and shall be a minimum of one foot below the stream bottom.

15. The existing structure shall be kept open to pass the stream flow during removal of the existing road fill.

16. The placement of the new culvert and the initial placement of fill in the stream shall be done immediately after removal of the existing culvert. The placement shall be conducted in such a manner that all flow is immediately passed through the new culverts, allowing the major placement of fill to be done in the dry or in still water where erosion and sedimentation will be minimized. The fill material used in this initial placement shall be washed gravel, coquina aggregate, or rock and shall be placed at both ends of the culvert to a level above normal water level before backfill material is placed.

17. The culvert shall be installed to align with the center line of the existing stream at both the inlet and outlet ends, and must be recessed into the stream bed to provide a natural channel substrate throughout the structure, as shown on the approved plans.

18. Road fill side slopes shall not be steeper than 1-on-2 (1 vertical to 2 horizontal) except where headwalls of reinforced concrete, mortar masonry, dry masonry, or other acceptable methods are used.

19. Road fill side slopes terminating in the stream and any raw streambanks resulting from the construction shall be stabilized with temporary measures in accordance with appropriate Best Management Practices based on site conditions, and if necessary, may be riprapped extending above the ordinary high water mark, before or upon commencement of the permitted activity. Temporary stabilization measures shall be maintained until permanent measures are in place.

20. All other road fill slopes, ditches, and other raw areas draining directly to the stream may be protected with riprap, sod and/or seed and mulch as may be necessary to provide effective erosion protection. The placement of riprap...
shall be limited to the minimum necessary to ensure proper stabilization of the side slopes and fill in the immediate vicinity of the structure.

21. If the project, or any portion of the project, is stopped and lies incomplete for any length of time other than that encountered in a normal work week, every precaution shall be taken to protect the incomplete work from erosion, including the placement of temporary gravel bag riprap, temporary seed and mulch, or other acceptable temporary protection.

22. No work shall be done in the stream during periods of above-normal flows except as necessary to prevent erosion.

23. Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing shall be installed as needed to prohibit construction personnel and equipment from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site, the sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.

24. Stormwater shall not directly outlet to the stream.

25. The riprap in the channel must be recessed below the existing stream bottom to provide a natural channel to form over it.

Issued By:
Holly Vickers
Grand Rapids District Office
Water Resources Division
616-295-2787

cc: Rives Junction Township Clerk
Jackson County Drain Commissioner
Jackson CEA
Susan Jones, MDEQ, WRD
Tiffany Myers, MDEQ, WRD
Matt Konieczki, MDEQ, WRD
Brian Gunderman, MDNR, Fisheries