

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
HIGHWAY DIVISION 4

## PROPOSAL

**DATE AND TIME OF BID OPENING:** October 27, 2026 AT 2:00 PM

**CONTRACT ID:** DD00534

**WBS ELEMENT NO.:** BP4.R033.3

**FEDERAL AID NO.:** STATE FUNDED

**COUNTY:** HALIFAX COUNTY

**TIP NO.:** NONE

**MILES:** .038

**ROUTE NO.:** SR1210

**LOCATION:** BRIDGE 410021 OVER MARTIN SWAMP ON PINEY GROVE  
CHURCH ROAD

**TYPE OF WORK:** GRADING, PAVING, DRAINAGE, AND CULVERT

**NOTICE:**

ALL BIDDERS SHALL COMPLY WITH ALL APPLICABLE LAWS REGULATING THE PRACTICE OF GENERAL CONTRACTING AS CONTAINED IN CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA WHICH REQUIRES THE BIDDER TO BE LICENSED BY THE N.C. LICENSING BOARD FOR CONTRACTORS WHEN BIDDING ON ANY NON-FEDERAL AID PROJECT WHERE THE BID IS \$40,000 OR MORE, EXCEPT FOR CERTAIN SPECIALTY WORK AS DETERMINED BY THE LICENSING BOARD. BIDDERS SHALL ALSO COMPLY WITH ALL OTHER APPLICABLE LAWS REGULATING THE PRACTICES OF ELECTRICAL, PLUMBING, HEATING AND AIR CONDITIONING AND REFRIGERATION CONTRACTING AS CONTAINED IN CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA. NOTWITHSTANDING THESE LIMITATIONS ON BIDDING, THE BIDDER WHO IS AWARDED ANY FEDERAL - AID FUNDED PROJECT SHALL COMPLY WITH CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA FOR LICENSING REQUIREMENTS WITHIN 60 CALENDAR DAYS OF BID OPENING.

THIS IS A STRUCTURE AND ROADWAY PROJECT.

BID BOND IS REQUIRED.

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NAME OF BIDDER

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ADDRESS OF BIDDER

**PROPOSAL FOR THE CONSTRUCTION OF  
CONTRACT No. DD00534 IN HALIFAX COUNTY, NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION,  
WILSON, NORTH CAROLINA**

The Bidder has carefully examined the location of the proposed work to be known as Contract No. **DD00534**; has carefully examined the plans and specifications, which are acknowledged to be part of the proposal, the special provisions, the proposal, the form of contract, and the forms of contract payment bond and contract performance bond; and thoroughly understands the stipulations, requirements and provisions. The undersigned bidder agrees to bound upon his execution of the bid and subsequent award to him by the Department of Transportation in accordance with this proposal to provide the necessary contract payment bond and contract performance bond within fourteen days after the written notice of award is received by him. The undersigned Bidder further agrees to provide all necessary machinery, tools, labor, and other means of construction; and to do all the work and to furnish all materials, except as otherwise noted, necessary to perform and complete the said contract in accordance with the *2024 Standard Specifications for Roads and Structures* by the dates(s) specified in the Project Special Provisions and in accordance with the requirements of the Engineer, and at the unit or lump sum prices, as the case may be, for the various items given on the sheets contained herein.

The Bidder shall provide and furnish all the materials, machinery, implements, appliances and tools, and perform the work and required labor to construct and complete Contract No. **DD00534** in **Halifax County**, for the unit or lump sum prices, as the case may be, bid by the Bidder in his bid and according to the proposal, plans, and specifications prepared by said Department, which proposal, plans, and specifications show the details covering this project, and hereby become a part of this contract.

The published volume entitled *North Carolina Department of Transportation, Raleigh, Standard Specifications for Roads and Structures, January 2024* with all amendments and supplements thereto, is by reference incorporated into and made a part of this contract; that, except as herein modified, all the construction and work included in this contract is to be done in accordance with the specifications contained in said volume, and amendments and supplements thereto, under the direction of the Engineer.

If the proposal is accepted and the award is made, the contract is valid only when signed either by the Contract Officer or such other person as may be designated by the Secretary to sign for the Department of Transportation. The conditions and provisions herein cannot be changed except over the signature of the said Contract Officer or Division Engineer.

The quantities shown in the itemized proposal for the project are considered to be approximate only and are given as the basis for comparison of bids. The Department of Transportation may increase or decrease the quantity of any item or portion of the work as may be deemed necessary or expedient.

An increase or decrease in the quantity of an item will not be regarded as sufficient ground for an increase or decrease in the unit prices, nor in the time allowed for the completion of the work, except as provided for the contract.

Accompanying this bid is a bid bond secured by a corporate surety, or certified check payable to the order of the Department of Transportation, for five percent of the total bid price, which deposit is to be forfeited as liquidated damages in case this bid is accepted and the Bidder shall fail to provide the required payment and performance bonds with the Department of Transportation, under the condition of this proposal, within 14 calendar days after the written notice of award is received by him, as provided in the *Standard Specifications*; otherwise said deposit will be returned to the Bidder.

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## **INSTRUCTIONS TO BIDDERS**

### **PLEASE READ ALL INSTRUCTIONS CAREFULLY BEFORE PREPARING AND SUBMITTING YOUR BID.**

**All bids shall be prepared and submitted in accordance with the following requirements. Failure to comply with any requirement may cause the bid to be considered irregular and may be grounds for rejection of the bid.**

For preparing and submitting the bid electronically, refer to Subarticle 102-8(B) of the *Standard Specifications*.

Bidders that bid electronically on Raleigh Central-Let projects will need a separate request to bid from the approved electronic bidding website for Division Contracts.

### **ELECTRONIC ON-LINE BID:**

1. Plans and the proposal can be found on the Connect NCDOT website.
2. In accordance with Subarticle 102-8(B)(1) of the *Standard Specifications*, obtain an account and valid Digital Signature to bid with Bid Express (bidx.com)
3. In accordance with Subarticle 102-8(B)(3) of the *Standard Specifications*, if bid bond is required and bid deposit is not chosen register bond with Surety2000 or Tinubu and submit with the online bid.
4. In accordance with Article 102-3 of the *Standard Specifications*, registration on the Interested Parties List is required unless SP1 G02 Interested Parties List Not Required provision is included in the proposal.
5. Prepare and submit a bid electronically using the approved electronic bidding provider website.
6. Electronic bidding website necessary for electronic bidding can be found on the Bid Express website following the directions at: <https://connect.ncdot.gov/letting/Pages/Electronic-Bidding.aspx>.
7. Questions should be emailed 7 calendar days prior to the bid opening to **Vickie P. Gardner** at **vpgardner@ncdot.gov**. Contact with any other NCDOT personnel concerning this project is strictly prohibited, unless otherwise noted, and may result in bids being considered non-responsive.

**PROJECT SPECIAL PROVISIONS****GENERAL****BOND REQUIREMENTS:**

(6-1-16)(Rev.1-16-24)

102-8, 102-10

SPD 01-420A

A Bid Bond is required in accordance with Article 102-10 of the *Standard Specifications for Roads and Structures*.

Contract Payment and Performance Bonds are required in accordance with Article 103-7 of the *Standard Specifications*.

**HAUL ROADS:**

(7-16-24)

105

SP1 G04

Revise the *Standard Specifications* as follows:

**Page 1-45, Article 105-15 RESTRICTION OF LOAD LIMITS, line 31**, add the following after second sentence of the second paragraph:

At least 30 days prior to use, the Contractor shall notify the Engineer of any public road proposed for use as a haul road for the project.

**CONTRACT TIME AND LIQUIDATED DAMAGES:**

(12-20-16)(Rev. 5-16-23)

108

SP1 G08 B (REVISED)

The date of availability for this contract is the date the Contractor begins work but not before **January 11, 2027** or later than **March 11, 2027**, except that work in jurisdictional waters and wetlands shall not begin until a meeting between NCDOT, Regulatory Agencies, and the Contractor is held as stipulated in the permits contained elsewhere in this proposal. This delay in availability has been considered in determining the contract time for this project.

The completion date for this contract is the date that is **Three Hundred (300)** consecutive calendar days after date of availability.

Except where otherwise provided by the contract, observation periods required by the contract will not be a part of the work to be completed by the completion date and/or intermediate contract times stated in the contract. The acceptable completion of the observation periods that extend beyond the final completion date shall be a part of the work covered by the performance and payment bonds.

The liquidated damages for this contract are **Two Hundred Dollars (\$200.00)** per calendar day. These liquidated damages will not be cumulative with any liquidated damages which may become chargeable under Intermediate Contract Time Number 1. At the preconstruction conference the Contractor shall declare his expected date for beginning work. Should the Contractor desire to revise this date after the preconstruction conference, he shall notify the Engineer in writing at least thirty (30) days prior to the revised date.

**INTERMEDIATE CONTRACT TIME NUMBER 1 AND LIQUIDATED DAMAGES:**

(12-18-07) (Rev. 2-21-12)

108

SP1 G13 B

Except for that work required under the Project Special Provisions entitled *Planting, Reforestation* and/or *Permanent Vegetation Establishment*, included elsewhere in this proposal, the Contractor will be required to complete all work included in this contract and shall place and maintain traffic on same.

The date of availability for this intermediate contract time is the date of availability of the contract.

The completion date for this intermediate contract time is the date which is **One Hundred Fifty (150)** consecutive calendar days after the date of availability.

The liquidated damages for this intermediate contract time are **Six Hundred Dollars (\$600.00)** per calendar day.

Upon apparent completion of all the work required to be completed by this intermediate date, a final inspection will be held in accordance with Article 105-17 and upon acceptance, the Department will assume responsibility for the maintenance of all work except *Planting, Reforestation* and/or *Permanent Vegetation Establishment*. The Contractor will be responsible for and shall make corrections of all damages to the completed roadway caused by his planting operations, whether occurring prior to or after placing traffic through the project.

**PERMANENT VEGETATION ESTABLISHMENT:**

(2-16-12)(Rev. 1-16-24)

104

SP1 G16

Establish a permanent stand of the vegetation mixture shown in the contract. During the period between initial vegetation planting and final project acceptance, perform all work necessary to establish permanent vegetation on all erodible areas within the project limits, as well as, in borrow and waste pits. This work shall include erosion control device maintenance and installation, repair seeding and mulching, supplemental seeding and mulching, mowing, and fertilizer topdressing, as directed. All work shall be performed in accordance with the applicable section of the *Standard Specifications*. All work required for initial vegetation planting shall be performed as a part of the work necessary for the completion and acceptance of the Intermediate Contract Time (ICT). Between the time of ICT and Final Project acceptance, or otherwise referred to as the vegetation establishment period, the Department will be responsible for preparing the required National Pollutant Discharge Elimination System (NPDES) inspection records.

Once the Engineer has determined that the permanent vegetation establishment requirement has been achieved at an 80% vegetation density (the amount of established vegetation per given area to stabilize the soil) and no erodible areas exist within the project limits, the Contractor will be notified to remove the remaining erosion control devices that are no longer needed. The Contractor will be responsible for, and shall correct any areas disturbed by operations performed in permanent vegetation establishment and the removal of temporary erosion control measures, whether occurring prior to or after placing traffic on the project.

Payment for *Response for Erosion Control, Seeding and Mulching, Repair Seeding, Supplemental Seeding, Mowing, Fertilizer Topdressing, Silt Excavation, and Stone for Erosion Control* will be made at contract unit prices for the affected items. Work required that is not represented by contract line items will be paid in accordance with Articles 104-7 or 104-3 of the *Standard Specifications*. No additional compensation will be made for maintenance and removal of temporary erosion control items.

**NO MAJOR CONTRACT ITEMS:**

(2-19-02) (Rev. 8-21-07)

104

SP1 G31

None of the items included in this contract will be major items.

**SPECIALTY ITEMS:**

(7-1-95)(Rev. 1-16-24)

108-6

SP1 G37

Items listed below will be the specialty items for this contract (see Article 108-6 of the *Standard Specifications*).

| Line # | Description                 |
|--------|-----------------------------|
| 29     | Long-Life Pavement Markings |
| 30-33  | Utility Construction        |
| 34-58  | Erosion Control             |
| 60     | Reforestation               |

**FUEL PRICE ADJUSTMENT:**

(11-15-05)(Rev. 1-16-24)

109-8

SP1 G43

**Page 1-82, Article 109-8, FUEL PRICE ADJUSTMENTS,** add the following:

The base index price for DIESEL #2 FUEL is **\$5.0299** per gallon. Where any of the following are included as pay items in the contract, they will be eligible for fuel price adjustment.

The pay items and the fuel factor used in calculating adjustments to be made will be as follows:

| Description                                       | Units   | Fuel Usage Factor Diesel |
|---------------------------------------------------|---------|--------------------------|
| Unclassified Excavation                           | Gal/CY  | 0.29                     |
| Borrow Excavation                                 | Gal/CY  | 0.29                     |
| Class IV Subgrade Stabilization                   | Gal/Ton | 0.55                     |
| Aggregate Base Course                             | Gal/Ton | 0.55                     |
| Sub-Ballast                                       | Gal/Ton | 0.55                     |
| Erosion Control Stone                             | Gal/Ton | 0.55                     |
| Rip Rap, Class _____                              | Gal/Ton | 0.55                     |
| Asphalt Concrete Base Course, Type _____          | Gal/Ton | 0.90 or 2.90             |
| Asphalt Concrete Intermediate Course, Type _____  | Gal/Ton | 0.90 or 2.90             |
| Asphalt Concrete Surface Course, Type _____       | Gal/Ton | 0.90 or 2.90             |
| Open-Graded Asphalt Friction Course               | Gal/Ton | 0.90 or 2.90             |
| Permeable Asphalt Drainage Course, Type _____     | Gal/Ton | 0.90 or 2.90             |
| Sand Asphalt Surface Course, Type _____           | Gal/Ton | 0.90 or 2.90             |
| Ultra-thin Bonded Wearing Course                  | Gal/Ton | 0.90 or 2.90             |
| Aggregate for Cement Treated Base Course          | Gal/Ton | 0.55                     |
| Portland Cement for Cement Treated Base Course    | Gal/Ton | 0.55                     |
| > 11" Portland Cement Concrete Pavement           | Gal/SY  | 0.327                    |
| Concrete Shoulders Adjacent to > 11" Pavement     | Gal/SY  | 0.327                    |
| 9" to 11" Portland Cement Concrete Pavement       | Gal/SY  | 0.272                    |
| Concrete Shoulders Adjacent to 9" to 11" Pavement | Gal/SY  | 0.272                    |
| < 9" Portland Cement Concrete Pavement            | Gal/SY  | 0.245                    |
| Concrete Shoulders Adjacent to < 9" Pavement      | Gal/SY  | 0.245                    |

For the asphalt items noted in the chart as eligible for fuel adjustments, the bidder may include the *Fuel Usage Factor Adjustment Form* with their bid submission if they elect to use the fuel usage factor. The *Fuel Usage Factor Adjustment Form* is found at the following link:

<https://connect.ncdot.gov/letting/LetCentral/Fuel%20Usage%20Factor%20Adjustment%20Form%20-%20Starting%20Nov%202022%20Lettings.pdf>

Select either 2.90 Gal/Ton fuel factor or 0.90 Gal/Ton fuel factor for each asphalt line item on the *Fuel Usage Factor Adjustment Form*. The selected fuel factor for each asphalt item will remain in effect for the duration of the contract.

Failure to complete the *Fuel Usage Factor Adjustment Form* will result in using 2.90 gallons per ton as the Fuel Usage Factor for Diesel for the asphalt items noted above. The contractor will not be permitted to change the Fuel Usage Factor after the bids are submitted.

**MINORITY BUSINESS ENTERPRISE AND WOMEN BUSINESS ENTERPRISE (DIVISIONS):**

(10-16-07)(Rev. 10-21-25)

102-15(J)

SP1 G67

**Description**

The purpose of this Special Provision is to carry out the North Carolina Department of Transportation's policy of ensuring nondiscrimination in the award and administration of contracts financed in whole or in part with State funds.

**Definitions**

*Additional MBE/WBE Subcontractors* - Any MBE/WBE submitted at the time of bid that will not be used to meet the Combined MBE/WBE goal. No submittal of a Letter of Intent is required.

*Combined MBE/WBE Goal*: A portion of the total contract, expressed as a percentage that is to be performed by committed MBE/WBE subcontractors.

*Committed MBE/WBE Subcontractor* - Any MBE/WBE submitted at the time of bid that is being used to meet the Combined MBE / WBE goal by submission of a Letter of Intent. Or any MBE or WBE used as a replacement for a previously committed MBE or WBE firm.

*Contract Goal Requirement* - The approved participation at time of award, but not greater than the advertised Combined MBE/WBE contract goal.

*Goal Confirmation Letter* - Written documentation from the Department to the bidder confirming the Contractor's approved, committed participation along with a listing of the committed MBE and WBE firms.

*Manufacturer* - A firm that owns (or leases) and operates or maintains a factory or establishment that produces on the premises, the materials or supplies obtained by the Contractor. A firm that makes minor modifications to the materials, supplies, articles, or equipment is not a manufacturer.

*MBE Participation (Anticipated)* - A portion of the total contract, expressed as a percentage that is anticipated to be performed by committed MBE subcontractor(s).

*Minority Business Enterprise (MBE)* - A firm certified as a Disadvantaged Minority-Owned Business Enterprise through the North Carolina Unified Certification Program.

*Regular Dealer* - A firm that owns (or leases), and operates a store, warehouse, or other establishment in which the materials or supplies required for the performance of the contract are bought, kept in sufficient quantities, and regularly sold to the public in the usual course of business. A regular dealer engages in, as its principal business and in its own name, the purchase and sale or lease of the products in question. A regular dealer in such bulk items as steel, concrete or concrete products, gravel, stone, asphalt and petroleum products need not keep such products in stock, if it owns and operates distribution equipment for the products. Any

supplement of regular dealers' own distribution equipment shall be by a long-term operating lease and not on an ad hoc or contract-by-contract basis.

*Distributor* – A firm that engages in the regular sale or lease of the items specified by the contract. A distributor assumes responsibility for the items it purchases once they leave the point of origin (e.g., a manufacturer's facility), making it liable for any loss or damage not covered by the carrier's insurance.

*Replacement / Substitution* – A full or partial reduction in the amount of work subcontracted to a committed (or an approved substitute) MBE/WBE firm.

*North Carolina Unified Certification Program (NCUCP)* - A program that provides comprehensive services and information to applicants for MBE/WBE certification. The MBE/WBE program follows the same regulations as the federal Disadvantaged Business Enterprise (DBE) program in accordance with 49 CFR Part 26.

*United States Department of Transportation (USDOT)* - Federal agency responsible for issuing regulations (49 CFR Part 26) and official guidance for the DBE program.

*WBE Participation (Anticipated)* - A portion of the total contract, expressed as a percentage that is anticipated to be performed by committed WBE subcontractor(s).

*Women Business Enterprise (WBE)* - A firm certified as a Disadvantaged Women-Owned Business Enterprise through the North Carolina Unified Certification Program.

### **Forms and Websites Referenced in this Provision**

*Payment Tracking System* - On-line system in which the Contractor enters the payments made to MBE and WBE subcontractors who have performed work on the project.  
<https://apps.dot.state.nc.us/Vendor/PaymentTracking/>

*DBE-IS Subcontractor Payment Information* - Form for reporting the payments made to all MBE/WBE firms working on the project. This form is for paper bid projects only.  
<https://connect.ncdot.gov/business/Turnpike/Documents/Form%20DBE-IS%20Subcontractor%20Payment%20Information.pdf>

*RF-1 MBE/WBE Replacement Request Form* - Form for replacing a committed MBE or WBE.  
<https://connect.ncdot.gov/projects/construction/Construction%20Forms/DBE%20MBE%20WBE%20Replacement%20Form%20and%20Instructions.pdf>

*SAF Subcontract Approval Form* - Form required for approval to sublet the contract.  
<https://connect.ncdot.gov/projects/construction/Construction%20Forms/SAF%20Form%20-%20Subcontract%20Approval%20Form%20Revised%2004-19.xlsm>

*JC-1 Joint Check Notification Form* - Form and procedures for joint check notification. The form acts as a written joint check agreement among the parties providing full and prompt disclosure of the expected use of joint checks.

<http://connect.ncdot.gov/projects/construction/Construction%20Forms/Joint%20Check%20Notification%20Form.pdf>

*Letter of Intent* - Form signed by the Contractor and the MBE/WBE subcontractor, manufacturer or regular dealer that affirms that a portion of said contract is going to be performed by the signed MBE/WBE for the estimated amount (based on quantities and unit prices) listed at the time of bid.

<http://connect.ncdot.gov/letting/LetCentral/Letter%20of%20Intent%20to%20Perform%20as%20a%20Subcontractor.pdf>

*Listing of MBE and WBE Subcontractors Form* - Form for entering MBE/WBE subcontractors on a project that will meet the Combined MBE/WBE goal. This form is for paper bids only.

[http://connect.ncdot.gov/municipalities/Bid%20Proposals%20for%20LGA%20Content/09%20MBE-WBE%20Subcontractors%20\(State\).docx](http://connect.ncdot.gov/municipalities/Bid%20Proposals%20for%20LGA%20Content/09%20MBE-WBE%20Subcontractors%20(State).docx)

*Subcontractor Quote Comparison Sheet* - Spreadsheet for showing all subcontractor quotes in the work areas where MBEs and WBEs quoted on the project. This sheet is submitted with good faith effort packages.

<http://connect.ncdot.gov/business/SmallBusiness/Documents/DBE%20Subcontractor%20Quote%20Comparison%20Example.xls>

*DBE Regular Dealer/Distributor Affirmation Form* – Form is used to make a preliminary counting determination for each DBE listed as a regular dealer or distributor to assess its eligibility for 60 or 40 percent credit, respectively of the cost of materials or supplies based on its demonstrated capacity and intent to perform as a regular dealer or distributor, as defined in section 49 CFR 26.55 under the contract at issue. A Contractor will submit the completed form with the Letter of Intent.

<https://connect.ncdot.gov/projects/construction/Construction%20Forms/DBE%20Regular%20Dealer-Distributor%20Affirmation%20Form%20-%20USDOT%202024.pdf>

### **Combined MBE/WBE Goal**

**There is NO MBE/WBE Goal for this project.**

### **Directory of Transportation Firms (Directory)**

Real-time information is available about firms doing business with the Department and firms that are certified through NCUCP in the Directory of Transportation Firms. Only firms identified in the Directory as MBE and WBE certified shall be used to meet the Combined MBE / WBE goal. The Directory can be found at the following link.

<https://www.ebs.nc.gov/VendorDirectory/default.html>

The listing of an individual firm in the directory shall not be construed as an endorsement of the firm's capability to perform certain work.

**Listing of MBE/WBE Subcontractors**

At the time of bid, bidders shall submit all MBE and WBE participation that they anticipate to use during the life of the contract. Only those identified to meet the Combined MBE/WBE goal will be considered committed, even though the listing shall include both committed MBE/WBE subcontractors and additional MBE/WBE subcontractors. Any additional MBE/WBE subcontractor participation above the goal will follow the banking guidelines found elsewhere in this provision. All other additional MBE/WBE subcontractor participation submitted at the time of bid will be used toward the Department's overall race-neutral goals. Only those firms with current MBE and WBE certification at the time of bid opening will be acceptable for listing in the bidder's submittal of MBE and WBE participation. The Contractor shall indicate the following required information:

**(A) Electronic Bids**

Bidders shall submit a listing of MBE and WBE participation in the appropriate section of the electronic submittal file.

- (1) Submit the names and addresses of MBE and WBE firms identified to participate in the contract. If the bidder uses the updated listing of MBE and WBE firms shown in the electronic submittal file, the bidder may use the dropdown menu to access the name and address of the firms.
- (2) Submit the contract line numbers of work to be performed by each MBE and WBE firm. When no figures or firms are entered, the bidder will be considered to have no MBE or WBE participation.
- (3) The bidder shall be responsible for ensuring that the MBE and WBE are certified at the time of bid by checking the Directory of Transportation Firms. If the firm is not certified at the time of the bid-letting, that MBE's or WBE's participation will not count towards achieving the Combined MBE/WBE goal.

**(B) Paper Bids**

- (1) *If the Combined MBE/ WBE goal is more than zero,*
  - (a) Bidders, at the time the bid proposal is submitted, shall submit a listing of MBE/WBE participation, including the names and addresses on *Listing of MBE and WBE Subcontractors* contained elsewhere in the contract documents in order for the bid to be considered responsive. Bidders shall indicate the total dollar value of the MBE and WBE participation for the contract.
  - (b) If bidders have no MBE or WBE participation, they shall indicate this on the *Listing of MBE and WBE Subcontractors* by entering the word "None" or the number "0." This form shall be completed in its entirety. **Blank forms will not be deemed to represent zero participation.** Bids submitted that do not have MBE and WBE participation indicated on the

appropriate form will not be read publicly during the opening of bids. The Department will not consider these bids for award and the proposal will be rejected.

- (c) The bidder shall be responsible for ensuring that the MBE/WBE is certified at the time of bid by checking the Directory of Transportation Firms. If the firm is not certified at the time of the bid-letting, that MBE's or WBE's participation will not count towards achieving the Combined MBE/WBE goal.
- (2) *If the Combined MBE/WBE Goal is zero*, entries on the *Listing of MBE and WBE Subcontractors* are not required for the zero goal, however any MBE or WBE participation that is achieved during the project shall be reported in accordance with requirements contained elsewhere in the special provision.

### **MBE or WBE Prime Contractor**

When a certified MBE or WBE firm bids on a contract that contains a Combined MBE/WBE Goal, the firm is responsible for meeting the goal or making good faith efforts to meet the goal, just like any other bidder. In most cases, a MBE or WBE bidder on a contract will meet the Combined MBE/WBE goal by virtue of the work it performs on the contract with its own forces. However, all the work that is performed by the MBE or WBE bidder and any other similarly certified subcontractors will count toward the goal. The MBE or WBE bidder shall list itself along with any MBE or WBE subcontractors, if any, in order to receive credit toward the goals.

MBE/WBE prime contractors shall also follow Sections A or B listed under *Listing of MBE/WBE Subcontractors* just as a non-MBE/WBE bidder would.

### **Written Documentation – Letter of Intent**

The bidder shall submit written documentation for each MBE/WBE that will be used to meet the Combined MBE/WBE goal of the contract, indicating the bidder's commitment to use the MBE/WBE in the contract. This documentation shall be submitted on the Department's form titled *Letter of Intent*.

The documentation shall be received in the office of the Engineer no later than 2:00 p.m. of the fifth calendar day following opening of bids, unless the fifth day falls on Saturday, Sunday or an official state holiday. In that situation, it is due in the office of the Engineer no later than 10:00 a.m. on the next official state business day.

If the bidder fails to submit the Letter of Intent from each committed MBE and WBE to be used toward the Combined MBE/WBE goal, or if the form is incomplete (i.e. both signatures are not present), the MBE/WBE participation will not count toward meeting the Combined MBE/WBE goal. If the lack of this participation drops the commitment below the Combined MBE/WBE goal, the Contractor shall submit evidence of good faith efforts for the goal not met, completed in its entirety, to the Engineer no later than 2:00 p.m. of the eighth calendar day following opening of bids, unless the eighth day falls on Saturday, Sunday or an official state holiday. In that

situation, it is due in the office of the Engineer no later than 10:00 a.m. on the next official state business day.

### **Banking MBE/WBE Credit**

If the committed MBE/WBE participation submitted exceeds the algebraic sum of the Combined MBE/WBE goal by \$1,000 or more, the excess will be placed on deposit by the Department for future use by the bidder. Separate accounts will be maintained for MBE and WBE participation and these may accumulate for a period not to exceed 24 months.

When the apparent lowest responsive bidder fails to submit sufficient participation by MBE and WBE firms to meet the advertised goal, as part of the good faith effort, the Department will consider allowing the bidder to withdraw funds to meet the Combined MBE/WBE goal as long as there are adequate funds available from the bidder's MBE and WBE bank accounts.

### **Submission of Good Faith Effort**

If the bidder fails to meet or exceed the Combined MBE/WBE goal, the apparent lowest responsive bidder shall submit to the Department documentation of adequate good faith efforts made to reach that specific goal.

One complete set and **one electronic copy (in. PDF format)** of this information shall be received in the office of the Engineer no later than 2:00 p.m. of the fifth calendar day following opening of bids, unless the fifth day falls on Saturday, Sunday or an official state holiday. In that situation, it is due in the office of the Engineer no later than 10:00 a.m. on the next official state business day.

Note: Where the information submitted includes repetitious solicitation letters, it will be acceptable to submit a representative letter along with a distribution list of the firms that were solicited. Documentation of MBE/WBE quotations shall be a part of the good faith effort submittal. This documentation may include written subcontractor quotations, telephone log notations of verbal quotations, or other types of quotation documentation.

### **Consideration of Good Faith Effort for Projects with a Combined MBE/WBE Goal More Than Zero**

Adequate good faith efforts mean that the bidder took all necessary and reasonable steps to achieve the goal which, by their scope, intensity, and appropriateness, could reasonably be expected to obtain sufficient MBE/WBE participation. Adequate good faith efforts also mean that the bidder actively and aggressively sought MBE/WBE participation. Mere *pro forma* efforts are not considered good faith efforts.

The Department will consider the quality, quantity, and intensity of the different kinds of efforts a bidder has made. Listed below are examples of the types of actions a bidder will take in making a good faith effort to meet the goals and are not intended to be exclusive or exhaustive, nor is it intended to be a mandatory checklist.

- (A) Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings, advertising, written notices, use of verifiable electronic means through the use of the NCDOT Directory of Transportation Firms) the interest of all certified MBEs/WBEs that are also prequalified subcontractors. The bidder must solicit this interest within at least 10 days prior to bid opening to allow the MBEs/WBEs to respond to the solicitation. Solicitation shall provide the opportunity to MBEs/WBEs within the Division and surrounding Divisions where the project is located. The bidder must determine with certainty if the MBEs/WBEs are interested by taking appropriate steps to follow up initial solicitations.
- (B) Selecting portions of the work to be performed by MBEs/WBEs in order to increase the likelihood that the Combined MBE/WBE goal will be achieved.
  - (1) Where appropriate, break out contract work items into economically feasible units to facilitate MBE/WBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.
  - (2) Negotiate with subcontractors to assume part of the responsibility to meet the advertised goal when the work to be sublet includes potential for MBE/WBE participation (2<sup>nd</sup> and 3<sup>rd</sup> tier subcontractors).
- (C) Providing interested certified MBEs/WBEs that are also prequalified subcontractors with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
- (D)
  - (1) Negotiating in good faith with interested MBEs/WBEs. It is the bidder's responsibility to make a portion of the work available to MBE/WBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available MBE/WBE subcontractors and suppliers, so as to facilitate MBE/WBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of MBEs/WBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for MBEs/WBEs to perform the work.
  - (2) A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including MBE/WBE subcontractors, and would take a firm's price and capabilities as well as the advertised goal into consideration. However, the fact that there may be some additional costs involved in finding and using MBEs/WBEs is not in itself sufficient reason for a bidder's failure to meet the advertised goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make

good faith efforts. Bidding contractors are not, however, required to accept higher quotes from MBEs/WBEs if the price difference is excessive or unreasonable.

- (E) Not rejecting MBEs/WBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The bidder's standing within its industry, membership in specific groups, organizations, or associates and political or social affiliations (for example, union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the bidder's efforts to meet the project goal.
- (F) Making efforts to assist interested MBEs/WBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or bidder.
- (G) Making efforts to assist interested MBEs/WBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
- (H) Effectively using the services of available minority/women community organizations; minority/women contractors' groups; Federal, State, and local minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of MBEs/WBEs. Contact within 7 days from the bid opening the Business Opportunity and Work Force Development Unit at [BOWD@ncdot.gov](mailto:BOWD@ncdot.gov) to give notification of the bidder's inability to get MBE or WBE quotes.
- (I) Any other evidence that the bidder submits which shows that the bidder has made reasonable good faith efforts to meet the advertised goal.

In addition, the Department may take into account the following:

- (1) Whether the bidder's documentation reflects a clear and realistic plan for achieving the Combined MBE/WBE goal.
- (2) The bidders' past performance in meeting the contract goal.
- (3) The performance of other bidders in meeting the advertised goal. For example, when the apparent successful bidder fails to meet the goal, but others meet it, you may reasonably raise the question of whether, with additional reasonable efforts the apparent successful bidder could have met the goal. If the apparent successful bidder fails to meet the advertised goal, but meets or exceeds the average MBE and WBE participation obtained by other bidders, the Department may view this, in conjunction with other factors, as evidence of the apparent successful bidder having made a good faith effort.

If the Department does not award the contract to the apparent lowest responsive bidder, the Department reserves the right to award the contract to the next lowest responsive bidder that can satisfy to the Department that the Combined MBE/WBE goal can be met or that an adequate good faith effort has been made to meet the advertised goal.

**Non-Good Faith Appeal**

The Engineer will notify the Contractor verbally and in writing of non-good faith. A Contractor may appeal a determination of non-good faith made by the Goal Compliance Committee. If a Contractor wishes to appeal the determination made by the Committee, they shall provide written notification to the Engineer. The appeal shall be made within 2 business days of notification of the determination of non-good faith.

**Counting MBE/WBE Participation Toward Meeting the Combined MBE/WBE Goal****(A) Participation**

The total dollar value of the participation by a committed MBE/WBE will be counted toward the contract goal requirements. The total dollar value of participation by a committed MBE/WBE will be based upon the value of work performed by the MBE/WBE and the actual payments to MBE/WBE firms by the Contractor.

**(B) Joint Checks**

Prior notification of joint check use shall be required when counting MBE/WBE participation for services or purchases that involves the use of a joint check. Notification shall be through submission of Form JC-1 (*Joint Check Notification Form*) and the use of joint checks shall be in accordance with the Department's Joint Check Procedures.

**(C) Subcontracts (Non-Trucking)**

A MBE/WBE may enter into subcontracts. Work that a MBE subcontracts to another MBE firm may be counted toward the anticipated MBE participation. The same holds for work that a WBE subcontracts to another WBE firm. Work that a MBE/WBE subcontracts to a non-MBE/WBE firm does not count toward the contract goal requirement. It should be noted that every effort shall be made by MBE and WBE contractors to subcontract to the same certification (i.e., MBEs to MBEs and WBEs to WBEs), in order to fulfill the MBE or WBE participation breakdown. This, however, may not always be possible due to the limitation of firms in the area. If the MBE or WBE firm shows a good faith effort has been made to reach out to similarly certified firms and there is no interest or availability, and they can get assistance from other certified firms, the Engineer will not hold the prime responsible for meeting the individual MBE or WBE breakdown. If a MBE or WBE contractor or subcontractor subcontracts a significantly greater portion of the work of the contract than would be expected on the basis of standard industry practices, it shall be presumed that the MBE or WBE is not performing a commercially useful function.

**(D) Joint Venture**

When a MBE or WBE performs as a participant in a joint venture, the Contractor may count toward its contract goal requirement a portion of the total value of participation

with the MBE or WBE in the joint venture, that portion of the total dollar value being a distinct clearly defined portion of work that the MBE or WBE performs with its forces.

(E) Manufacturer, Regular Dealer, Distributor

A Contractor may count toward its MBE/WBE requirement 40 percent of its expenditures for materials or supplies (including transportation costs) from a MBE/WBE distributor, 60 percent of its expenditures for materials or supplies (including transportation costs) from a MBE/WBE regular dealer and 100 percent of such expenditures obtained from a MBE/WBE manufacturer.

A Contractor may count toward its MBE/WBE requirement the following expenditures to MBE/WBE firms that are not manufacturers, regular dealers or distributors:

- (1) The fees or commissions charged by a MBE/WBE firm for providing a *bona fide* service, such as professional, technical, consultant, or managerial services, or for providing bonds or insurance specifically required for the performance of a DOT-assisted contract, provided the fees or commissions are determined to be reasonable and not excessive as compared with fees and commissions customarily allowed for similar services.
- (2) With respect to materials or supplies purchased from a MBE/WBE, which is neither a manufacturer, regular dealer, nor a distributor count the entire amount of fees or commissions charged that the Department deems to be reasonable, including transportation charges for the delivery of materials or supplies. Do not count any portion of the cost of the materials and supplies themselves.

A Contractor will submit a completed *DBE Regular Dealer/Distributor Affirmation Form* with the Letter of Intent to the Engineer. The Engineer will forward to the State Contractor Utilization Engineer or DBE@ncdot.gov. The State Contractor Utilization Engineer will make a preliminary assessment as to whether a MBE/WBE supplier has the demonstrated capacity to perform a commercially useful function (CUF) on a contract-by-contract basis *prior* to its participation.

### Commercially Useful Function

(A) MBE/WBE Utilization

The Contractor may count toward its contract goal requirement only expenditures to MBEs and WBEs that perform a commercially useful function in the work of a contract. A MBE/WBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by performing, managing, and supervising the work involved. To perform a commercially useful function, the MBE/WBE shall also be responsible with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material and installing (where applicable) and paying for the material itself. To determine whether a MBE/WBE is performing a commercially useful function, the Department will evaluate the amount of work subcontracted, industry practices, whether

the amount the firm is to be paid under the contract is commensurate with the work it is performing and the MBE/WBE credit claimed for its performance of the work, and any other relevant factors. If it is determined that a MBE or WBE is not performing a Commercially Useful Function, the contractor may present evidence to rebut this presumption to the Department.

(B) MBE/WBE Utilization in Trucking

The following factors will be used to determine if a MBE or WBE trucking firm is performing a commercially useful function:

- (1) The MBE/WBE shall be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular contract, and there shall not be a contrived arrangement for the purpose of meeting the Combined MBE/WBE goal.
- (2) The MBE/WBE shall itself own and operate at least one fully licensed, insured, and operational truck used on the contract.
- (3) The MBE/WBE receives credit for the total value of the transportation services it provides on the contract using trucks it owns, insures, and operates using drivers it employs.
- (4) The MBE may subcontract the work to another MBE firm, including an owner-operator who is certified as a MBE. The same holds true that a WBE may subcontract the work to another WBE firm, including an owner-operator who is certified as a WBE. When this occurs, the MBE or WBE who subcontracts work receives credit for the total value of the transportation services the subcontracted MBE or WBE provides on the contract. It should be noted that every effort shall be made by MBE and WBE contractors to subcontract to the same certification (i.e., MBEs to MBEs and WBEs to WBEs), in order to fulfill the participation breakdown. This, however, may not always be possible due to the limitation of firms in the area. If the MBE or WBE firm shows a good faith effort has been made to reach out to similarly certified transportation service providers and there is no interest or availability, and they can get assistance from other certified providers, the Engineer will not hold the prime responsible for meeting the individual MBE or WBE participation breakdown.
- (5) The MBE/WBE may also subcontract the work to a non-MBE/WBE firm, including from an owner-operator. The MBE/WBE who subcontracts the work to a non-MBE/WBE is entitled to credit for the total value of transportation services provided by the non-MBE/WBE subcontractor not to exceed the value of transportation services provided by MBE/WBE-owned trucks on the contract. Additional participation by non-MBE/WBE subcontractors receives credit only for the fee or commission it receives as a result of the subcontract arrangement. The value of services performed under subcontract agreements between the MBE/WBE and the Contractor will not count towards the MBE/WBE contract requirement.

- (6) A MBE/WBE may lease truck(s) from an established equipment leasing business open to the general public. The lease must indicate that the MBE/WBE has exclusive use of and control over the truck. This requirement does not preclude the leased truck from working for others during the term of the lease with the consent of the MBE/WBE, so long as the lease gives the MBE/WBE absolute priority for use of the leased truck. This type of lease may count toward the MBE/WBE's credit as long as the driver is under the MBE/WBE's payroll.
- (7) Subcontracted/leased trucks shall display clearly on the dashboard the name of the MBE/WBE that they are subcontracted/leased to and their own company name if it is not identified on the truck itself. Magnetic door signs are not permitted.

### **MBE/WBE Replacement**

When a Contractor has relied on a commitment to a MBE or WBE subcontractor (or an approved substitute MBE or WBE subcontractor) to meet all or part of a contract goal requirement, the contractor shall not terminate the MBE/WBE subcontractor or any portion of its work for convenience. This includes, but is not limited to, instances in which the Contractor seeks to perform the work of the terminated subcontractor with another MBE/WBE subcontractor, a non-MBE/WBE subcontractor, or with the Contractor's own forces or those of an affiliate.

The Contractor must give notice in writing both by certified mail and email to the MBE/WBE subcontractor, with a copy to the Engineer of its intent to request to terminate a MBE/WBE subcontractor or any portion of its work, and the reason for the request. The Contractor must give the MBE/WBE subcontractor five (5) business days to respond to the Contractor's Notice of Intent to Request Termination and/or Substitution. If the MBE/WBE subcontractor objects to the intended termination/substitution, the MBE/WBE, within five (5) business days must advise the Contractor and the Department of the reasons why the action should not be approved. The five-day notice period shall begin on the next business day after written notice is provided to the MBE/WBE subcontractor.

A committed MBE/WBE subcontractor may only be terminated or any portion of its work after receiving the Department's written approval based upon a finding of good cause for the proposed termination and/or substitution. Good cause does not exist if the Contractor seeks to terminate a MBE/WBE or any portion of its work that it relied upon to obtain the contract so that the Contractor can self-perform the work for which the MBE/WBE was engaged, or so that the Contractor can substitute another MBE/WBE or non-MBE/WBE contractor after contract award. For purposes of this section, good cause shall include the following circumstances:

- (a) The listed MBE/WBE subcontractor fails or refuses to execute a written contract;
- (b) The listed MBE/WBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided, however, that good cause does not exist if the failure or refusal of the MBE/WBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor;
- (c) The listed MBE/WBE subcontractor fails or refuses to meet the prime contractor's reasonable, nondiscriminatory bond requirements;

- (d) The listed MBE/WBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness;
- (e) The listed MBE/WBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant to 2 CFR parts 180, 215 and 1200 or applicable State law;
- (f) The listed MBE/WBE subcontractor is not a responsible contractor;
- (g) The listed MBE/WBE voluntarily withdraws from the project and provides written notice of withdrawal;
- (h) The listed MBE/WBE is ineligible to receive MBE/WBE credit for the type of work required;
- (i) A MBE/WBE owner dies or becomes disabled with the result that the listed MBE/WBE contractor is unable to complete its work on the contract; and
- (j) Other documented good cause that compels the termination of the MBE/WBE subcontractor.

The Contractor shall comply with the following for replacement of a committed MBE/WBE:

(A) Performance Related Replacement

When a committed MBE/WBE is terminated for good cause as stated above, an additional MBE/WBE that was submitted at the time of bid may be used to fulfill the MBE/WBE commitment to meet the Combined MBE/WBE Goal. A good faith effort will only be required for removing a committed MBE/WBE if there were no additional MBE/WBEs submitted at the time of bid to cover the same amount of work as the MBE/WBE that was terminated.

If a replacement MBE/WBE is not found that can perform at least the same amount of work as the terminated MBE/WBE, the Contractor shall submit a good faith effort documenting the steps taken. Such documentation shall include, but not be limited to, the following:

- (1) Copies of written notification to MBE/WBEs that their interest is solicited in contracting the work defaulted by the previous MBE/WBE or in subcontracting other items of work in the contract.
- (2) Efforts to negotiate with MBE/WBEs for specific subbids including, at a minimum:
  - (a) The names, addresses, and telephone numbers of MBE/WBEs who were contacted.
  - (b) A description of the information provided to MBE/WBEs regarding the plans and specifications for portions of the work to be performed.
- (3) A list of reasons why MBE/WBE quotes were not accepted.
- (4) Efforts made to assist the MBE/WBEs contacted, if needed, in obtaining bonding or insurance required by the Contractor.

**(B) Decertification Replacement**

- (1) When a committed MBE/WBE is decertified by the Department after the SAF (*Subcontract Approval Form*) has been received by the Department, the Department will not require the Contractor to solicit replacement MBE/WBE participation equal to the remaining work to be performed by the decertified firm. The participation equal to the remaining work performed by the decertified firm will count toward the contract goal requirement but not the overall goal.
  - (i) If the MBE/WBE's ineligibility is caused solely by its having exceeded the size standard during the performance of the contract. The Department may continue to count participation equal to the remaining work performed by the decertified firm which will count toward the contract goal requirement and overall goal.
  - (ii) If the MBE/WBE's ineligibility is caused solely by its acquisition by or merger with a non- MBE/WBE during the performance of the contract. The Department may not continue to count the portion of the decertified firm's performance on the contract remaining toward either the contract goal or the overall goal, even if the Contractor has executed a subcontract with the firm or the Department has executed a prime contract with the MBE/WBE that was later decertified.
- (2) When a committed MBE/WBE is decertified prior to the Department receiving the SAF (*Subcontract Approval Form*) for the named MBE/WBE firm, the Contractor shall take all necessary and reasonable steps to replace the MBE/WBE subcontractor with another MBE/WBE subcontractor to perform at least the same amount of work to meet the Combined MBE/WBE goal requirement. If a MBE/WBE firm is not found to do the same amount of work, a good faith effort must be submitted to NCDOT (see A herein for required documentation).

All requests for replacement of a committed MBE/WBE firm shall be submitted to the Engineer for approval on Form RF-1 (*DBE Replacement Request*). If the Contractor fails to follow this procedure, the Contractor may be disqualified from further bidding for a period of up to 6 months.

**Changes in the Work**

When the Engineer makes changes that result in the reduction or elimination of work to be performed by a committed MBE/WBE, the Contractor will not be required to seek additional participation. When the Engineer makes changes that result in additional work to be performed by a MBE/WBE based upon the Contractor's commitment, the MBE/WBE shall participate in additional work to the same extent as the MBE/WBE participated in the original contract work.

When the Engineer makes changes that result in extra work, which has more than a minimal impact on the contract amount, the Contractor shall seek additional participation by MBEs/WBEs unless otherwise approved by the Engineer.

When the Engineer makes changes that result in an alteration of plans or details of construction, and a portion or all of the work had been expected to be performed by a committed MBE/WBE, the Contractor shall seek participation by MBEs/WBEs unless otherwise approved by the Engineer.

When the Contractor requests changes in the work that result in the reduction or elimination of work that the Contractor committed to be performed by a MBE/WBE, the Contractor shall seek additional participation by MBEs/WBEs equal to the reduced MBE/WBE participation caused by the changes.

### **Reports and Documentation**

A SAF (*Subcontract Approval Form*) shall be submitted for all work which is to be performed by a MBE/WBE subcontractor. The Department reserves the right to require copies of actual subcontract agreements involving MBE/WBE subcontractors.

When using transportation services to meet the contract commitment, the Contractor shall submit a proposed trucking plan in addition to the SAF. The plan shall be submitted prior to beginning construction on the project. The plan shall include the names of all trucking firms proposed for use, their certification type(s), the number of trucks owned by the firm, as well as the individual truck identification numbers, and the line item(s) being performed.

Within 30 calendar days of entering into an agreement with a MBE/WBE for materials, supplies or services, not otherwise documented by the SAF as specified above, the Contractor shall furnish the Engineer a copy of the agreement. The documentation shall also indicate the percentage (60% or 100%) of expenditures claimed for MBE/WBE credit.

### **Reporting Minority and Women Business Enterprise Participation**

The Contractor shall provide the Engineer with an accounting of payments made to all MBE and WBE firms, including material suppliers and contractors at all levels (prime, subcontractor, or second tier subcontractor). This accounting shall be furnished to the Engineer for any given month by the end of the following month. Failure to submit this information accordingly may result in the following action:

- (A) Withholding of money due in the next partial pay estimate; or
- (B) Removal of an approved contractor from the prequalified bidders' list or the removal of other entities from the approved subcontractors list.

While each contractor (prime, subcontractor, 2nd tier subcontractor) is responsible for accurate accounting of payments to MBEs/WBEs, it shall be the prime contractor's responsibility to report all monthly and final payment information in the correct reporting manner.

Failure on the part of the Contractor to submit the required information in the time frame specified may result in the disqualification of that contractor and any affiliate companies from further bidding until the required information is submitted.

Failure on the part of any subcontractor to submit the required information in the time frame specified may result in the disqualification of that contractor and any affiliate companies from being approved for further work on future projects until the required information is submitted.

Contractors reporting transportation services provided by non-MBE/WBE lessees shall evaluate the value of services provided during the month of the reporting period only.

At any time, the Engineer can request written verification of subcontractor payments. The Contractor shall report the accounting of payments through the Department's DBE Payment Tracking System.

### **Failure to Meet Contract Requirements**

Failure to meet contract requirements in accordance with Subarticle 102-15(J) of the *Standard Specifications* may be cause to disqualify the Contractor.

### **USE OF UNMANNED AIRCRAFT SYSTEM (UAS):**

(8-20-19)(Rev. 3-17-26)

SP1 G092

The Contractor shall adhere to all Federal, State and Local regulations and guidelines for the use of Unmanned Aircraft Systems (UAS). This includes but is not limited to US 14 CFR Part 107, NC GS 15A-300, American Security Drone Act of 2023 (ASDA), Office of Management and Budget (OMB) Memorandum M-26-02, all FAA rules, regulations and policies and all NCDOT UAS Policies. The required operator certifications include possessing a current Federal Aviation Administration (FAA) Remote Pilot Certificate, as well as operating a UAS registered with the FAA.

All UAS operations shall be approved by the Engineer prior to beginning the operations.

All contractors or subcontractors operating UAS shall have UAS specific general liability insurance to cover all operations under this contract.

The use of UAS is at the Contractor's discretion. No measurement or payment will be made for the use of UAS. In the event that the Department directs the Contractor to utilize UAS, payment will be in accordance with Article 104-7 Extra Work.

### **EQUIPMENT IDLING GUIDELINES:**

(1-19-21)

107

SP1 G096

Exercise reduced fuel consumption and reduced equipment emissions during the construction of all work associated with this contract. Employees engaged in the construction of this project should turn off vehicles when stopped for more than thirty (30) minutes and off-highway equipment should idle no longer than fifteen (15) consecutive minutes.

These guidelines for turning off vehicles and equipment when idling do not apply to:

1. Idling when queuing.

2. Idling to verify the vehicle is in safe operating condition.
3. Idling for testing, servicing, repairing or diagnostic purposes.
4. Idling necessary to accomplish work for which the vehicle was designed (such as operating a crane, mixing concrete, etc.).
5. Idling required to bring the machine system to operating temperature.
6. Emergency vehicles, utility company, construction, and maintenance vehicles where the engines must run to perform needed work.
7. Idling to ensure safe operation of the vehicle.
8. Idling when the propulsion engine is providing auxiliary power for other than heating or air conditioning. (such as hydraulic systems for pavers)
9. When specific traffic, safety, or emergency situations arise.
10. If the ambient temperature is less than 32 degrees Fahrenheit. Limited idling to provide for the safety of vehicle occupants (e.g. to run the heater).
11. If the ambient temperature is greater than 90 degrees Fahrenheit. Limited idling to provide for the safety of vehicle occupants of off-highway equipment (e.g. to run the air conditioning) no more than 30 minutes.
12. Diesel powered vehicles may idle for up to 30 minutes to minimize restart problems.

Any vehicle, truck, or equipment in which the primary source of fuel is natural gas or electricity is exempt from the idling limitations set forth in this special provision.

**ELECTRONIC BIDDING:**

(8-18-26)

101, 102, 103

SP1 G140

Revise the *Standard Specifications* as follows:

**Page 1-4, Article 101-3, DEFINITIONS, BID (OR PROPOSAL) *Electronic Bid*, line 3,** replace “electronic bidding software” with “electronic bidding website”.

**Page 1-16, Subarticle 102-8(B), Electronic Bids, lines 13-14,** replace “electronic bidding software” with “electronic bidding website”.

**Page 1-18, Article 102-10, BID BOND OR BID DEPOSIT, line 43,** replace “electronic bidding software” with “electronic bidding website”.

**Page 1-18, Article 102-11, DELIVERY OF BIDS, line 47,** replace “electronic bidding software” with “electronic bidding website”.

**Page 1-25, Subarticle 103-4(B)(2), Electronic Bids, line 20,** replace the first paragraph with the following:

This form is located on the electronic submittal website. The bidder shall click on yes or no to indicate whether or not the bidder desires to limit the award, provide the award limit if desiring to limit the award, and provide the project number and county of the projects associated with the award limit.

**TWELVE MONTH GUARANTEE:**

(7-15-03)

108

SPI G145

- (A) The Contractor shall guarantee materials and workmanship against latent and patent defects arising from faulty materials, faulty workmanship or negligence for a period of twelve months following the date of final acceptance of the work for maintenance and shall replace such defective materials and workmanship without cost to the Department. The Contractor will not be responsible for damage due to faulty design, normal wear and tear, for negligence on the part of the Department, and/or for use in excess of the design.
- (B) Where items of equipment or material carry a manufacturer's guarantee for any period in excess of twelve months, then the manufacturer's guarantee shall apply for that particular piece of equipment or material. The Department's first remedy shall be through the manufacturer although the Contractor is responsible for invoking the warranted repair work with the manufacturer. The Contractor's responsibility shall be limited to the term of the manufacturer's guarantee. NCDOT would be afforded the same warranty as provided by the Manufacturer.

This guarantee provision shall be invoked only for major components of work in which the Contractor would be wholly responsible for under the terms of the contract. Examples would include pavement structures, bridge components, and sign structures. This provision will not be used as a mechanism to force the Contractor to return to the project to make repairs or perform additional work that the Department would normally compensate the Contractor for. In addition, routine maintenance activities (i.e. mowing grass, debris removal, ruts in earth shoulders,) are not parts of this guarantee.

Appropriate provisions of the payment and/or performance bonds shall cover this guarantee for the project.

To ensure uniform application statewide the Division Engineer will forward details regarding the circumstances surrounding any proposed guarantee repairs to the Chief Engineer for review and approval prior to the work being performed.

**OUTSOURCING OUTSIDE THE USA:**

(9-21-04) (Rev. 5-16-06)

SPI G150

All work on consultant contracts, services contracts, and construction contracts shall be performed in the United States of America. No work shall be outsourced outside of the United States of America.

*Outsourcing* for the purpose of this provision is defined as the practice of subcontracting labor, work, services, staffing, or personnel to entities located outside of the United States.

The North Carolina Secretary of Transportation shall approve exceptions to this provision in writing.

**EROSION AND SEDIMENT CONTROL/STORMWATER CERTIFICATION:**

(1-16-07) (Rev. 10-15-24)

105-16, 225-2, 16

SP1 G180

**General**

Schedule and conduct construction activities in a manner that will minimize soil erosion and the resulting sedimentation and turbidity of surface waters. Comply with the requirements herein regardless of whether or not a National Pollution discharge Elimination System (NPDES) permit for the work is required.

Establish a chain of responsibility for operations and subcontractors' operations to ensure that the *Erosion and Sediment Control/Stormwater Pollution Prevention Plan* is implemented and maintained over the life of the contract.

- (A) *Certified Supervisor* - Provide a certified Erosion and Sediment Control/Stormwater Supervisor to manage the Contractor and subcontractor operations, insure compliance with Federal, State and Local ordinances and regulations, and manage the Quality Control Program.
- (B) *Certified Foreman* - Provide a certified, trained foreman for each construction operation that increases the potential for soil erosion or the possible sedimentation and turbidity of surface waters.
- (C) *Certified Installer* - Provide a certified installer to install or direct the installation for erosion or sediment/stormwater control practices.
- (D) *Certified Designer* - Provide a certified designer for the design of the erosion and sediment control/stormwater component of reclamation plans and, if applicable, for the design of the project erosion and sediment control/stormwater plan.

**Roles and Responsibilities**

- (A) *Certified Erosion and Sediment Control/Stormwater Supervisor* - The Certified Supervisor shall be Level II and responsible for ensuring the erosion and sediment control/stormwater plan is adequately implemented and maintained on the project and for conducting the quality control program. The Certified Supervisor shall be on the project within 24 hours notice from initial exposure of an erodible surface to the project's final acceptance. Perform the following duties:
  - (1) *Manage Operations* - Coordinate and schedule the work of subcontractors so that erosion and sediment control/stormwater measures are fully executed for each operation and in a timely manner over the duration of the contract.
    - (a) Oversee the work of subcontractors so that appropriate erosion and sediment control/stormwater preventive measures are conformed to at each stage of the work.
    - (b) Prepare the required National Pollutant Discharge Elimination System (NPDES) Inspection Record and submit to the Engineer.

- (c) Attend all weekly or monthly construction meetings to discuss the findings of the NPDES inspection and other related issues.
  - (d) Implement the erosion and sediment control/stormwater site plans requested.
  - (e) Provide any needed erosion and sediment control/stormwater practices for the Contractor's temporary work not shown on the plans, such as, but not limited to work platforms, temporary construction, pumping operations, plant and storage yards, and cofferdams.
  - (f) Acquire applicable permits and comply with requirements for borrow pits, dewatering, and any temporary work conducted by the Contractor in jurisdictional areas.
  - (g) Conduct all erosion and sediment control/stormwater work in a timely and workmanlike manner.
  - (h) Fully perform and install erosion and sediment control/stormwater work prior to any suspension of the work.
  - (i) Coordinate with Department, Federal, State and Local Regulatory agencies on resolution of erosion and sediment control/stormwater issues due to the Contractor's operations.
  - (j) Ensure that proper cleanup occurs from vehicle tracking on paved surfaces or any location where sediment leaves the Right-of-Way.
  - (k) Have available a set of erosion and sediment control/stormwater plans that are initialed and include the installation date of Best Management Practices. These practices shall include temporary and permanent groundcover and be properly updated to reflect necessary plan and field changes for use and review by Department personnel as well as regulatory agencies.
- (2) Requirements set forth under the NPDES Permit - The Department's NPDES Stormwater permit (NCS000250) outlines certain objectives and management measures pertaining to construction activities. The permit references *NCG010000, General Permit to Discharge Stormwater* under the NPDES, and states that the Department shall incorporate the applicable requirements into its delegated Erosion and Sediment Control Program for construction activities disturbing one or more acres of land. The Department further incorporates these requirements on all contracted bridge and culvert work at jurisdictional waters, regardless of size. Some of the requirements are, but are not limited to:
- (a) Control project site waste to prevent contamination of surface or ground waters of the state, i.e. from equipment operation/maintenance, construction materials, concrete washout, chemicals, litter, fuels, lubricants, coolants, hydraulic fluids, any other petroleum products, and sanitary waste.
  - (b) Inspect erosion and sediment control/stormwater devices and stormwater discharge outfalls at least once every 7 calendar days and within 24 hours after a rainfall event equal to or greater than 1.0 inch that occurs within a 24 hour period. Additional monitoring may be required at the discretion of Division of Water Resources personnel if the receiving stream is 303(d)

- listed for turbidity and the project has had documented problems managing turbidity.
- (c) Maintain an onsite rain gauge or use the Department's Multi-Sensor Precipitation Estimate website to maintain a daily record of rainfall amounts and dates.
  - (d) Maintain erosion and sediment control/stormwater inspection records for review by Department and Regulatory personnel upon request.
  - (e) Implement approved reclamation plans on all borrow pits, waste sites and staging areas.
  - (f) Maintain a log of turbidity test results as outlined in the Department's Procedure for Monitoring Borrow Pit Discharge.
  - (g) Provide secondary containment for bulk storage of liquid materials.
  - (h) Provide training for employees concerning general erosion and sediment control/stormwater awareness, the Department's NPDES Stormwater Permit NCS000250 requirements, and the applicable requirements of the *General Permit, NCG010000*.
  - (i) Report violations of the NPDES permit to the Engineer immediately who will notify the Division of Water Quality Regional Office within 24 hours of becoming aware of the violation.
- (3) Quality Control Program - Maintain a quality control program to control erosion, prevent sedimentation and follow provisions/conditions of permits. The quality control program shall:
- (a) Follow permit requirements related to the Contractor and subcontractors' construction activities.
  - (b) Ensure that all operators and subcontractors on site have the proper erosion and sediment control/stormwater certification.
  - (c) Notify the Engineer when the required certified erosion and sediment control/stormwater personnel are not available on the job site when needed.
  - (d) Conduct the inspections required by the NPDES permit.
  - (e) Take corrective actions in the proper timeframe as required by the NPDES permit for problem areas identified during the NPDES inspections.
  - (f) Incorporate erosion control into the work in a timely manner and stabilize disturbed areas with mulch/seed or vegetative cover on a section-by-section basis.
  - (g) Use flocculants approved by state regulatory authorities where appropriate and where required for turbidity and sedimentation reduction.
  - (h) Ensure proper installation and maintenance of temporary erosion and sediment control devices.
  - (i) Remove temporary erosion or sediment control devices when they are no longer necessary as agreed upon by the Engineer.
  - (j) The Contractor's quality control and inspection procedures shall be subject to review by the Engineer. Maintain NPDES inspection records and make records available at all times for verification by the Engineer.

- (B) *Certified Foreman* - At least one Certified Foreman shall be onsite for each type of work listed herein during the respective construction activities to control erosion, prevent sedimentation and follow permit provisions:

- (1) Foreman in charge of grading activities
- (2) Foreman in charge of bridge or culvert construction over jurisdictional areas
- (3) Foreman in charge of utility activities

The Contractor may request to use the same person as the Level II Supervisor and Level II Foreman. This person shall be onsite whenever construction activities as described above are taking place. This request shall be approved by the Engineer prior to work beginning.

The Contractor may request to name a single Level II Foreman to oversee multiple construction activities on small bridge or culvert replacement projects. This request shall be approved by the Engineer prior to work beginning.

- (C) *Certified Installers* - Provide at least one onsite, Level I Certified Installer for each of the following erosion and sediment control/stormwater crew:

- (1) Seeding and Mulching
- (2) Temporary Seeding
- (3) Temporary Mulching
- (4) Sodding
- (5) Silt fence or other perimeter erosion/sediment control device installations
- (6) Erosion control blanket installation
- (7) Hydraulic tackifier installation
- (8) Turbidity curtain installation
- (9) Rock ditch check/sediment dam installation
- (10) Ditch liner/matting installation
- (11) Inlet protection
- (12) Riprap placement
- (13) Stormwater BMP installations (such as but not limited to level spreaders, retention/detention devices)
- (14) Pipe installations within jurisdictional areas

If a Level I *Certified Installer* is not onsite, the Contractor may substitute a Level II Foreman for a Level I Installer, provided the Level II Foreman is not tasked to another crew requiring Level II Foreman oversight.

- (D) *Certified Designer* - Include the certification number of the Level III Certified Designer on the erosion and sediment control/stormwater component of all reclamation plans and if applicable, the certification number of the Level III Certified Designer on the design of the project erosion and sediment control/stormwater plan.

**Preconstruction Meeting**

Furnish the names of the *Certified Erosion and Sediment Control/Stormwater Supervisor*, *Certified Foremen*, *Certified Installers* and *Certified Designer* and notify the Engineer of changes in certified personnel over the life of the contract within 2 days of change.

**Ethical Responsibility**

Any company performing work for the North Carolina Department of Transportation has the ethical responsibility to fully disclose any reprimand or dismissal of an employee resulting from improper testing or falsification of records.

**Revocation or Suspension of Certification**

Upon recommendation of the Chief Engineer to the certification entity, certification for *Supervisor*, *Certified Foremen*, *Certified Installers* and *Certified Designer* may be revoked or suspended with the issuance of an *Immediate Corrective Action (ICA)*, *Notice of Violation (NOV)*, or *Cease and Desist Order* for erosion and sediment control/stormwater related issues.

The Chief Engineer may recommend suspension or permanent revocation of certification due to the following:

- (A) Failure to adequately perform the duties as defined within this certification provision.
- (B) Issuance of an ICA, NOV, or Cease and Desist Order.
- (C) Failure to fully perform environmental commitments as detailed within the permit conditions and specifications.
- (D) Demonstration of erroneous documentation or reporting techniques.
- (E) Cheating or copying another candidate's work on an examination.
- (F) Intentional falsification of records.
- (G) Directing a subordinate under direct or indirect supervision to perform any of the above actions.
- (H) Dismissal from a company for any of the above reasons.
- (I) Suspension or revocation of one's certification by another entity.

Suspension or revocation of a certification will be sent by certified mail to the certificant and the Corporate Head of the company that employs the certificant.

A certificant has the right to appeal any adverse action which results in suspension or permanent revocation of certification by responding, in writing, to the Chief Engineer within 10 calendar days after receiving notice of the proposed adverse action.

Chief Engineer  
1536 Mail Service Center  
Raleigh, NC 27699-1536

Failure to appeal within 10 calendar days will result in the proposed adverse action becoming effective on the date specified on the certified notice. Failure to appeal within the time specified

will result in a waiver of all future appeal rights regarding the adverse action taken. The certificant will not be allowed to perform duties associated with the certification during the appeal process.

The Chief Engineer will hear the appeal and make a decision within 7 days of hearing the appeal. Decision of the Chief Engineer will be final and will be made in writing to the certificant.

If a certification is temporarily suspended, the certificant shall pass any applicable written examination and any proficiency examination, at the conclusion of the specified suspension period, prior to having the certification reinstated.

### **Measurement and Payment**

All work described within this provision and the role of Certified Erosion and Sediment Control/Stormwater Supervisor, Certified Foremen, Certified Installers and Certified Designer will be incidental to the project for which no direct compensation will be made.

### **PROCEDURE FOR MONITORING BORROW PIT DISCHARGE:**

(2-20-07) (Rev. 1-16-24)

105-16, 230, 801

SP1 G181

Water discharge from borrow pit sites shall not cause surface waters to exceed 50 NTUs (nephelometric turbidity unit) in streams not designated as trout waters and 10 NTUs in streams, lakes or reservoirs designated as trout waters. For lakes and reservoirs not designated as trout waters, the turbidity shall not exceed 25 NTUs. If the turbidity exceeds these levels due to natural background conditions, the existing turbidity level shall not be increased.

If during any operating day, the downstream water quality exceeds the standard, the Contractor shall do all of the following:

- (A) Either cease discharge or modify the discharge volume or turbidity levels to bring the downstream turbidity levels into compliance, or
- (B) Evaluate the upstream conditions to determine if the exceedance of the standard is due to natural background conditions. If the background turbidity measurements exceed the standard, operation of the pit and discharge can continue as long as the stream turbidity levels are not increased due to the discharge.
- (C) Measure and record the turbidity test results (time, date and sampler) at all defined sampling locations 30 minutes after startup and at a minimum, one additional sampling of all sampling locations during that 24-hour period in which the borrow pit is discharging.
- (D) Notify DWQ within 24 hours of any stream turbidity standard exceedances that are not brought into compliance.

During the Environmental Assessment required by Article 230-4 of the *Standard Specifications*, the Contractor shall define the point at which the discharge enters into the State's surface waters and the appropriate sampling locations. Sampling locations shall include points upstream and downstream from the point at which the discharge enters these waters. Upstream sampling location shall be located so that it is not influenced by backwater conditions and represents

natural background conditions. Downstream sampling location shall be located at the point where complete mixing of the discharge and receiving water has occurred.

The discharge shall be closely monitored when water from the dewatering activities is introduced into jurisdictional wetlands. Any time visible sedimentation (deposition of sediment) on the wetland surface is observed, the dewatering activity will be suspended until turbidity levels in the stilling basin can be reduced to a level where sediment deposition does not occur. Staining of wetland surfaces from suspended clay particles, occurring after evaporation or infiltration, does not constitute sedimentation. No activities shall occur in wetlands that adversely affect the functioning of a wetland. Visible sedimentation will be considered an indication of possible adverse impacts on wetland use.

The Engineer will perform independent turbidity tests on a random basis. These results will be maintained in a log within the project records. Records will include, at a minimum, turbidity test results, time, date and name of sampler. Should the Department's test results exceed those of the Contractor's test results, an immediate test shall be performed jointly with the results superseding the previous test results of both the Department and the Contractor.

The Contractor shall use the *NCDOT Turbidity Reduction Options for Borrow Pits Matrix*, available at <https://connect.ncdot.gov/resources/roadside/FieldOperationsDocuments/TurbidityReductionOptionSheet.pdf> to plan, design, construct, and maintain BMPs to address water quality standards. Tier I Methods include stilling basins which are standard compensatory BMPs. Other Tier I methods are noncompensatory and shall be used when needed to meet the stream turbidity standards. Tier II Methods are also noncompensatory and are options that may be needed for protection of rare or unique resources or where special environmental conditions exist at the site which have led to additional requirements being placed in the DWQ's 401 Certifications and approval letters, Isolated Wetland Permits, Riparian Buffer Authorization or a DOT Reclamation Plan's Environmental Assessment for the specific site. Should the Contractor exhaust all Tier I Methods on a site exclusive of rare or unique resources or special environmental conditions, Tier II Methods may be required by regulators on a case by case basis per supplemental agreement.

The Contractor may use cation exchange capacity (CEC) values from proposed site borings to plan and develop the bid for the project. CEC values exceeding 15 milliequivalents per 100 grams of soil may indicate a high potential for turbidity and should be avoided when dewatering into surface water is proposed.

No additional compensation for monitoring borrow pit discharge will be paid.

**PROJECT SPECIAL PROVISIONS****ROADWAY****CLEARING AND GRUBBING - METHOD III:**

(4-6-06)(Rev. 3-19-24)

200

SP2 R02B

Perform clearing on this project to the limits established by Method - III shown on Standard Drawing No. 200.03 of the *Roadway Standard Drawings*. Conventional clearing methods may be used except where permit drawings or conditions have been included in the proposal which require certain areas to be cleared by hand methods.

**ROADWAY EXCAVATION:**

(10-20-26)

225

SP2 R50

Revise the *Standard Specifications* as follows:

**Page 2-12, Article 225-1, DESCRIPTION,** add the following after line 42:

When excavation operations encounter graves, temporarily discontinue operations in the vicinity of the graves and do not resume until directed by the Engineer.

When excavation operations encounter contaminated soils, temporarily discontinue operations in the vicinity of the contamination and do not resume until directed by the Engineer.

When excavation operations encounter artifacts or remains of historical, cultural, or archeological significance, temporarily discontinue operations in the vicinity of the artifacts or remains and do not resume until directed by the Engineer. Disposition of the artifacts shall be in accordance with the requirements of the Division of Archives and History.

Discontinuing operations shall include promptly ceasing all work in the vicinity, immediately notifying the Engineer as to the discovery for legally required authority notification, taking all precautions to protect the discovery from further disturbance to include securing the area and preventing access to it, and preserving all materials as found as directed by the Engineer.

**Page 2-15, Article 225-3, UNCLASSIFIED EXCAVATION, lines 23-30,** delete the last three paragraphs.

**GEOTEXTILE FOR SUBGRADE STABILIZATION:**

(5-15-18)(Rev. 4-16-24)

505, 1056

SP5 R9

**Description**

Provide geotextile for subgrade stabilization in accordance with the contract. Geotextile for subgrade stabilization is required for subgrades to prevent pavement cracking at locations shown in the plans and as directed by the Engineer.

**Materials**

Refer to Article 505-2 of the *Standard Specifications*.

**Construction Methods**

Refer to Article 505-3 of the *Standard Specifications*.

**Measurement and Payment**

*Geotextile for Subgrade Stabilization* will be measured and paid in accordance with Article 505-4 of the *Standard Specifications*.

**PRICE ADJUSTMENT - ASPHALT BINDER FOR PLANT MIX:**

(11-21-00)(Rev. 1-16-24)

620

SP6 R25

Price adjustments for asphalt binder for plant mix will be made in accordance with Section 620 of the *Standard Specifications*.

The base price index for asphalt binder for plant mix is **\$762.50** per ton.

This base price index represents an average of F.O.B. selling prices of asphalt binder at supplier's terminals on **September 1, 2026**.

**DELETION OF FINAL SURFACE TESTING REQUIREMENTS:**

(1-20-25)

610

SP6 R045A

Revise the *Standard Specifications* as follows:

**Pages 6-24 to 6-30, Article 610-13 FINAL SURFACE TESTING AND ACCEPTANCE**, delete Article 610-13 in its entirety.

**ELECTRONIC TICKETING SYSTEM:**

(7-16-24)(Rev. 12-17-24)

1020

SP10 R20

**Description**

At the contractor's option, the use of an electronic ticketing system for reporting individual and cumulative asphalt material deliveries may be utilized on this project. At the preconstruction conference, the contractor shall notify the Engineer if they intend to utilize an electronic ticketing system for reporting individual and cumulative asphalt material deliveries to the project.

**Electronic Ticketing Requirements**

- a. The electronic ticketing system must be fully integrated with the load read-out system at the plant. The system shall be designed so data inputs from scales cannot be altered by either the Contractor or the Department.

- b. Material supplier must test to confirm that ticketing data can be shared from the originating system no less than 30 days prior to project start.
- c. After each truck is loaded, ticket data must be electronically captured, and ticket information uploaded via Application Programming Interface (API) to the Department.
- d. Obtain security token from NCDOT for access to E-Ticketing portal (to send tickets). To request a Security Key, fill out the below E-Ticketing Security Request Form: <https://forms.office.com/g/XnT7QeRtgt>
- e. Obtain API from NCDOT containing the required e-ticketing data fields and format. Download the API from the NCDOT E-ticketing Webpage: <https://connect.ncdot.gov/projects/construction/E-Ticketing/Pages/default.aspx>
- f. Provide all ticket information in real time and daily summaries to the Department's designated web portal. If the project contains locations with limited cellular service, an alternative course of action must be agreed upon.
- g. Electronic ticketing submissions must be sent between the Material Supplier and the Department.
- h. The electronic ticket shall contain the following information:

Date  
Contract Number  
Supplier Name  
Contractor Name  
Material  
JMF  
Gross Weight  
Tare Weight  
Net Weight  
Load Number  
Cumulative Weight  
Truck Number  
Weighmaster Certification  
Weighmaster Expiration  
Weighmaster Name  
Facility Name  
Plant Certification Number  
Ticket Number  
Hauling Firm (optional)  
Voided Ticket Number (if necessary)  
Original Ticket Number (if necessary)  
Supplier Revision (If necessary)

The Contractor/supplier can use the electronic ticketing system of their choice to meet the requirements of this provision.

### **Measurement and Payment**

No measurement or payment will be made for utilizing an electronic ticketing system as the cost of such shall be included in the contract price bid for the material being provided.

### **GROUND MOUNTED SIGN SUPPORTS:**

(9-15-26)

1094

SP10 R94

Revise the *Standard Specifications* as follows:

**Page 10-214, Subarticle 1094-1(B) 3 lb Steel U-Channel Supports, line 12 and 15,** replace “3/8” with “7/16”.

**Page 10-214, Subarticle 1094-1(B) 3 lb Steel U-Channel Supports, line 16,** replace “5/16” with “3/8”.

**Page 10-214, Subarticle 1094-1(B) 3 lb Steel U-Channel Supports, lines 14-15,** delete the fifth sentence of the first paragraph and replace with the following:

These supports shall be galvanized in accordance with ASTM A653 or ASTM A123 depending on the manufacturing process.

**Page 10-214, Subarticle 1094-1(C) 2 lb Steel U-Channel Supports, lines 26-29,** delete the third and fourth sentence of the second paragraph with the following:

Punch or drill 7/16 inch diameter holes on 1 inch centers, beginning 1 inch from the top of the post, for a minimum distance equal to the vertical dimension of the respective sign or mile marker. These supports shall be galvanized in accordance with ASTM A653 or ASTM A123 depending on the manufacturing process.

**Page 10-214, Subarticle 1094-1(C) 2 lb Steel U-Channel Supports, line 30,** replace “3/8” with “7/16”.

**Page 10-214, Subarticle 1094-1(C) 2 lb Steel U-Channel Supports, line 31,** replace “5/16” with “3/8”.

**Page 10-214, Subarticle 1094-1(D) Steel Square Tube Supports, lines 36-43,** delete and replace the first two paragraphs with the following:

Use steel square tube supports of variable length galvanized steel. The support cross section and gauge shall be in accordance with the plans. These supports shall be manufactured using domestic steel conforming to ASTM 1011, Grade 50. Minimum yield strength after cold forming shall be 60,000 psi. These supports shall be galvanized in accordance with ASTM A653 or ASTM A123 depending on the manufacturing process and meet G90 galvanizing requirements.

Both the interior and exterior of the post shall be galvanized and all coating applications shall occur in the United States.

The posts shall be corner welded and scarfed as necessary to allow sections to telescope within each other. The finished posts shall be machine straightened and have a smooth uniform finish free from cracks, flaws, injurious seams, laps, blisters, and edges which are ragged, sharp, and imperfect, or other defects affecting their strength, durability, or appearance. The maximum variation in straightness shall be no more than 1/4 inch in any 5 foot of length. For perforated square tubes, cut holes or knockout holes of 7/16 inch diameter shall be spaced on 1 inch centers, on the centerlines of all four sides in true alignment, and opposite to each other for back to back applications. All holes and sheared ends shall be free from burrs. The steel shall also be coated with a conversion coating and a clear organic polymer topcoat.

The zinc coating nor manufacturing process shall interfere with the telescoping properties of steel square supports. The zinc coating inside of the 7/16 inch diameter holes of perforated supports shall not exceed specification requirements enough to prevent a 3/8 inch diameter bolt from freely passing through. These supports should contain a manufacturer's mark for traceability after installation. Provide a Type 2 material certification in accordance with Article 106-3 upon Engineer request.

**WORK ZONE INSTALLER:**

(7-20-21)(Rev. 4-21-26)

1101

SP11 R04

Revise the *Standard Specifications* as follows:

**Page 11-4, Article 1101-14 WORK ZONE INSTALLER, lines 25-26,** delete the first sentence of the first paragraph and replace with the following:

When temporary traffic control consists of more than flagging operations, the Contractor shall provide the service of at least one qualified work zone installer during the setup, installation, and removal of temporary traffic control within the highway right of way.

**CONES:**

(3-19-24)

1135

SP11 R35

Revise the *Standard Specifications* as follows:

**Page 11-11, Article 1135-3 CONSTRUCTION METHODS, lines 19-20,** delete the third sentence of the first paragraph, "Do not use cones in the upstream taper of lane or shoulder closures for multi-lane roadways."

**PAVEMENT MARKINGS:**

(5-19-26)(Rev. 6-16-26)

1087, 1205

SP12 R04

Revise the *Standard Specifications* as follows:

**Page 10-185, Subarticle 1087-2(A) Paint Composition, line 15,** replace “TT--P-1952” with “TT--P-1952, Type III”.

**Page 10-185, Subarticle 1087-2(C) Thermoplastic Composition, lines 28-33,** replace the first through third paragraph and the table with the following:

**(C) Thermoplastic and Integrated Multipolymer (IMP) Composition**

Use thermoplastic alkyd/maleic pavement markings composed of the materials in Table 1087-1A and integrated multipolymer markings composed of the materials in Table 1087-1B.

| <b>TABLE 1087-1A<br/>PHYSICAL PROPERTIES<br/>OF THERMOPLASTIC PAVEMENT MARKINGS</b> |                                          |
|-------------------------------------------------------------------------------------|------------------------------------------|
| <b>Component</b>                                                                    | <b>By Weight</b>                         |
| Alkyd/Maleic Binder                                                                 | 18.0% Min                                |
| Premixed Glass Beads (AASHTO M 247 – Type 3)                                        | 40.0% Min                                |
| Titanium Dioxide Pigment (ASTM D476 Type 2)                                         | 10.0% Min. (white)<br>1.5% Min. (yellow) |

| <b>TABLE 1087-1B<br/>PHYSICAL PROPERTIES<br/>OF INTEGRATED MULTIPOLYMER (IMP) PAVEMENT MARKINGS</b> |                                   |
|-----------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>Component</b>                                                                                    | <b>By Weight</b>                  |
| Binder                                                                                              | 21.0% Min                         |
| Premixed Glass Beads (AASHTO M 247 – Type 3)                                                        | 40.0% Min                         |
| Titanium Dioxide Pigment (ASTM D476 Type 2)                                                         | 10.0% Min. (white only)           |
| Inert Filler                                                                                        | 15% Max white / 24% Max<br>Yellow |

Use white material that does not contain anatase titanium dioxide pigment. Use yellow material that does not contain any intentionally added lead chromate.

Calcium carbonate and inert fillers may be used by the manufacturer, providing all other qualifications are met.

**Page 10-185, Subarticle 1087-2(C) Thermoplastic Composition, line 34,** replace “thermoplastic” with “material”.

**Page 10-185, Subarticle 1087-2(C) Thermoplastic Composition, line 36,** replace “alkyd/maleic binder” with “binder”.

**Page 10-185, Subarticle 1087-2(C) Thermoplastic Composition, line 38,** replace “maleic-modified glycerol of resin” with “rosin ester”.

**Page 10-186, Subarticle 1087-2(C) Thermoplastic Composition**, insert the following paragraph after line 2:

The integrated multipolymer binder shall consist of a mixture of modified rosin ester, polyamide and a copolymer (e.g. EVA) with waxes and/or plasticizers. At least 3% of the total formulation weight shall be 100% polyamide. The binder shall contain no petroleum hydrocarbon resins.

**Page 10-186, Subarticle 1087-2(C) Thermoplastic Composition, lines 3, 6, 9 and 11**, replace “thermoplastic material” with “material”.

**Page 10-186, Article 1087-3 COLOR, after line 27**, replace “Crystal: Color No. 17886 (White)” with “White: Color No. 17925”.

**Page 10-186, Subarticle 1087-4(A) Composition, lines 31-34**, replace the second paragraph with the following:

Manufacture the beads from 100% recycled or virgin non-pigmented glass from a composition designed to be highly resistant to traffic wear and to the effects of weathering. All intermix and drop-on glass beads shall be manufactured using 100% North American recycled glass cullet, virgin North American glass or a combination of the two.

**Page 10-187, Subarticle 1087-4(C) Gradation & Roundness, lines 4-6**, replace the first paragraph and table with the following:

Use drop-on and intermixed glass beads in all pavement markings with at least 80% true spheres when tested in accordance with ASTM D1155. Drop-on glass beads for permanent pavement markings shall be high performance glass beads listed on the NCDOT APL. If otherwise specified, or at the direction of the Engineer, other drop-on reflective media may be used on permanent markings. Drop-on glass beads used on any interim or temporary pavement markings shall meet Table 1087-2.

| TABLE 1087-2<br>GLASS BEAD GRADATION REQUIREMENTS |                        |         |
|---------------------------------------------------|------------------------|---------|
| Sieve Size                                        | Gradation Requirements |         |
|                                                   | Minimum                | Maximum |
| Passing #20                                       | 95%                    | 100%    |
| Retained on #30                                   | 5%                     | 20%     |
| Retained on #50                                   | 40%                    | 80%     |
| Retained on #80                                   | 15%                    | 50%     |
| Passing #80                                       | 0%                     | 10%     |
| Retained on #200                                  | 0%                     | 5%      |

**Page 10-187, Article 1087-5 PACKAGING FOR SHIPMENT, line 31**, replace “Thermoplastic pavement marking materials” with “Thermoplastic and integrated multipolymer pavement marking materials”.

**Page 10-188, Subarticle 1087-7(B) Thermoplastic Pavement Marking Material**

**Composition, line 17, replace “(B) Thermoplastic Pavement Marking Material Composition” with “(B) Thermoplastic and Integrated Multipolymer Pavement Marking Material Composition”.**

**Page 10-188, Subarticle 1087-7(C) Flash Point, line 22, replace “thermoplastic” with “thermoplastic and integrated multipolymer material”.**

**Page 10-188, Subarticle 1087-7(D) Requirements, line 25, replace “thermoplastic material” with “thermoplastic and integrated multipolymer material”.**

**Page 10-189, Subarticle 1087-7(D), after line 15, add the following:**

**(9) Tensile Elongation**

The integrated multipolymer material shall have an elongation of at least 10% when tested in accordance with ASTM D638 (1"x 6", 0.25"/min).

**(10) Abrasion Resistance**

The integrated multipolymer material shall have no more than 0.40 g weight loss following taber abrasion with CS17 wheels for 1000 cycles with 1 kg weight per ASTM D4060.

**Page 10-189, Article 1087-8 MATERIAL CERTIFICATION, lines 22-23, replace the third paragraph with the following:**

Reflective media not covered in this, or other specifications must meet AASHTO M 247 Type 3 or 4 and a NCDOT Type 2 Material Certification must be provided.

**Page 10-189, Article 1087-8 MATERIAL CERTIFICATION, after line 23, add the following to the table:**

|                         |                                                                 |
|-------------------------|-----------------------------------------------------------------|
| Integrated Multipolymer | Type 2 Material Certification and Type 3 Material Certification |
|-------------------------|-----------------------------------------------------------------|

**Page 12-3, Subarticle 1205-3(F) Surface Preparation and Curing Compound Removal, line 8, add the following as a second sentence of the first paragraph:**

Only apply markings to dry clean surfaces.

**Page 12-4, Subarticle 1205-3(G)(1) General for all types of Pavement Markings, line 16, replace the first sentence of the eighth paragraph with the following:**

Protect the pavement markings until they are track free before exposing them to traffic.

**Page 12-4, Subarticle 1205-3(G)(1) General for all types of Pavement Markings, lines 22-24, delete the second sentence of the tenth paragraph.**

**Page 12-4, Subarticle 1205-3(G)(1) General for all types of Pavement Markings, after line**

24, replace “White: Color No. 17886” with “White: Color No. 17295”.

**Page 12-5, Subarticle 1205-3(I) Removal of Pavement Markings, line 32,** add the following as the third sentence of the seventh paragraph:

Before applying integrated multipolymer (IMP) pavement markings over existing thermoplastic pavement markings, remove at least 85% of the oxidized existing thermoplastic.

**Page 12-5, Subarticle 1205-3(I) Removal of Pavement Markings, line 35,** replace “thermoplastic” with “thermoplastic or IMP”.

**Page 12-6, Article 1205-4 THERMOPLASTIC, line 3,** replace “1205-4 THERMOPLASTIC” with “1205-4 THERMOPLASTIC AND INTEGRATED MULTIPOLYMER (IMP)”.

**Page 12-6, Subarticle 1205-4(A) Application Equipment, lines 7, 16, 20, 24, 25, 27 and 29,** delete “thermoplastic”

**Page 12-6, Subarticle 1205-4(B) Weather Limitations and Seasonal Limitations, line 38,** replace “thermoplastic pavement markings” with “thermoplastic or integrated multipolymer pavement markings”.

**Page 12-6, Subarticle 1205-4(B) Weather Limitations and Seasonal Limitations, line 42,** delete “thermoplastic”.

**Page 12-7, Subarticle 1205-4(C) Application, lines 2, 3, 10, 21 and 31,** delete “thermoplastic”.

**Page 12-7, Subarticle 1205-4(C) Application, after line 17,** in Table 1205-2 MINIMUM REFLECTOMETER REQUIREMENTS FOR THERMOPLASTIC replace “Standard Glass Beads” with “High Performance Glass Beads” and for the Reflectivity of White replace “375 mcd/lux/m<sup>2</sup>” with “425 mcd/lux/m<sup>2</sup>” and Yellow replace “250 mcd/lux/m<sup>2</sup>” with “325 mcd/lux/m<sup>2</sup>”

**Page 12-7, Subarticle 1205-4(C) Application, line 23,** replace “thermoplastic pavement marking” with “final pavement marking”.

**Page 12-7, Subarticle 1205-4(C) Application, after line 32,** replace “TABLE 1205-3 THICKNESS REQUIREMENTS FOR THERMOPLASTIC” with “TABLE 1205-3 THICKNESS REQUIREMENTS FOR THERMOPLASTIC AND INTEGRATED MULTIPOLYMER”.

**Page 12-9, Subarticle 1205-5(C) Observation Period, before line 1,** replace “375 mcd/lux/m<sup>2</sup>” with “425 mcd/lux/m<sup>2</sup>” and replace “250 mcd/lux/m<sup>2</sup>” with “325 mcd/lux/m<sup>2</sup>”.

**Page 12-11, Subarticle 1205-8(C) Application, lines 17-20,** replace the first paragraph with the following:

Final pavement marking application of paint shall be placed in 1 application of 30 mils wet each

and consist of reflective media applied at a rate to immediately obtain the minimum retroreflective values.

**Page 12-11, Subarticle 1205-8(C) Application, line 26,** delete “15 mil”.

**Page 12-11, Subarticle 1205-8(C) Application, after line 31,** replace Table 1205-6 with the following:

| <b>TABLE 1205-6<br/>REFLECTOMETER REQUIREMENTS<br/>FOR PAINT</b> |              |                            |
|------------------------------------------------------------------|--------------|----------------------------|
| <b>Item</b>                                                      | <b>Color</b> | <b>Reflectivity</b>        |
| Standard Glass Beads                                             | White        | 225 mcd/lux/m <sup>2</sup> |
|                                                                  | Yellow       | 200 mcd/lux/m <sup>2</sup> |
| High Performance Glass Beads                                     | White        | 425 mcd/lux/m <sup>2</sup> |
|                                                                  | Yellow       | 325 mcd/lux/m <sup>2</sup> |

**Page 12-12, Article 1205-10 MEASUREMENT AND PAYMENT, lines 5-7,** delete and replace the second sentence of the first paragraph with the following:

In addition, *Paint Pavement Marking Lines* will be paid per linear foot for each 15 mil application placed in accordance with Subarticle 1205-8(C) for temporary pavement markings during temporary traffic patterns.

**Page 12-12, Article 1205-10 MEASUREMENT AND PAYMENT, lines 12-14,** delete and replace the second sentence of the second paragraph with the following:

In addition, *Paint Pavement Marking Symbols* will be paid for each 15 mil application placed in accordance with Subarticle 1205-8(C) for temporary pavement markings during temporary traffic patterns.

**Page 12-12, Article 1205-10 MEASUREMENT AND PAYMENT, lines 17-19,** delete and replace the third sentence of the third paragraph with the following:

In addition, *Paint Pavement Marking Characters* will be paid for each 15 mil application placed in accordance with Subarticle 1205-8(C) for temporary pavement markings during temporary traffic patterns.

**Page 12-12, Article 1205-10 MEASUREMENT AND PAYMENT, lines 17-19,** replace the second sentence of the ninth paragraph with the following:

No direct payment will be made for the work involved in applying the lines, including but not limited to surface preparation, reapplication of molten pavement marking crossed by a vehicle, removal of all pavement marking materials spilled on the roadway surface, and repair of markings tracked by a vehicle.

**Page 12-13, Article 1205-10 MEASUREMENT AND PAYMENT, after line 12,** add the

following to the pay item and pay unit list:

**Pay Item**

Integrated Multipolymer Pavement Marking Lines, \_\_", \_\_ mils  
 Integrated Multipolymer Pavement Marking Symbols, \_\_ mils  
 Integrated Multipolymer Pavement Marking Characters, \_\_ mils

**Pay Unit**

Linear Foot  
 Each  
 Each

**COIR FIBER MAT:**

(9-16-25)

1629

SP16 R05

Revise the *Standard Specifications* as follows:

**Page 16-9, Article 1629-2 MATERIALS, lines 22-24,** delete and replace the last paragraph with the following:

Provide #3 or #4 uncoated reinforcing steel anchors, 24 inches in length, bent into a U-shape with a 4-inch diameter bend and a 4-inch straight leg extending from the bend to catch and secure the coir fiber mat.

**WATTLE DEVICES:**

(1-1-24)(Rev. 9-16-25)

1642

SP16 R10

Revise the *Standard Specifications* as follows:

**Page 16-23, Subarticle 1642-2(B) Wattle, lines 10-12,** delete and replace with the following:

**(B) Wattle and Wattle Barrier**

Wattles shall meet Table 1642-1.

| <b>TABLE 1642-1</b>                                 |                                  |
|-----------------------------------------------------|----------------------------------|
| <b>100% CURLED WOOD (EXCELSIOR) FIBERS - WATTLE</b> |                                  |
| <b>Property</b>                                     | <b>Property Value</b>            |
| Minimum Diameter                                    | 12 inches                        |
| Minimum Density                                     | 2.5 pcf +/- 10%                  |
| Net Material                                        | Synthetic                        |
| Net Openings                                        | 1 inch x 1 inch                  |
| Net Configuration                                   | Totally Encased                  |
| Minimum Weight                                      | 20 lb +/- 10% per 10 foot length |

Coir Fiber Wattles shall meet Table 1642-2.

| <b>TABLE 1642-2</b><br><b>100% COIR (COCONUT) FIBERS WATTLE</b> |                       |
|-----------------------------------------------------------------|-----------------------|
| <b>Property</b>                                                 | <b>Property Value</b> |
| Minimum Diameter                                                | 12 inches             |
| Minimum Density                                                 | 3.5 pcf +/- 10%       |
| Net Material                                                    | Coir Fiber            |
| Net Openings                                                    | 2 inch x 2 inch       |
| Net Strength                                                    | 90 lb                 |
| Minimum Weight                                                  | 2.6 pcf +/- 10%       |

Wattle Barriers shall meet Table 1642-3.

| <b>TABLE 1642-3</b><br><b>100% CURLED WOOD (EXCELSIOR) FIBERS – WATTLE BARRIER</b> |                       |
|------------------------------------------------------------------------------------|-----------------------|
| <b>Property</b>                                                                    | <b>Property Value</b> |
| Minimum Diameter                                                                   | 18 inches             |
| Minimum Density                                                                    | 2.9 pcf +/- 10%       |
| Net Material                                                                       | Synthetic             |
| Net Openings                                                                       | 1 inch x 1 inch       |
| Net Configuration                                                                  | Totally Encased       |
| Minimum Weight                                                                     | 5 pcf +/- 10%         |

Coir Fiber Wattle Barriers shall meet Table 1642-4.

| <b>TABLE 1642-4</b><br><b>100% COIR (COCONUT) FIBERS WATTLE BARRIER</b> |                       |
|-------------------------------------------------------------------------|-----------------------|
| <b>Property</b>                                                         | <b>Property Value</b> |
| Minimum Diameter                                                        | 18 inches             |
| Minimum Density                                                         | 5 pcf +/- 10%         |
| Net Material                                                            | Coir Fiber            |
| Net Openings                                                            | 2 inch x 2 inch       |
| Net Strength                                                            | 90 lb                 |
| Minimum Weight                                                          | 10 pcf +/- 10%        |

**Pages 16-24 & 16-25, Article 1642-5 MEASUREMENT AND PAYMENT, lines 42-47 & lines 1-2, delete and replace with the following:**

*Wattle* will be measured and paid for by the actual number of linear feet of wattles which are installed and accepted. Such price and payment will be full compensation for all work covered by this section, including, but not limited to, furnishing all materials, labor, equipment and incidentals necessary to install the *Wattle*.

*Coir Fiber Wattles* will be measured and paid for by the actual number of linear feet of coir fiber wattles which are installed and accepted. Such price and payment will be full compensation for all work covered by this section, including, but not limited to, furnishing all materials, labor, equipment and incidentals necessary to install the *Coir Fiber Wattles*.

*Wattle Barrier* will be measured and paid as the actual number of linear feet of wattle barrier installed and accepted. Such price and payment will be full compensation for all work covered by this provision, including, but not limited to, furnishing all materials, labor, equipment and incidentals necessary to install the *Wattle Barrier*.

*Coir Fiber Wattle Barrier* will be measured and paid as the actual number of linear feet of coir fiber wattle barrier installed and accepted. Such price and payment will be full compensation for all work covered by this provision, including, but not limited to, furnishing all materials, labor, equipment and incidentals necessary to install the *Coir Fiber Wattle Barrier*.

**Page 16-25, Article 1642-5 MEASUREMENT AND PAYMENT, after line 9,** delete and replace “\_\_\_ Wattle Check” with “Wattle”.

**Page 16-25, Article 1642-5 MEASUREMENT AND PAYMENT, after line 9,** delete and replace “\_\_\_ Wattle Barrier” with “Wattle Barrier”.

**Page 16-25, Article 1642-5 MEASUREMENT AND PAYMENT, after line 9,** add the following:

| <b>Pay Item</b>           | <b>Pay Unit</b> |
|---------------------------|-----------------|
| Coir Fiber Wattle         | Linear Foot     |
| Coir Fiber Wattle Barrier | Linear Foot     |

JOSH STEIN  
Governor

D. REID WILSON  
Secretary

RICHARD E. ROGERS, JR.  
Director



July 22, 2026

HALIFAX COUNTY PUBLIC UTILITIES  
ATTN: CHRISTOPHER WILLIAMS - PUBLIC UTILITIES DIRECTOR  
PO BOX 70  
HALIFAX, NC 27839

Re: **Authorization to Construct (This is not a Final Approval)**

Issue Date: July 22, 2026  
BP4-R033

Serial No.: 26-00600      Water System No.: NC0442040  
Halifax County

Dear Applicant:

This letter is to confirm that a complete Engineer's Report and a Water System Management Plan have been received, and that engineering plans and specifications have been approved by the Department for **BP4-R033, Serial No.: 26-00600**.

The "Authorization to Construct" is valid for 36 months from the issue date. Authorization to construct may be extended if the Rules Governing Public Water Systems [15A NCAC 18C] and site conditions have not changed (see Rule .0305). The "Authorization to Construct" and the engineering plans and specifications approval letter shall be posted at the primary entrance of the job site before and during construction.

Upon completion of the construction or modification, **and prior to placing the new construction or modification into service**, the applicant must submit an Engineer's Certification and Applicant's Certification to the Public Water Supply Section.

- **Engineer's Certification:** in accordance with Rule .0303(a), the applicant shall submit a certification statement signed and sealed by a registered professional engineer stating that construction was completed in accordance with approved engineering plans and specifications, including any provisions stipulated in the Department's engineering plan and specification approval letter.
- **Applicant's Certification:** in accordance with Rule .0303(c), the applicant shall submit a signed certification statement indicating that the requirements for an Operation and Maintenance Plan and Emergency Management Plan have been satisfied in accordance with Rule .0307(d) and (e) and that the system has a certified operator in accordance with Rule .1300. The "Applicant's Certification" form is available at <http://www.ncwater.org/> (click on Public Water Supply Section, Plan Review, Plan Review Forms).

Certifications can be sent by mail or attachment to an e-mail message to **PWSSection.PlanReview@deq.nc.gov**.

If this "Authorization to Construct" is for a new public water system, the owner must submit a completed **application for an Operating Permit** and the appropriate fee. For a copy of the application for an Operating Permit please call (919) 707-9076.

Once the certifications and permit application and fee (if applicable) are received and determined adequate, the Department will issue a Final Approval letter to the applicant. In accordance with Rule .0309(a), **no portion of this project shall be placed into service until the Department has issued Final Approval**.

Please contact us at (919) 707-9100 if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads 'Rebecca Sadosky'.

Rebecca Sadosky, Ph.D., Chief  
Public Water Supply Section  
Division of Water Resources, NCDEQ

cc: JOEL MARTINEZ, Regional Engineer  
TGS ENGINEERS



North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1634 Mail Service Center | Raleigh, North Carolina 27699-1634  
919.707.9100

North Carolina Department of Environmental Quality  
Division of Water Resources

Authorization to Construct

|                           |                                 |
|---------------------------|---------------------------------|
| Project Applicant:        | HALIFAX COUNTY PUBLIC UTILITIES |
| Public Water System Name: | HALIFAX CO--HALIFAX             |
| Water System No.:         | NC0442040                       |
| Project Name:             | BP4-R033                        |
| Serial No.:               | 26-00600                        |
| Issue Date:               | July 22, 2026                   |
| Expiration Date:          | 36 Months after Issue Date      |

In accordance with 15A NCAC 18C .0305, this Authorization to Construct must be posted  
at the primary entrance to the job site during construction.

PROJECT SPECIAL PROVISIONS  
Utility Construction

**B. Chad Houser, PE, PLS** | Project Manager

**TGS Engineers**

201 W. Marion St. | Shelby, NC 28150 | 704-476-0003 ex 311

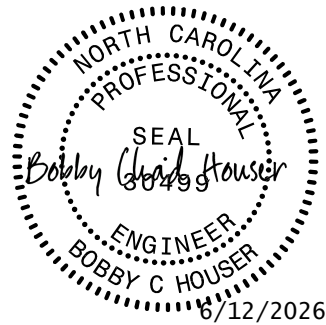
[chouser@tgsengineers.com](mailto:chouser@tgsengineers.com)

Utility Owner:

Halifax County

P.O. Box 70

Halifax, NC 27839



DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

Where brand names and model numbers are specified in these Special Provisions or in the plans, the cited examples are used only to denote the quality standard of product desired and do not restrict bidders to a specific brand, make, or manufacturer. They are provided to set forth the general style, type, character, and quality of the product desired. Equivalent products will be acceptable.

The utility owner is Halifax County. The contact person is Christopher Williams (Public Utilities Director) and he can be reached by phone at (252) 583-1451 or email at [williamscm@halifaxnc.com](mailto:williamscm@halifaxnc.com).

The provisions contained within these Utilities Construction Project Special Provisions modify the *Standard Specifications* only for materials used and work performed constructing water or sewer facilities owned by Halifax County.

**RELATION OF WATER MAINS TO NON POTABLE WATER LINES AND OTHER UTILITIES:**  
**(3-18-25)**

Revise the 2024 *Standard Specifications* as follows:

**Page 15-1 and 15-2, Article 1500-5 RELATION OF WATER MAINS TO NON-POTABLE WATER LINES AND OTHER UTILITIES, lines 39-42 and lines 1-5,** replace the article with the following:

Lay water mains at least 10 feet laterally from existing or proposed sanitary sewers or reclaimed water distribution lines. If local conditions or barriers prevent a 10-foot separation, lay the water

main with at least 18 inches vertical separation above the top of the sanitary sewer or reclaimed water distribution pipe either in a separate trench or in the same trench on a bench of undisturbed earth.

For storm drain pipe or other utilities, lay the water main with at least 12 inches separation from the outside of the water main and the outside of the other facility.

One full length of water pipe at the point of crossing shall be located so that both joints will be as far from the sanitary sewer or reclaimed water distribution pipe as possible. If practicable, the water main shall be located above the sewer or reclaimed water distribution line.

**Revise the NCDOT 2024 Standard Specifications as follows:**

**Page 15-2, Sub-article 1500-9 Placing Pipelines into Service, paragraph 2, sentence 2:**  
replace in its entirety with the following sentences:

The utility owner must be present for any testing or connections to the existing system including but not limited to all taps and temporary construction connections. A notice of 72 hours must be provided.

**COMMENCEMENT OF WORK**

A pre-construction meeting is required before work may begin. The Utility Owner shall be notified 72 hours prior to project mobilization.

**MATERIALS APPROVAL**

All utility materials shall be approved by the owner prior to delivery to the project per section 1500-7 of the Standard Specifications for Roads and Structures dated January 2024.

**TESTING AND STERILIZATION**

All waterline testing shall be in accordance with section 1510-3(B) of the 2024 NCDOT Standards and Specification and shall occur at the time of construction. A designated representative from the Utility Owner shall be notified to witness testing prior to their acceptance.

**WATER LINES****Ductile Iron Pipe, 4 Inch through 12 Inch**

Ductile Iron pipe shall be utilized for all proposed water lines as shown on the plans.

Pipe: Ductile iron pipe shall be Pressure Class 350 and shall conform to the requirements of AWWA Standard C-151 and shall have a cement-mortar lining of standard thickness in accordance with AWWA C-104. Unless otherwise shown on the construction plans, all ductile iron pipe shall be furnished with push on joints in accordance with AWWA C111.

Fittings: all water line fittings 4 to 16 inches in diameter, shall be Pressure Class 350 Ductile Iron restrained joint in accordance with ANSI A21.10 / AWWA C110 and ANSI A21.4 / AWWA C104.

Joints: AWWA C111 push-on or mechanical for general buried service; AWWA C115 flanged for exposed service unless shown otherwise. Flange material shall match pipe material.

Creek Crossing: Water line utilizing restrained joints shall be used at the creek crossing and shall be approved by the owner.

Linings: AWWA C104 cement lining, standard thickness, bituminous exterior seal coat.

Thrust Restraint: All fittings, bends, tees, crosses, valves shall be adequately restrained. Approved restraint includes retaining glands, field lock gaskets and restraint systems provided by approved pipe manufacturers. The use of poured concrete thrust blocks will be permitted, as depicted in the pertinent Standard Detail, where connections are made to existing waterlines or under other such special conditions where use of mechanical restraint is not feasible. The use of pre-cast concrete thrust blocks shall not be permitted.

**Payment**

No measurement or payment will be made for this work as the cost of such shall be included in the contract unit price bid per linear foot for “\_” *Water Line*”.

**INSERTION VALVES**

Insertion Valves shall be Resilient Wedge Gate Valves, designed for use in potable water systems. The body, bonnet and wedge shall be ductile iron meeting or exceeding AWWA C515. Insertion Valves shall be ductile iron construction meeting ASTM A536 Grade 65- 45-12. The pressure rating markings must be cast into the body of the insert valve.

**Payment**

No measurement or payment will be made for this work as the cost of such shall be included in the contract unit price bid per linear foot for “\_\_\_” *Valve*”.

**Project Special Provisions  
Erosion Control**

**STABILIZATION REQUIREMENTS:**

(4-30-2019)(Rev. 1-21-25)

Stabilization for this project shall comply with the time frame guidelines as specified by the NCG-010000 general construction permit issued by the North Carolina Department of Environmental Quality Division of Energy, Mineral and Land Resources. Temporary or permanent ground cover stabilization shall occur within the following time frames from the last land-disturbing activity:

- Stabilize perimeter dikes, swales, ditches, and perimeter slopes within 7 calendar days.
- Stabilize high quality water (HQW) zones within 7 calendar days.
- Stabilize slopes steeper than 3:1 within 7 calendar days.
  - If slopes are 10 feet or less in length and are not steeper than 2:1, 14 calendar days are allowed.
- Stabilize slopes 3:1 to 4:1 within 14 calendar days.
  - 7 calendar days for slopes greater than 50 feet in length and with slopes steeper than 4:1.
  - 7 calendar days for perimeter dikes, swales, ditches, perimeter slopes, and HQW Zones.
- Stabilize areas with slopes flatter than 4:1 within 14 calendar days.
  - 7 calendar days for perimeter dikes, swales, ditches, perimeter slopes, and HQW Zones.

The stabilization timeframe for High Quality Water (HQW) Zones shall be 7 calendar days with no exceptions for slope grades or lengths. High Quality Water Zones (HQW) Zones are defined by North Carolina Administrative Code 15A NCAC 04A.0105 (25). Temporary and permanent ground cover stabilization shall be achieved in accordance with the provisions in this contract and as directed.

**SEEDING AND MULCHING:**

**(East)**

The kinds of seed and fertilizer, and the rates of application of seed, fertilizer, and limestone, shall be as stated below. During periods of overlapping dates, the kind of seed to be used shall be determined. All rates are in pounds per acre.

All Roadway Areas

**March 1 - August 31**

50# Tall Fescue  
10# Centipede  
25# Bermudagrass (hulled)  
500# Fertilizer  
4000# Limestone

**September 1 - February 28**

50# Tall Fescue  
10# Centipede  
35# Bermudagrass (unhulled)  
500# Fertilizer  
4000# Limestone

Waste and Borrow Locations

**March 1 – August 31**

**September 1 - February 28**

|       |                       |       |                         |
|-------|-----------------------|-------|-------------------------|
| 75#   | Tall Fescue           | 75#   | Tall Fescue             |
| 25#   | Bermudagrass (hulled) | 35#   | Bermudagrass (unhulled) |
| 500#  | Fertilizer            | 500#  | Fertilizer              |
| 4000# | Limestone             | 4000# | Limestone               |

Note: 50# of Bahiagrass may be substituted for either Centipede or Bermudagrass only upon Engineer's request.

#### Approved Tall Fescue Cultivars

|                            |                 |                 |                    |
|----------------------------|-----------------|-----------------|--------------------|
| 06 Dust                    | Escalade        | Kalahari        | Serengeti          |
| 2 <sup>nd</sup> Millennium | Essential       | Kitty Hawk 2000 | Shelby             |
| 3 <sup>rd</sup> Millennium | Evergreen 2     | Legitimate      | Shenandoah III     |
| Avenger                    | Faith           | Lexington       | Shenandoah Elite   |
| Bar Fa                     | Falcon IV       | LifeGuard       | Sheridan           |
| Barlexas                   | Falson NG       | LSD             | Sidewinder         |
| Barlexas II                | Falcon V        | Magellan        | Signia             |
| Barrera                    | Fat Cat         | Masterpiece     | Silver Hawk        |
| Barrington                 | Fesnova         | Millennium SRP  | Skyline            |
| Barrobusto                 | Fidelity        | Monet           | Solara             |
| Barvado                    | Finelawn Elite  | Mustang 4       | Southern Choice II |
| Biltmore                   | Finelawn Xpress | Naturally Green | Speedway           |
| Bingo                      | Finesse II      | Ninja 2         | Spyder LS          |
| Bizem                      | Firebird        | Ol' Glory       | Sunset Gold        |
| Black Tail                 | Firecracker LS  | Padre           | Taccoa             |
| Blackwatch                 | Firenza         | Patagonia       | Tahoe II           |
| Blade Runner II            | Five Point      | Pedigree        | Talladega          |
| Bonsai                     | Focus           | Picasso         | Tanzania           |
| Braveheart                 | Forte           | Piedmont        | Temple             |
| Bravo                      | Garrison        | Plantation      | Terrano            |
| Bullseye                   | Gazelle II      | Proseeds 5301   | Thor               |
| Cannavaro                  | GLX Aced        | Prospect        | Thunderstruck      |
| Catalyst                   | Gold Medallion  | Quest           | Titanium LS        |
| Cayenne                    | Grande 3        | RainDance       | Titan LTD          |
| Cezanne RZ                 | Greenbrooks     | Raptor II       | Tracer             |
| Chipper                    | Greenkeeper     | Rebel IV        | Traverse SRP       |
| Cochise IV                 | Gremlin         | Rebel Exeda     | Trio               |
| Constitution               | Greystone       | Rebel Sentry    | Tulsa Time         |
| Corgi                      | Guardian 21     | Regenerate      | Turbo              |
| Corona                     | Guardian 41     | Regiment II     | Turbo RZ           |
| Coyote                     | Hemi            | Rembrandt       | Tuxedo             |
| Cumberland                 | Honky Tonk      | Rendition       | Ultimate           |
| Darlington                 | Hot Rod         | Reunion         | Umbrella           |
| DaVinci                    | Hunter          | Rhambler 2 SRP  | Van Gogh           |
| Desire                     | Inferno         | Riverside       | Venture            |
| Diablo                     | Integrity       | RNP             | Watchdog           |
| Dominion                   | Jaguar 3        | Rocket          | Wolfpack II        |

Dynamic  
Dynasty

Jamboree  
Justice

Saltillo  
Scorpion

Xtremegreen

On cut and fill slopes 2:1 or steeper Centipede shall be applied at the rate of 5 pounds per acre and add 20# of Sericea Lespedeza from January 1 - December 31.

Fertilizer shall be 10-20-20 analysis. A different analysis of fertilizer may be used provided the 1-2-2 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as a 10-20-20 analysis and as directed.

### **Native Grass Seeding and Mulching**

**(East)**

Native Grass Seeding and Mulching shall be performed on the disturbed areas of wetlands and riparian areas, and adjacent to Stream Relocation construction within a 50 foot zone on both sides of the stream or depression, measured from top of stream bank or center of depression. The stream bank of the stream relocation shall be seeded by a method that does not alter the typical cross section of the stream bank. Native Grass Seeding and Mulching shall also be performed in the permanent soil reinforcement mat section of preformed scour holes, and in other areas as directed.

The kinds of seed and fertilizer, and the rates of application of seed, fertilizer, and limestone, shall be as stated below. During periods of overlapping dates, the kind of seed to be used shall be determined. All rates are in pounds per acre.

#### **March 1 - August 31**

18# Creeping Red Fescue  
6# Indiangrass  
8# Little Bluestem  
4# Switchgrass  
25# Browntop Millet  
500# Fertilizer  
4000# Limestone

#### **September 1 - February 28**

18# Creeping Red Fescue  
6# Indiangrass  
8# Little Bluestem  
4# Switchgrass  
35# Rye Grain  
500# Fertilizer  
4000# Limestone

#### **Approved Creeping Red Fescue Cultivars:**

Aberdeen

Boreal

Epic

Cindy Lou

Fertilizer shall be 10-20-20 analysis. A different analysis of fertilizer may be used provided the 1-2-2 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as a 10-20-20 analysis and as directed.

Native Grass Seeding and Mulching shall be performed in accordance with Section 1660 of the *Standard Specifications* and vegetative cover sufficient to restrain erosion shall be installed immediately following grade establishment.

### **Measurement and Payment**

Native Grass *Seeding and Mulching* will be measured and paid for in accordance with Article 1660-8 of the *Standard Specifications*.

**TEMPORARY SEEDING:**

Fertilizer shall be the same analysis as specified for *Seeding and Mulching* and applied at the rate of 400 pounds and seeded at the rate of 50 pounds per acre. Sweet Sudan Grass, German Millet or Browntop Millet shall be used in summer months and Rye Grain during the remainder of the year. The Engineer will determine the exact dates for using each kind of seed.

**FERTILIZER TOPDRESSING:**

Fertilizer used for topdressing on all roadway areas except slopes 2:1 and steeper shall be 10-20-20 grade and shall be applied at the rate of 500 pounds per acre. A different analysis of fertilizer may be used provided the 1-2-2 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as 10-20-20 analysis and as directed.

Fertilizer used for topdressing on slopes 2:1 and steeper and waste and borrow areas shall be 16-8-8 grade and shall be applied at the rate of 500 pounds per acre. A different analysis of fertilizer may be used provided the 2-1-1 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as 16-8-8 analysis and as directed.

**SUPPLEMENTAL SEEDING:**

The kinds of seed and proportions shall be the same as specified for *Seeding and Mulching*, with the exception that no centipede seed will be used in the seed mix for supplemental seeding. The rate of application for supplemental seeding may vary from 25# to 75# per acre. The actual rate per acre will be determined prior to the time of topdressing and the Contractor will be notified in writing of the rate per acre, total quantity needed, and areas on which to apply the supplemental seed. Minimum tillage equipment, consisting of a sod seeder shall be used for incorporating seed into the soil as to prevent disturbance of existing vegetation. A clodbuster (ball and chain) may be used where degree of slope prevents the use of a sod seeder.

**MOWING:**

The minimum mowing height on this project shall be 4 inches.

All areas seeded and mulched shall be tacked with asphalt. Crimping of straw in lieu of asphalt tack shall not be allowed on this project.

**CRIMPING STRAW MULCH:**

Crimping shall be required on this project adjacent to any section of roadway where traffic is to be maintained or allowed during construction. In areas within six feet of the edge of pavement, straw is to be applied and then crimped. After the crimping operation is complete, an additional application of straw shall be applied and immediately tacked with a sufficient amount of undiluted emulsified asphalt.

Straw mulch shall be of sufficient length and quality to withstand the crimping operation.

Crimping equipment including power source shall be subject to the approval of the Engineer providing that maximum spacing of crimper blades shall not exceed 8".

### **REFORESTATION:**

#### **Description**

*Reforestation* will be planted within interchanges and along the outside borders of the road, and in other areas as directed. *Reforestation* is not shown on the plan sheets. See the Reforestation Detail Sheet.

All non-maintained riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated with native woody species.

The entire *Reforestation* operation shall comply with the requirements of Section 1670 of the *Standard Specifications*.

#### **Materials**

*Reforestation* shall be bare root seedlings 12"-18" tall.

#### **Construction Methods**

*Reforestation* shall be planted as soon as practical following permanent *Seeding and Mulching*. The seedlings shall be planted in a 16-foot wide swath adjacent to mowing pattern line, or as directed.

Root dip: The roots of reforestation seedlings shall be coated with a slurry of water, and either a fine clay (kaolin) or a superabsorbent that is designated as a bare root dip. The type, mixture ratio, method of application, and the time of application shall be submitted to the Engineer for approval.

With the approval of the Engineer, seedlings may be coated before delivery to the job or at the time of planting, but at no time shall the roots of the seedlings be allowed to dry out. The roots shall be moistened immediately prior to planting.

Seasonal Limitations: *Reforestation* shall be planted from November 15 through March 15.

#### **Measurement and Payment**

*Reforestation* will be measured and paid for in accordance with Article 1670-17 of the *Standard Specifications*.

**ENVIRONMENTALLY SENSITIVE AREAS:****Description**

This project is located in an *Environmentally Sensitive Area*. This designation requires special procedures to be used for clearing and grubbing, temporary stream crossings, and grading operations within the Environmentally Sensitive Areas identified on the plans and as designated by the Engineer. This also requires special procedures to be used for seeding and mulching and staged seeding within the project.

The Environmentally Sensitive Area shall be defined as a 50-foot buffer zone on both sides of the stream or depression measured from top of streambank or center of depression.

**Construction Methods****(A) Clearing and Grubbing**

In areas identified as Environmentally Sensitive Areas, the Contractor may perform clearing operations, but not grubbing operations until immediately prior to beginning grading operations as described in Article 200-1 of the *Standard Specifications*. Only clearing operations (not grubbing) shall be allowed in this buffer zone until immediately prior to beginning grading operations. Erosion control devices shall be installed immediately following the clearing operation.

**(B) Grading**

Once grading operations begin in identified Environmentally Sensitive Areas, work shall progress in a continuous manner until complete. All construction within these areas shall progress in a continuous manner such that each phase is complete and areas are permanently stabilized prior to beginning of next phase. Failure on the part of the Contractor to complete any phase of construction in a continuous manner in Environmentally Sensitive Areas will be just cause for the Engineer to direct the suspension of work in accordance with Article 108-7 of the *Standard Specifications*.

**(C) Temporary Stream Crossings**

Any crossing of streams within the limits of this project shall be accomplished in accordance with the requirements of Subarticle 107-12 of the *Standard Specifications*.

**(D) Seeding and Mulching**

Seeding and mulching shall be performed in accordance with Section 1660 of the *Standard Specifications* and vegetative cover sufficient to restrain erosion shall be installed immediately following grade establishment.

Seeding and mulching shall be performed on the areas disturbed by construction immediately following final grade establishment. No appreciable time shall lapse into the contract time

without stabilization of slopes, ditches and other areas within the Environmentally Sensitive Areas.

(E) Stage Seeding

The work covered by this section shall consist of the establishment of a vegetative cover on cut and fill slopes as grading progresses. Seeding and mulching shall be done in stages on cut and fill slopes that are greater than 20 feet in height measured along the slope, or greater than 2 acres in area. Each stage shall not exceed the limits stated above.

Additional payments will not be made for the requirements of this section, as the cost for this work shall be included in the contract unit prices for the work involved.

**MINIMIZE REMOVAL OF VEGETATION:**

The Contractor shall minimize removal of vegetation within project limits to the maximum extent practicable. Vegetation along stream banks and adjacent to other jurisdictional resources outside the construction limits shall only be removed upon approval of Engineer. No additional payment will be made for this minimization work.

**CONSTRUCTION MATERIALS MANAGEMENT**

(3-19-19) (rev. 04-27-20)

**Description**

The requirements set forth shall be adhered to in order to meet the applicable materials handling requirements of the NCG010000 permit. Structural controls installed to manage construction materials stored or used on site shall be shown on the E&SC Plan. Requirements for handling materials on construction sites shall be as follows:

**Polyacrylamides (PAMS) and Flocculants**

Polyacrylamides (PAMS) and flocculants shall be stored in leak-proof containers that are kept under storm-resistant cover or surrounded by secondary containment structures designed to protect adjacent surface waters. PAMS or other flocculants used shall be selected from the NC DWR List of Approved PAMS/Flocculants. The concentration of PAMS and other flocculants used shall not exceed those specified in the NC DWR List of Approved PAMS/Flocculants and in accordance with the manufacturer's instructions. The NC DWR List of Approved PAMS/Flocculants is available at:

[https://files.nc.gov/ncdeq/Water+Quality/Environmental+Sciences/ATU/PAM8\\_30\\_18.pdf](https://files.nc.gov/ncdeq/Water+Quality/Environmental+Sciences/ATU/PAM8_30_18.pdf)

**Equipment Fluids**

Fuels, lubricants, coolants, and hydraulic fluids, and other petroleum products shall be handled and disposed of in a manner so as not to enter surface or ground waters and in accordance with applicable state and federal regulations. Equipment used on the site must be operated and maintained properly to prevent discharge of fluids. Equipment, vehicle, and other wash waters shall not be discharged into E&SC basins or other E&SC devices. Alternative controls should be provided such that there is no discharge of soaps, solvents, or detergents.

**Waste Materials**

Construction materials and land clearing waste shall be disposed of in accordance with North Carolina General Statutes, Chapter 130A, Article 9 - Solid Waste Management, and rules governing the disposal of solid waste (15A NCAC 13B). Areas dedicated for managing construction material and land clearing waste shall be at least 50 feet away from storm drain inlets and surface waters unless it can be shown that no other alternatives are reasonably available. Paint and other liquid construction material waste shall not be dumped into storm drains. Paint and other liquid construction waste washouts should be located at least 50 away from storm drain inlets unless there is no alternative. Other options are to install lined washouts or use portable, removable bags or bins. Hazardous or toxic waste shall be managed in accordance with the federal Resource Conservation and Recovery Act (RCRA) and NC Hazardous Waste Rules at 15A NCAC, Subchapter 13A. Litter and sanitary waste shall be managed in a manner to prevent it from entering jurisdictional waters and shall be disposed of offsite.

**Herbicide, Pesticide, and Rodenticides**

Herbicide, pesticide, and rodenticides shall be stored and applied in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act, North Carolina Pesticide Law of 1971 and labeling restrictions.

**Concrete Materials**

Concrete materials onsite, including excess concrete, must be controlled and managed to avoid contact with surface waters, wetlands or buffers. No concrete or cement slurry shall be discharged from the site. (Note that discharges from onsite concrete plants require coverage under a separate NPDES permit – NCG140000.) Concrete wash water shall be managed in accordance with the *Concrete Washout Structure* provision. Concrete slurry shall be managed and disposed of in accordance with *NCDOT DGS and HOS DCAR Distribution of Class A Residuals Statewide* (Permit No. WQ0035749). Any hardened concrete residue will be disposed of, or recycled on site, in accordance with state solid waste regulations.

**Earthen Material Stock Piles**

Earthen material stock piles shall be located at least 50 feet away from storm drain inlets and surface waters unless it can be shown that no other alternatives are reasonably available.

**Measurement and Payment**

Conditions set within the *Construction Materials Management* provision are incidental to the project for which no direct compensation will be made.

**WASTE AND BORROW SOURCES:**

(2-16-11) (Rev. 3-17-22)

Payment for temporary erosion control measures, except those made necessary by the Contractor's own negligence or for his own convenience, will be paid for at the appropriate contract unit price for the devices or measures utilized in borrow sources and waste areas.

No additional payment will be made for erosion control devices or permanent seeding and mulching in any commercial borrow or waste pit. All erosion and sediment control practices that may be required on a commercial borrow or waste site will be done at the Contractor's expense.

All offsite Staging Areas, Borrow and Waste sites shall be in accordance with "Borrow and Waste Site Reclamation Procedures for Contracted Projects" located at:

<https://connect.ncdot.gov/resources/roadside/FieldOperationsDocuments/Contract%20Reclamation%20Procedures.pdf>

All forms and documents referenced in the "Borrow and Waste Site Reclamation Procedures for Contracted Projects" shall be included with the reclamation plans for offsite staging areas, and borrow and waste sites.

**SAFETY FENCE AND JURISDICTIONAL FLAGGING:****Description**

*Safety Fence* shall consist of furnishing materials, installing and maintaining polyethylene or polypropylene fence along the outside riparian buffer, wetland, or water boundary, or other boundaries located within the construction corridor to mark the areas that have been approved to infringe within the buffer, wetland, endangered vegetation, culturally sensitive areas or water. The fence shall be installed prior to any land disturbing activities.

Interior boundaries for jurisdictional areas noted above shall be delineated by stakes and highly visible flagging.

Jurisdictional boundaries at staging areas, waste sites, or borrow pits, whether considered outside or interior boundaries shall be delineated by stakes and highly visible flagging.

**Materials****(A) Safety Fencing**

Polyethylene or polypropylene fence shall be a highly visible preconstructed safety fence approved by the Engineer. The fence material shall have an ultraviolet coating.

Either wood posts or steel posts may be used. Wood posts shall be hardwood with a wedge or pencil tip at one end, and shall be at least 5 ft. in length with a minimum nominal 2" x 2" cross section. Steel posts shall be at least 5 ft. in length, and have a minimum weight of 0.85 lb/ft of length.

**(B) Boundary Flagging**

Wooden stakes shall be 4 feet in length with a minimum nominal 3/4" x 1-3/4" cross section. The flagging shall be at least 1" in width. The flagging material shall be vinyl and shall be orange in color and highly visible.

### **Construction Methods**

No additional clearing and grubbing is anticipated for the installation of this fence. The fence shall be erected to conform to the general contour of the ground.

#### **(A) Safety Fencing**

Posts shall be set at a maximum spacing of 10 ft., maintained in a vertical position and hand set or set with a post driver. Posts shall be installed a minimum of 2 ft. into the ground. If hand set, all backfill material shall be thoroughly tamped. Wood posts may be sharpened to a dull point if power driven. Posts damaged by power driving shall be removed and replaced prior to final acceptance. The tops of all wood posts shall be cut at a 30-degree angle. The wood posts may, at the option of the Contractor, be cut at this angle either before or after the posts are erected.

The fence geotextile shall be attached to the wood posts with one 2" galvanized wire staple across each cable or to the steel posts with wire or other acceptable means.

Place construction stakes to establish the location of the safety fence in accordance with Article 105-9 or Article 801-1 of the *Standard Specifications*. No direct pay will be made for the staking of the safety fence. All stakeouts for safety fence shall be considered incidental to the work being paid for as "Construction Surveying", except that where there is no pay item for construction surveying, all safety fence stakeout will be performed by state forces.

The Contractor shall be required to maintain the safety fence in a satisfactory condition for the duration of the project as determined by the Engineer.

#### **(B) Boundary Flagging**

Boundary flagging delineation of interior boundaries shall consist of wooden stakes on 25 feet maximum intervals with highly visible orange flagging attached. Stakes shall be installed a minimum of 6" into the ground. Interior boundaries may be staked on a tangent that runs parallel to buffer but must not encroach on the buffer at any location. Interior boundaries of hand clearing shall be identified with a different colored flagging to distinguish it from mechanized clearing.

Boundary flagging delineation of interior boundaries will be placed in accordance with Article 105-9 or Article 801-1 of the *Standard Specifications*. No direct pay will be made for delineation of the interior boundaries. This delineation will be considered incidental to the work being paid for as *Construction Surveying*, except that where there is no pay item or construction surveying the cost of boundary flagging delineation shall be included in the unit prices bid for the various items in the contract. Installation for delineation of all jurisdictional boundaries at staging areas, waste sites, or borrow pits shall consist of wooden stakes on 25 feet maximum intervals with highly visible orange flagging attached. Stakes shall be installed a minimum of 6" into the ground. Additional flagging

may be placed on overhanging vegetation to enhance visibility but does not substitute for installation of stakes.

Installation of boundary flagging for delineation of all jurisdictional boundaries at staging areas, waste sites, or borrow pits shall be performed in accordance with Subarticle 230-4(B)(5) or Subarticle 802-2(F) of the *Standard Specifications*. No direct pay will be made for this delineation, as the cost of same shall be included in the unit prices bid for the various items in the contract.

The Contractor shall be required to maintain alternative stakes and highly visible flagging in a satisfactory condition for the duration of the project as determined by the Engineer.

### **Measurement and Payment**

*Safety Fence* will be measured and paid as the actual number of linear feet of polyethylene or polypropylene fence installed in place and accepted. Such payment will be full compensation including but not limited to furnishing and installing fence geotextile with necessary posts and post bracing, staples, tie wires, tools, equipment and incidentals necessary to complete this work.

Payment will be made under:

#### **Pay Item**

Safety Fence

#### **Pay Unit**

Linear Foot

### **IMPERVIOUS DIKE:**

(9-9-11)(Rev. 11-15-22)

### **Description**

This work consists of furnishing, installing, maintaining, pumping and removing an *Impervious Dike* for the purpose of diverting normal stream flow around the construction site. The Contractor shall construct an impervious dike in such a manner approved by the Engineer. The impervious dike shall not permit seepage of water into the construction site or contribute to siltation of the stream. The impervious dike shall be constructed of an acceptable material in the locations noted on the plans or as directed by the Engineer.

### **Materials**

Acceptable materials shall include but not be limited to sheet piles, sandbags, and/or the placement of an acceptable size stone lined with polypropylene or other impervious geotextile.

Earth material shall not be used to construct an impervious dike when it is in direct contact with the stream unless vegetation can be established before contact with the stream takes place.

### **Construction Methods**

Where impervious dikes are shown on the plans and used to dewater or lower the water elevation, construct in accordance with Article 410-4 and 410-5.

### **Measurement and Payment**

*Impervious Dike* will be measured and paid as the actual number of linear feet of impervious dike(s) constructed, measured in place from end to end of each separate installation that has been completed and accepted by the Engineer. Such price and payment will be full compensation for all work including but not limited to furnishing materials, construction, maintenance, pumping and removal of the impervious dike.

Payment will be made under:

**Pay Item**

Impervious Dike

**Pay Unit**

Linear Foot

**PUMP AROUND OPERATION:****Description**

The work covered by this section consists of furnishing, installing, maintaining and removing any and all pump around systems used on this project. The Contractor shall install a pump around system in locations as shown in the plans and in other locations approved by the Engineer. The pump around system shall provide a passageway for the stream flow around the work site. See the Example of Pump Around Operation Detail Sheet in the Erosion Control plans.

The quantity of pump around systems may be increased, decreased, or eliminated entirely as directed. Such variations in quantity will not be considered as alterations in the details of construction or a change in the character of the work.

**Materials****Item**

Special Stilling Basin

**Section**

1639

*Impervious Dike* shall meet the specifications as provided elsewhere in this contract.

Pumps shall be of sufficient size to divert the stream flow around the work area, as approved by the Engineer.

**Construction Methods**

Install *impervious dike(s)* as shown on the plans or as directed. Pump water around the work site. If the water is turbid or exposed to bare soil, pump through a *special stilling basin*. Once the work is complete in an area remove the *impervious dike(s)* and pump system, and stabilize the area.

**Measurement and Payment**

*Impervious Dike* will be measured and paid for as provided elsewhere in this contract.

*Special Stilling Basin* will be measured and paid for in accordance with Article 1639-4 of the *Standard Specifications*.

Payment for pumping operations shall be considered incidental to the work of installing pipes, culverts and channels. The pumping operations shall include but not be limited to, diverting the stream flow around the work area and pumping runoff from the work area into a stilling basin, special stilling basin or other sediment control device. No additional payment will be made for furnishing materials or maintenance of the pumping operations for the installation of pipes, culverts and channels.

The above prices and payments will be full compensation for all work covered by this section including, but not limited to furnishing all of the necessary materials, construction, maintenance and removal of the impervious dike and pump around system.

### **CONCRETE WASHOUT:**

(10-22-15)(Rev. 4-15-25)

#### **Description**

Concrete washouts are impermeable enclosures, above or below grade, to contain concrete wastewater and associated concrete mix from cleaning of ready-mix trucks, drums, pumps, tools or other equipment. Concrete washouts must collect and retain all the concrete washout water and solids, so that this material does not migrate to surface waters or into the ground water. These enclosures are not intended for concrete waste not associated with washout operations.

Acceptable concrete washouts may include constructed earthen structures, above or below ground, or commercially available devices designed specifically to capture concrete wash water.

#### **Materials**

Refer to Division 10 of the *Standard Specifications*.

| <b>Item</b>          | <b>Section</b> |
|----------------------|----------------|
| Temporary Silt Fence | 1605           |

*Safety Fence* shall meet the specifications as provided elsewhere in this contract.

Geomembrane basin liner shall consist of a minimum 10 mil thick polypropylene or polyethylene geomembrane.

#### **Construction Methods**

Build an enclosed earthen berm or excavate to form an enclosure in accordance with the details and as directed by the Engineer near the project entrance(s) or at location(s) of concrete operations. Structures shall be constructed a minimum of 50 feet from drainage conveyances or jurisdictional streams or wetlands. Alternate structure designs or plans for management of concrete washout may be submitted for review and approval by the Engineer. Include in the alternate plan the method used to retain, treat and dispose of the concrete washout wastewater generated within the project limits and in accordance with the minimum setback requirements.

Install temporary silt fence around the perimeter of the structure enclosure in accordance with the details and as directed by the Engineer if the structure is not located in an area where existing erosion and sedimentation control devices are capable of containing stormwater runoff.

Post a sign with the words “Concrete Washout” in close proximity of the concrete washout area, so it is clearly visible to site personnel. Install safety fence as directed by the Engineer for visibility to construction traffic.

Install prefabricated concrete washouts, designed specifically to capture concrete wash water, at locations of additional concrete pouring operations. Acceptable systems may include geotextile lined containers, vinyl or plastic containers or roll-off containers, with or without filter bags with a minimum functional holding capacity of 36 cubic feet (1.33 cubic yards). Submit prefabricated concrete washout system for approval by the Engineer prior to installation. Place prefabricated concrete washout devices to a minimum 50 foot setback from drainage conveyances and jurisdictional streams and wetlands. If the minimum setback cannot be achieved, provide secondary containment to prevent accidental release of wastewater from reaching drainage conveyances or streams.

Prefabricated concrete washouts must be clearly and visibly labeled as such, either by the manufacturer on the product itself, or by a sign with the words “Concrete Washout” in close proximity of the concrete washout area so it is clearly visible to site personnel.

### **Maintenance and Removal**

Maintain the concrete washout structure(s) to provide adequate holding capacity plus a minimum freeboard of 12 inches. Remove and dispose of hardened concrete and return the structure to a functional condition after reaching 75% capacity. Inspect concrete washout structures for damage to liner or structure to maintain functionality.

Maintain prefabricated concrete washout systems per manufacturer’s recommendations. Inspect concrete washout structures for damage to linings or structure and repair or replace as necessary.

Remove the concrete washout structures and sign upon project completion. Grade the area to match the existing topography and permanently seed and mulch area. Dispose of prefabricated concrete washout structures according to state or local waste regulations.

### **Measurement and Payment**

*Concrete Washout Structure* will be measured and paid per each enclosure installed in accordance with the details in the plans. If alternate plans or details are approved, those structures will also be paid for per each approved and installed structure. Such price and payment will be full compensation for all work including, but not limited to, furnishing all materials, labor, equipment, signage, slurry solidification and incidentals necessary to construct, maintain and remove *Concrete Washout Structure* and dispose of residual concrete washout wastewater and concrete solids.

*Prefabricated Concrete Washout* will be measured and paid per each system installed in accordance with the manufacturer’s recommendations. Such price and payment will be full compensation for all work including, but not limited to, furnishing all materials, labor, equipment, signage, slurry

solidification and incidentals necessary to install, maintain and remove *Prefabricated Concrete Washout*, and dispose of residual concrete washout wastewater and concrete solids.

*Temporary Silt Fence* will be measured and paid for in accordance with Article 1605-5 of the *Standard Specifications*.

*Safety Fence* shall be measured and paid for as provided elsewhere in this contract.

No measurement will be made for over excavation or stockpiling or other items necessary to complete this work.

Payment will be made under:

| <b>Pay Item</b>                | <b>Pay Unit</b> |
|--------------------------------|-----------------|
| Concrete Washout Structure     | Each            |
| Prefabricated Concrete Washout | Each            |

BP4-R033

ST-1

Halifax County

Project Special Provisions  
Structures

Falsework and Formwork (11-30-23) ..... ST-2

Submittal of Working Drawings (1-31-25) ..... ST-7

Crane Safety (12-05-25) ..... ST-13

Grout for Structures (12-1-17) ..... ST-14

Aluminum Box Culvert (SPECIAL) ..... ST-15

Culvert Excavation (SPECIAL) ..... ST-15



DocuSigned by:  
Marshall G. Cheek, Jr.  
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9/8/2026

BP4-R033

**ST-2**

Halifax County

**FALSEWORK AND FORMWORK****(11-30-23)****GENERAL**

Use this Special Provision as a guide to develop temporary works submittals required by the *Standard Specifications* or other provisions; no additional submittals are required herein. Such temporary works include, but are not limited to, falsework and formwork.

Falsework is any temporary construction used to support the permanent structure until it becomes self-supporting. Formwork is the temporary structure or mold used to retain plastic or fluid concrete in its designated shape until it hardens. Access scaffolding is a temporary structure that functions as a work platform that supports construction personnel, materials, and tools, but is not intended to support the structure. Scaffolding systems that are used to temporarily support permanent structures (as opposed to functioning as work platforms) are considered to be falsework under the definitions given. Shoring is a component of falsework such as horizontal, vertical, or inclined support members. Where the term “temporary works” is used, it includes all of the temporary facilities used in bridge construction that do not become part of the permanent structure.

Design and construct safe and adequate temporary works that will support all loads imposed and provide the necessary rigidity to achieve the lines and grades shown on the plans in the final structure.

**MATERIALS**

Select materials suitable for temporary works; however, select materials that also ensure the safety and quality required by the design assumptions. The Engineer has authority to reject material on the basis of its condition, inappropriate use, safety, or nonconformance with the plans. Clearly identify allowable loads or stresses for all materials or manufactured devices on the plans. Revise the plan and notify the Engineer if any change to materials or material strengths is required.

**DESIGN REQUIREMENTS****(A) Working Drawings**

Provide working drawings for items as specified in the contract, or as required by the Engineer, with design calculations and supporting data in sufficient detail to permit a structural and safety review of the proposed design of the temporary work.

On the drawings, show all information necessary to allow the design of any component to be checked independently as determined by the Engineer.

When concrete placement is involved, include data such as the drawings of proposed sequence, rate of placement, direction of placement, and location of all construction joints.

When required, have the drawings and calculations prepared under the guidance of, and sealed by, a North Carolina Registered Professional Engineer who is knowledgeable in temporary works design.

BP4-R033

**ST-3**

Halifax County

If requested by the Engineer, submit with the working drawings manufacturer's catalog data listing the weight of all construction equipment that will be supported on the temporary work. Show anticipated total settlements and/or deflections of falsework and forms on the working drawings. Include falsework footing settlements, joint take-up, and deflection of beams or girders.

As an option for the Contractor, overhang falsework hangers may be uniformly spaced, at a maximum of 36 inches, provided the following conditions are met:

| Member Type (PCG) | Member Depth, (inches) | Max. Overhang Width, (inches) | Max. Slab Edge Thickness, (inches) | Max. Screed Wheel Weight, (lbs.) | Bracket Min. Vertical Leg Extension, (inches) |
|-------------------|------------------------|-------------------------------|------------------------------------|----------------------------------|-----------------------------------------------|
| II                | 36                     | 39                            | 14                                 | 2000                             | 26                                            |
| III               | 45                     | 42                            | 14                                 | 2000                             | 35                                            |
| IV                | 54                     | 45                            | 14                                 | 2000                             | 44                                            |
| MBT               | 63                     | 51                            | 12                                 | 2000                             | 50                                            |
| MBT               | 72                     | 55                            | 12                                 | 1700                             | 48                                            |

Overhang width is measured from the centerline of the girder to the edge of the deck slab. For Type II, III & IV prestressed concrete girders (PCG), 45-degree cast-in-place half hangers and rods must have a minimum safe working load of 6,000 lbs.

For MBT prestressed concrete girders, 45-degree angle holes for falsework hanger rods shall be cast through the girder top flange and located, measuring along the top of the member, 1'-2 ½" from the edge of the top flange. Hanger hardware and rods must have a minimum safe working load of 6,000 lbs.

For link slabs, the top of girders directly beneath the link slab shall be free of overhang falsework attachments or other hardware. Submit calculations and working drawings for overhang falsework in the link slab region.

The overhang bracket provided for the diagonal leg shall have a minimum safe working load of 3,750 lbs. The vertical leg of the bracket shall extend to the point that the heel bears on the girder bottom flange, no closer than 4 inches from the bottom of the member. However, for 72-inch members, the heel of the bracket shall bear on the web, near the bottom flange transition.

Provide adequate overhang falsework and determine the appropriate adjustments for deck geometry, equipment, casting procedures and casting conditions.

If the optional overhang falsework spacing is used, indicate this on the falsework submittal and advise the girder producer of the proposed details. Failure to notify the Engineer of hanger type and hanger spacing on prestressed concrete girder casting drawings may delay the approval of those drawings.

Falsework hangers that support concentrated loads and are installed at the edge of thin top flange concrete girders (such as bulb tee girders) shall be spaced so as not to exceed 75% of the manufacturer's stated safe working load. Use of dual leg hangers (such as Meadow Burke HF-42 and HF-43) are not allowed on concrete girders with thin top flanges. Design the falsework and forms supporting deck slabs and overhangs on girder bridges so that there will be no differential settlement between the girders and the deck forms during placement of deck concrete.

When staged construction of the bridge deck is required, detail falsework and forms for screed and fluid concrete loads to be independent of any previous deck pour components when the mid-span girder deflection due to deck weight is greater than  $\frac{3}{4}$ ".

Note on the working drawings any anchorages, connectors, inserts, steel sleeves or other such devices used as part of the falsework or formwork that remains in the permanent structure. If the plan notes indicate that the structure contains the necessary corrosion protection required for a Corrosive Site, epoxy coat, galvanize or metalize these devices. Electroplating will not be allowed. Any coating required by the Engineer will be considered incidental to the various pay items requiring temporary works.

Design falsework and formwork requiring submittals in accordance with the current edition of *AASHTO Guide Design Specifications for Bridge Temporary Works* except as noted herein.

#### (1) Wind Loads

Table 2.2 of Article 2.2.5.1 is modified to include wind velocities up to 110 mph. In addition, Table 2.2A is included to provide the maximum wind speeds by county in North Carolina.

**Table 2.2 - Wind Pressure Values**

| Height Zone<br>feet above ground | Pressure, lb/ft <sup>2</sup> for Indicated Wind Velocity, mph |    |    |     |     |
|----------------------------------|---------------------------------------------------------------|----|----|-----|-----|
|                                  | 70                                                            | 80 | 90 | 100 | 110 |
| 0 to 30                          | 15                                                            | 20 | 25 | 30  | 35  |
| 30 to 50                         | 20                                                            | 25 | 30 | 35  | 40  |
| 50 to 100                        | 25                                                            | 30 | 35 | 40  | 45  |
| over 100                         | 30                                                            | 35 | 40 | 45  | 50  |

#### (2) Time of Removal

The following requirements replace those of Article 3.4.8.2.

Do not remove forms until the concrete has attained strengths required in Article 420-16 of the *Standard Specifications* and these Special Provisions.

Do not remove forms until the concrete has sufficient strength to prevent surface damage.

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**Table 2.2A - Steady State Maximum Wind Speeds by Counties in North Carolina**

| COUNTY     | 25 YR<br>(mph) | COUNTY      | 25 YR<br>(mph) | COUNTY       | 25 YR<br>(mph) |
|------------|----------------|-------------|----------------|--------------|----------------|
| Alamance   | 70             | Franklin    | 70             | Pamlico      | 100            |
| Alexander  | 70             | Gaston      | 70             | Pasquotank   | 100            |
| Alleghany  | 70             | Gates       | 90             | Pender       | 100            |
| Anson      | 70             | Graham      | 80             | Perquimans   | 100            |
| Ashe       | 70             | Granville   | 70             | Person       | 70             |
| Avery      | 70             | Greene      | 80             | Pitt         | 90             |
| Beaufort   | 100            | Guilford    | 70             | Polk         | 80             |
| Bertie     | 90             | Halifax     | 80             | Randolph     | 70             |
| Bladen     | 90             | Harnett     | 70             | Richmond     | 70             |
| Brunswick  | 100            | Haywood     | 80             | Robeson      | 80             |
| Buncombe   | 80             | Henderson   | 80             | Rockingham   | 70             |
| Burke      | 70             | Hertford    | 90             | Rowan        | 70             |
| Cabarrus   | 70             | Hoke        | 70             | Rutherford   | 70             |
| Caldwell   | 70             | Hyde        | 110            | Sampson      | 90             |
| Camden     | 100            | Iredell     | 70             | Scotland     | 70             |
| Carteret   | 110            | Jackson     | 80             | Stanley      | 70             |
| Caswell    | 70             | Johnston    | 80             | Stokes       | 70             |
| Catawba    | 70             | Jones       | 100            | Surry        | 70             |
| Cherokee   | 80             | Lee         | 70             | Swain        | 80             |
| Chatham    | 70             | Lenoir      | 90             | Transylvania | 80             |
| Chowan     | 90             | Lincoln     | 70             | Tyrell       | 100            |
| Clay       | 80             | Macon       | 80             | Union        | 70             |
| Cleveland  | 70             | Madison     | 80             | Vance        | 70             |
| Columbus   | 90             | Martin      | 90             | Wake         | 70             |
| Craven     | 100            | McDowell    | 70             | Warren       | 70             |
| Cumberland | 80             | Mecklenburg | 70             | Washington   | 100            |
| Currituck  | 100            | Mitchell    | 70             | Watauga      | 70             |
| Dare       | 110            | Montgomery  | 70             | Wayne        | 80             |
| Davidson   | 70             | Moore       | 70             | Wilkes       | 70             |
| Davie      | 70             | Nash        | 80             | Wilson       | 80             |
| Duplin     | 90             | New Hanover | 100            | Yadkin       | 70             |
| Durham     | 70             | Northampton | 80             | Yancey       | 70             |
| Edgecombe  | 80             | Onslow      | 100            |              |                |
| Forsyth    | 70             | Orange      | 70             |              |                |

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**(B) Review and Approval**

The Engineer is responsible for the review and approval of temporary works' drawings.

Submit the working drawings sufficiently in advance of proposed use to allow for their review, revision (if needed), and approval without delay to the work.

The time period for review of the working drawings does not begin until complete drawings and design calculations, when required, are received by the Engineer.

Do not start construction of any temporary work for which working drawings are required until the drawings have been approved. Such approval does not relieve the Contractor of the responsibility for the accuracy and adequacy of the working drawings.

**CONSTRUCTION REQUIREMENTS**

All requirements of Section 420 of the *Standard Specifications* apply.

Construct temporary works in conformance with the approved working drawings. Ensure that the quality of materials and workmanship employed is consistent with that assumed in the design of the temporary works. Do not weld falsework members to any portion of the permanent structure unless approved. Show any welding to the permanent structure on the approved construction drawings.

Provide tell-tales attached to the forms and extending to the ground, or other means, for accurate measurement of falsework settlement. Make sure that the anticipated compressive settlement and/or deflection of falsework does not exceed 1 inch. For cast-in-place concrete structures, make sure that the calculated deflection of falsework flexural members does not exceed 1/240 of their span regardless of whether or not the deflection is compensated by camber strips.

**(A) Maintenance and Inspection**

Inspect and maintain the temporary work in an acceptable condition throughout the period of its use. Certify that the manufactured devices have been maintained in a condition to allow them to safely carry their rated loads. Clearly mark each piece so that its capacity can be readily determined at the job site.

Perform an in-depth inspection of an applicable portion(s) of the temporary works, in the presence of the Engineer, not more than 24 hours prior to the beginning of each concrete placement. Inspect other temporary works at least once a month to ensure that they are functioning properly. Have a North Carolina Registered Professional Engineer inspect the cofferdams, shoring, sheathing, support of excavation structures, and support systems for load tests prior to loading.

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**(B) Foundations**

Determine the safe bearing capacity of the foundation material on which the supports for temporary works rest. If required by the Engineer, conduct load tests to verify proposed bearing capacity values that are marginal or in other high-risk situations.

The use of the foundation support values shown on the contract plans of the permanent structure is permitted if the foundations are on the same level and on the same soil as those of the permanent structure.

Allow for adequate site drainage or soil protection to prevent soil saturation and washout of the soil supporting the temporary works supports.

If piles are used, the estimation of capacities and later confirmation during construction using standard procedures based on the driving characteristics of the pile is permitted. If preferred, use load tests to confirm the estimated capacities; or, if required by the Engineer conduct load tests to verify bearing capacity values that are marginal or in other high risk situations.

The Engineer reviews and approves the proposed pile and soil bearing capacities.

**REMOVAL**

Unless otherwise permitted, remove and keep all temporary works upon completion of the work. Do not disturb or otherwise damage the finished work.

Remove temporary works in conformance with the contract documents. Remove them in such a manner as to permit the structure to uniformly and gradually take the stresses due to its own weight.

**MEASUREMENT AND PAYMENT**

Unless otherwise specified, *Falsework and Formwork* will not be directly measured.

Payment at the contract unit prices for the various pay items requiring temporary works will be full compensation for the above falsework and formwork.

**SUBMITTAL OF WORKING DRAWINGS****(1-31-25)****GENERAL**

Submit working drawings in accordance with Article 105-2 of the *Standard Specifications* and this Special Provision. For this Special Provision, “submittals” refers to only those listed in this Special Provision. The list of submittals contained herein does not represent a list of required submittals for the project. Submittals are only necessary for those items as required by the contract. Make submittals that are not specifically noted in this provision directly to the Engineer. Either the Structures Management Unit or the Geotechnical Engineering Unit or both units will jointly review submittals.

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If a submittal contains variations from plan details or specifications or significantly affects project cost, field construction or operations, discuss the submittal with and submit all copies to the Engineer. State the reason for the proposed variation in the submittal. To minimize review time, make sure all submittals are complete when initially submitted. Provide a contact name and information with each submittal. Direct any questions regarding submittal requirements to the Engineer, Structures Management Unit contacts or the Geotechnical Engineering Unit contacts noted below.

To facilitate in-plant inspection by NCDOT and approval of working drawings, provide the name, address and telephone number of the facility where fabrication will actually be done if different than shown on the title block of the submitted working drawings. This includes, but is not limited to, precast concrete items, prestressed concrete items and fabricated steel or aluminum items.

### **ADDRESSES AND CONTACTS**

For submittals to the Structures Management Unit, use the following addresses:

Via Email: [SMU-wdr@ncdot.gov](mailto:SMU-wdr@ncdot.gov) (do not cc SMU Working Drawings staff)

Via US mail:

Mr. D. N. Snoke, P. E.  
State Structures Engineer  
North Carolina Department  
of Transportation  
Structures Management Unit  
1581 Mail Service Center  
Raleigh, NC 27699-1581

Attention: Mr. J. L. Bolden, P. E.

Via other delivery service:

Mr. D. N. Snoke, P. E.  
State Structures Engineer  
North Carolina Department  
of Transportation  
Structures Management Unit  
1000 Birch Ridge Drive  
Raleigh, NC 27610

Attention: Mr. J. L. Bolden, P. E.

For submittals to the Geotechnical Engineering Unit, use the following addresses:

For projects in Divisions 1-7 (Eastern Regional Office):

Via Email: [EastGeotechnicalSubmittal@ncdot.gov](mailto:EastGeotechnicalSubmittal@ncdot.gov)

Via US mail:

Mr. Thomas Santee, P. E.  
Assistant State Geotechnical  
Engineer – Eastern Region  
North Carolina Department  
of Transportation  
Geotechnical Engineering Unit  
Eastern Regional Office  
1570 Mail Service Center  
Raleigh, NC 27699-1570

Via other delivery service:

Mr. Thomas Santee, P. E.  
Assistant State Geotechnical  
Engineer – Eastern Region  
North Carolina Department  
of Transportation  
Geotechnical Engineering Unit  
Eastern Regional Office  
3301 Jones Sausage Road, Suite 100  
Garner, NC 27529

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For projects in Divisions 8-14 (Western Regional Office):

Via Email: [WestGeotechnicalSubmittal@ncdot.gov](mailto:WestGeotechnicalSubmittal@ncdot.gov)

Via US mail or other delivery service:

Mr. Eric Williams, P. E.  
Assistant State Geotechnical  
Engineer – Western Region  
North Carolina Department  
of Transportation  
Geotechnical Engineering Unit  
Western Regional Office  
5253 Z Max Boulevard  
Harrisburg, NC 28075

The status of the review of structure-related submittals sent to the Structures Management Unit can be viewed from the Unit’s website, via the “[Drawing Submittal Status](#)” link.

The status of the review of geotechnical-related submittals sent to the Geotechnical Engineering Unit can be viewed from the Unit’s website, via the “[Geotechnical Construction Submittals](#)” link.

Direct any questions concerning submittal review status, review comments or drawing markups to the following contacts:

Primary Structures Contact: James Bolden (919) 707 – 6408  
[jlbolden@ncdot.gov](mailto:jlbolden@ncdot.gov)

Secondary Structures Contacts: Madonna Rorie (919) 707 – 6508  
[mlrorie@ncdot.gov](mailto:mlrorie@ncdot.gov)

Eastern Regional Geotechnical Contact (Divisions 1-7):  
Thomas Santee (984) 920-8901  
[EastGeotechnicalSubmittal@ncdot.gov](mailto:EastGeotechnicalSubmittal@ncdot.gov)

Western Regional Geotechnical Contact (Divisions 8-14):  
Eric Williams (980)258-6400  
[WestGeotechnicalSubmittal@ncdot.gov](mailto:WestGeotechnicalSubmittal@ncdot.gov)

**SUBMITTAL COPIES**

Furnish one complete copy of each submittal, including all attachments, to the Engineer. At the same time, submit a copy of the same complete submittal directly to the Structures Management Unit and/or the Geotechnical Engineering Unit as specified in the tables below.

The first table below covers “Structure Submittals.” The Engineer will receive review comments and drawing markups for these submittals from the Structures Management Unit. The second table

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in this section covers “Geotechnical Submittals.” The Engineer will receive review comments and drawing markups for these submittals from the Geotechnical Engineering Unit.

Unless otherwise required, submit one set of supporting calculations to either the Structures Management Unit or the Geotechnical Engineering Unit unless both units require submittal copies in which case submit a set of supporting calculations to each unit. Provide additional copies of any submittal as directed.

**STRUCTURE SUBMITTALS**

| <b>Submittal</b>                                                       | <b>Submittal<br/>Required by<br/>Structures<br/>Management<br/>Unit?</b> | <b>Submittal<br/>Required by<br/>Geotechnical<br/>Engineering<br/>Unit?</b> | <b>Contract Reference<br/>Requiring Submittal <sup>1</sup></b>                     |
|------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Arch Culvert Falsework                                                 | Y                                                                        | N                                                                           | Plan Note, SN Sheet & “Falsework and Formwork”                                     |
| Box Culvert Falsework <sup>7</sup>                                     | Y                                                                        | N                                                                           | Plan Note, SN Sheet & “Falsework and Formwork”                                     |
| Cofferdams                                                             | Y                                                                        | Y                                                                           | Article 410-4                                                                      |
| Foam Joint Seals <sup>6</sup>                                          | Y                                                                        | N                                                                           | “Foam Joint Seals”                                                                 |
| Expansion Joint Seals<br>(hold down plate type with base angle)        | Y                                                                        | N                                                                           | “Expansion Joint Seals”                                                            |
| Expansion Joint Seals<br>(modular)                                     | Y                                                                        | N                                                                           | “Modular Expansion Joint Seals”                                                    |
| Expansion Joint Seals<br>(strip seals)                                 | Y                                                                        | N                                                                           | “Strip Seal Expansion Joints”                                                      |
| Falsework & Forms <sup>2</sup><br>(substructure)                       | Y                                                                        | N                                                                           | Article 420-3 & “Falsework and Formwork”                                           |
| Falsework & Forms<br>(superstructure)                                  | Y                                                                        | N                                                                           | Article 420-3 & “Falsework and Formwork”                                           |
| Girder Erection over Railroad                                          | Y                                                                        | N                                                                           | Railroad Provisions                                                                |
| Maintenance and Protection of<br>Traffic Beneath Proposed<br>Structure | Y                                                                        | N                                                                           | “Maintenance and Protection of Traffic Beneath Proposed Structure at Station ____” |
| Metal Bridge Railing                                                   | Y                                                                        | N                                                                           | Plan Note                                                                          |

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|                                                                            |   |   |                                                                    |
|----------------------------------------------------------------------------|---|---|--------------------------------------------------------------------|
| Metal Stay-in-Place Forms                                                  | Y | N | Article 420-3                                                      |
| Metalwork for Elastomeric Bearings <sup>4,5</sup>                          | Y | N | Article 1072-8                                                     |
| Miscellaneous Metalwork <sup>4,5</sup>                                     | Y | N | Article 1072-8                                                     |
| Disc Bearings <sup>4</sup>                                                 | Y | N | “Disc Bearings”                                                    |
| Overhead and Digital Message Signs (DMS) (metalwork and foundations)       | Y | N | Applicable Provisions                                              |
| Placement of Equipment on Structures (cranes, etc.)                        | Y | N | Article 420-20                                                     |
| Prestressed Concrete Box Beam (detensioning sequences) <sup>3</sup>        | Y | N | Article 1078-11                                                    |
| Precast Concrete Box Culverts                                              | Y | N | “Optional Precast Reinforced Concrete Box Culvert at Station ____” |
| Prestressed Concrete Cored Slab (detensioning sequences) <sup>3</sup>      | Y | N | Article 1078-11                                                    |
| Prestressed Concrete Deck Panels                                           | Y | N | Article 420-3                                                      |
| Prestressed Concrete Girder (strand elongation and detensioning sequences) | Y | N | Articles 1078-8 and 1078-11                                        |
| Removal of Existing Structure over Railroad                                | Y | N | Railroad Provisions                                                |
| <hr/>                                                                      |   |   |                                                                    |
| Revised Bridge Deck Plans (adaptation to prestressed deck panels)          | Y | N | Article 420-3                                                      |
| Revised Bridge Deck Plans (adaptation to modular expansion joint seals)    | Y | N | “Modular Expansion Joint Seals”                                    |
| Sound Barrier Wall (precast items)                                         | Y | N | Article 1077-2 & “Sound Barrier Wall”                              |
| Sound Barrier Wall Steel Fabrication Plans <sup>5</sup>                    | Y | N | Article 1072-8 & “Sound Barrier Wall”                              |
| Structural Steel <sup>4</sup>                                              | Y | N | Article 1072-8                                                     |

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|                                     |   |   |                                                                                                             |
|-------------------------------------|---|---|-------------------------------------------------------------------------------------------------------------|
| Temporary Detour Structures         | Y | Y | Article 400-3 &<br>“Construction,<br>Maintenance and Removal<br>of Temporary Structure at<br>Station _____” |
| TFE Expansion Bearings <sup>4</sup> | Y | N | Article 1072-8                                                                                              |

**FOOTNOTES**

1. References are provided to help locate the part of the contract where the submittals are required. References in quotes refer to the provision by that name. Articles refer to the *Standard Specifications*.
2. Submittals for these items are necessary only when required by a note on plans.
3. Submittals for these items may not be required. A list of pre-approved sequences is available from the producer or the Materials & Tests Unit.
4. The fabricator may submit these items directly to the Structures Management Unit.
5. The two sets of preliminary submittals required by Article 1072-8 of the *Standard Specifications* are not required for these items.
6. Submittals for Fabrication Drawings are not required. Submittals for Catalogue Cuts of Proposed Material are required. See Section 5.A of the referenced provision.
7. Submittals are necessary only when the top slab thickness is 18” or greater.

**GEOTECHNICAL SUBMITTALS**

| <b>Submittal</b>                                      | <b>Submittals<br/>Required by<br/>Geotechnical<br/>Engineering<br/>Unit</b> | <b>Submittals<br/>Required by<br/>Structures<br/>Management<br/>Unit</b> | <b>Contract Reference<br/>Requiring Submittal <sup>1</sup></b> |
|-------------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------|
| Drilled Pier Construction Plans <sup>2</sup>          | Y                                                                           | N                                                                        | Subarticle 411-3(A)                                            |
| Crosshole Sonic Logging (CSL)<br>Reports <sup>2</sup> | Y                                                                           | N                                                                        | Subarticle 411-5(A)(2)                                         |
| Pile Driving Equipment Data<br>Forms <sup>2,3</sup>   | Y                                                                           | N                                                                        | Subarticle 450-3(D)(2)                                         |
| Pile Driving Analyzer (PDA)<br>Reports <sup>2</sup>   | Y                                                                           | N                                                                        | Subarticle 450-3(F)(3)                                         |

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|                                |                                    |             |                                                         |
|--------------------------------|------------------------------------|-------------|---------------------------------------------------------|
| Retaining Walls <sup>4</sup>   | Y; drawings<br>and<br>calculations | Y; drawings | Applicable Provisions                                   |
| Temporary Shoring <sup>4</sup> | Y; drawings<br>and<br>calculations | Y; drawings | “Temporary Shoring” &<br>“Temporary Soil Nail<br>Walls” |

**FOOTNOTES**

1. References are provided to help locate the part of the contract where the submittals are required. References in quotes refer to the provision by that name. Subarticles refer to the *Standard Specifications*.
2. Submit one hard copy of submittal to the Engineer. Submit a second copy of submittal electronically (PDF via email), US mail or other delivery service to the appropriate Geotechnical Engineering Unit regional office. Electronic submission is preferred.
3. The Pile Driving Equipment Data Form is available from:  
<https://connect.ncdot.gov/projects/construction/ConstManRefDocs/PILE%20DRIVING%20EQUIPMENT%20DATA%20FORM.pdf>  
See second page of form for submittal instructions.
4. Electronic copy of submittal is required. See referenced provision.

**CRANE SAFETY****(12-5-25)****GENERAL**

Comply with the manufacturer specifications and limitations applicable to the operation of any and all cranes and derricks. Prime contractors, sub-contractors, and fully operated rental companies shall comply with the current Occupational Safety and Health Administration (OSHA) regulations.

Submit all items listed below to the Engineer prior to beginning crane operations. Changes in personnel or equipment must be reported to the Engineer and all applicable items listed below must be updated and submitted prior to continuing with crane operations.

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**CRANE SAFETY SUBMITTAL LIST**

**Competent Person:** Provide the name and qualifications of the “Competent Person” responsible for crane safety and lifting operations. The named competent person will have the responsibility and authority to stop any work activity due to safety concerns.

**Riggers:** Provide the qualifications and experience of the persons responsible for rigging operations. Qualifications and experience should include, but not be limited to, weight calculations, center of gravity determinations, selection and inspection of sling and rigging equipment, and safe rigging practices.

**Crane Inspections:** Inspection records for all cranes shall be current and readily accessible for review upon request.

**Certifications:** Crane operators shall be certified by the National Commission for the Certification of Crane Operators (NCCCO) or the National Center for Construction Education and Research (NCCER). Other approved nationally accredited programs will be considered upon request. In addition, crane operators shall have a current CDL medical card. Submit a list of crane operator(s) and include current certification for each type of crane operated (small hydraulic, large hydraulic, small lattice, large lattice) and medical evaluations for each operator.

**MEASUREMENT AND PAYMENT**

No direct payment will be made for providing information, certifications and documentation required for *Crane Safety*.

**GROUT FOR STRUCTURES****(12-1-17)****GENERAL**

This Special Provision addresses grout for use in pile blockouts, grout pockets, shear keys, dowel holes and recesses for structures. This Special Provision does not apply to grout placed in post-tensioning ducts for bridge beams, girders, decks, end bent caps, or bent caps. Mix and place grout in accordance with the manufacturer’s recommendations, the applicable sections of the *Standard Specifications* and this Special Provision.

**MATERIAL REQUIREMENT**

Unless otherwise noted on the plans, use a Type 3 Grout in accordance with Section 1003 of the *Standard Specifications*.

Initial setting time shall not be less than 10 minutes when tested in accordance with ASTM C266.

Construction loading and traffic loading shall not be allowed until the 3-day compressive strength is achieved.

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**SAMPLING AND PLACEMENT**

Place and maintain components in final position until grout placement is complete and accepted. Concrete surfaces to receive grout shall be free of defective concrete, laitance, oil, grease, and other foreign matter. Saturate concrete surfaces with clean water and remove excess water prior to placing grout.

**MEASUREMENT AND PAYMENT**

No separate payment will be made for *Grout for Structures*. The cost of the material, equipment, labor, placement, and any incidentals necessary to complete the work shall be considered incidental to the structure item requiring grout.

**ALUMINUM BOX CULVERT** **(SPECIAL)**

The work covered by this special provision consists furnishing all labor, equipment, materials, and incidentals to install the aluminum box culvert, including aluminum headwalls, toewalls and wingwalls, as indicated on the plans and in accordance with the Standard Specifications and as directed by the Engineer.

Design of the aluminum box culvert shall be the responsibility of the Contractor and shall comply with the latest AASHTO design specifications and requirements. The Contractor shall submit, fourteen (14) days prior to commencing work at the site, two sets of detailed plans and design calculations that have been checked and sealed by a North Carolina Registered Professional Engineer.

Construction loads that exceed highway load limits are not allowed on the structure without approval from the Engineer. Live load traffic is not allowed on the structure until the structure has been backfilled and paved.

Payment shall be made under:

| <b>Pay Item</b>      | <b>Pay Unit</b> |
|----------------------|-----------------|
| Aluminum Box Culvert | Lump Sum        |

**CULVERT EXCAVATION** **(SPECIAL)**

**GENERAL**

Excavate all material necessary for the construction of the Aluminum Box Culvert as shown on the plans or as directed by the Engineer. Excavate, blast, drain and divert water, bail, pump, brace, shore, provide sheeting, cribbing, cofferdams, culvert foundation conditioning, subsurface drainage and drawings; backfill, haul and dispose of materials. The removal of the existing corrugated metal pipe arch culvert shall be incidental to the culvert excavation.

**MATERIAL REQUIREMENT**

Refer to Section 10 of the Standard Specifications.

| Item                          | Section |
|-------------------------------|---------|
| Select Materials              | 1016    |
| Subsurface Drainage Materials | 1044    |

Use Class V or VI select material for foundation conditioning material.

**FOUNDATION EXCAVATION**

Notify the Engineer a sufficient time before beginning the excavation so measurements may be taken of the undisturbed ground. Do not disturb the existing ground at the culvert site without permission by the Engineer.

Where necessary for safety, slope, shore, brace or protect by cofferdams the foundation openings in accordance with State and local safety standards. Perform foundation excavation and related work in such a sequence that no portion of the culvert will be endangered by subsequent operations. Protect completed portions of a culvert from blasting.

Remove and dispose of boulder, vegetative matter and any other objectionable material.

Notify the Engineer after excavation for the aluminum box culvert. Do not place any aluminum box culvert sections until obtaining approval of the excavation depth, the character of the foundation material and permission to proceed.

Take special care not to disturb the bottom of the excavation until immediately before placing foundation conditioning material.

**CONDITIONING CULVERT FOUNDATION**

Excavate below the bottom of the aluminum box culvert to a depth as directed by the Engineer and replace the excavated material with foundation conditioning material.

When the foundation material beneath a portion of the aluminum box culvert is rock or incompressible material and softer material is beneath the remainder of the aluminum box culvert, excavate the rock material within the neat lines of the aluminum box culvert to a depth of 12 inches below the bottom of the aluminum box culvert and backfill with foundation conditioning material.

**UTILIZATION OF EXCAVATED MATERIAL**

Use suitable excavated material in accordance with Article 410-7.

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Halifax County

**BACKFILLING AND FILLING**

As soon as practical after completing the aluminum box culvert, place the backfill and redirect the stream through the culvert. Use approved material for backfill that is free from large or frozen lumps, wood or other undesirable material. Where there is not an adequate quantity of suitable backfill material available from culvert excavation, provide suitable backfill material compensated in accordance with Subarticle 410-10(C).

Eliminate any excavated slope adjacent to backfill areas by stepping or serrating to prevent wedge action.

Place and compact all portions of the backfill that become a part of roadway typical sections or their foundations in accordance with Subarticles 235-3(B) and 235-3(C). Place all other portions of the backfill in layers not more than 10 inches in depth of loose measure and compact to a density comparable to the adjacent undisturbed material. Refill all excavated spaces not filled with permanent work with earth up to ground surface existing before the excavation.

Place backfill or embankment material simultaneously to approximately the same elevation on both sides of the culvert.

**MEASUREMENT AND PAYMENT**

The prices and payments below will be full compensation for all items required to complete culvert excavation including, but not limited to, those items in Article 414-1.

*Foundation Conditioning Material* will be measured and paid in tons of material that is placed within the established limits. The number of tons of material is determined by weighing the material in trucks in accordance with Article 106-7. No deduction will be made for any moisture contained in the material at the time of weighing. Such price and payment will be full compensation for all excavation made below the aluminum box culvert in addition to furnishing, hauling and placing foundation conditioning material.

*Culvert Excavation* will be paid at the contract lump sum price. No measurement for payment will be made for this pay item, and no adjustment in the contract lump sum price will be made unless the size, length, elevation or location of the culvert is revised. If the size, length, elevation or location of the culvert is revised, such revision will be an alteration of plans or details of construction in accordance with Article 104-3.

Where it is necessary to provide backfill material from sources other than excavated areas or borrow sources used in connection with other work in the contract, payment for furnishing and hauling such backfill material will be paid as extra work in accordance with Article 104-7. Placing and compacting such backfill material is not extra work but is incidental to the work being performed.

Payment shall be made under:

BP4-R033

ST-18

Halifax County

**Pay Item**

Box Culvert Excavation, Sta\*\*\*\*\*  
Foundation Conditioning Material, Box Culvert

**Pay Unit**

Lump Sum  
Ton

**PROJECT SPECIAL PROVISION**

(10-18-95) (Rev. 10-15-24)

Z-1

**PERMITS**

The Contractor's attention is directed to the following permits, which have been issued to the Department of Transportation by the authority granting the permit.

| <b><u>PERMIT</u></b>                                  | <b><u>AUTHORITY GRANTING THE PERMIT</u></b>              |
|-------------------------------------------------------|----------------------------------------------------------|
| Dredge and Fill and/or Work in Navigable Waters (404) | U. S. Army Corps of Engineers                            |
| Water Quality (401)                                   | Division of Water Resources, DEQ State of North Carolina |
| Buffer Certification                                  | Division of Water Resources, DEQ State of North Carolina |

The Contractor shall comply with all applicable permit conditions during construction of this project.

Agents of the permitting authority will periodically inspect the project for adherence to the permits.

The Contractor's attention is also directed to Articles 107-10 and 107-13 of the *Standard Specifications* and the following:

Should the Contractor propose to utilize construction methods (such as temporary structures or fill in waters and/or wetlands for haul roads, work platforms, cofferdams, etc.) not specifically identified in the permit (individual, general, or nationwide) authorizing the project it shall be the Contractor's responsibility to coordinate with the Engineer to determine what, if any, additional permit action is required. The Contractor shall also be responsible for initiating the request for the authorization of such construction method by the permitting agency. The request shall be submitted through the Engineer. The Contractor shall not utilize the construction method until it is approved by the permitting agency. The request normally takes approximately 60 days to process; however, no extensions of time or additional compensation will be granted for delays resulting from the Contractor's request for approval of construction methods not specifically identified in the permit.

**Where construction moratoriums are contained in a permit condition which restricts the Contractor's activities to certain times of the year, those moratoriums will apply only to the portions of the work taking place in the restricted waters, wetlands or buffer zones, provided that activities outside those areas is done in such a manner as to not affect the restricted waters, wetlands or buffer zones.**



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT  
WRDA / TRANSPORTATION BRANCH  
3331 HERITAGE TRADE DRIVE, SUITE 105  
WAKE FORES, NORTH CAROLINA 27587

June 23, 2026

Regulatory Division  
SAW-2024-02222

Sent Via email: glwright@ncdot.gov

Garry Wright  
NCDOT  
509 Ward Boulevard  
Wilson, NC 27895

Dear Mr. Wright:

This letter is in response to the Pre-Construction Notification (PCN) you submitted to the Wilmington District, WRDA / Transportation Branch on May 14, 2026, for a Department of the Army Regional General Permit (RGP) verification. This project has been assigned the file number SAW-2024-02222 and is known as NCDOT / BP4.R033 / Culvert 410021 / SR 1210 / Halifax / Div 4. This file number should be referenced in all correspondence concerning this project.

A review of the information provided indicates that the proposed work would include the permanent discharge of fill material into 0.013 acre (56 linear feet) of non-wetland waters (no net loss), the temporary discharge of fill or dredged material into 0.015 acre of wetland waters, and the temporary discharge of fill material into approximately 0.0014 acre (61 linear feet) of non-wetland waters. The project area for this determination is the area which is illustrated on the enclosed site plans/maps. The project/review area is located south of Dickens Store Road and north of Justice Branch Road, at culvert No. 410021 over Martin Swamp on S.R. 1210 (Piney Grove Church Road), at Latitude 36.350500 and Longitude -77.748700; in Littleton, Halifax County, North Carolina.

We have determined that the proposed work is authorized by RGP 50 pursuant to authorities under Section 404 of the Clean Water Act (33 U.S.C § 1344). The proposed work must be accomplished in strict accordance with the general permit conditions, any regional conditions, the special conditions listed in this letter, the application materials, and the enclosed plans. If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised PCN must be submitted to this office for written approval before work is initiated. Any violation of permit conditions or deviation from your submitted plans may subject the permittee to enforcement action.

This verification is valid until **May 25, 2030**, unless prior to this date the subject RGP is suspended, revoked, or is modified such that the activity no longer complies with the

terms and conditions of this RGP. If you commence or are under contract to commence this activity before the date that the relevant RGP is modified or revoked, you will have 12 months from the date of the modification or revocation of the RGP to complete the activity under the present terms and conditions of this RGP.

**Project Specific Special Conditions:**

1. The U.S. Fish and Wildlife Service's (USFWS's) Programmatic Conference Opinion (PCO) titled "NCDOT Program Effects on the Tricolored Bat in Divisions 1-8", dated November 20, 2023, contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that are specified in the PCO. Your authorization under this Corps permit is conditional upon your compliance with all the mandatory terms and conditions associated with incidental take of the PCO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the PCO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its PCO, and with the ESA.

This RGP verification does not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Matthew Martin, Project Manager of the WRDA / Transportation Branch at 984-800-3741, by mail at the above address, or by email at [matthew.k.martin@usace.army.mil](mailto:matthew.k.martin@usace.army.mil). Please take a moment to complete our customer satisfaction survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

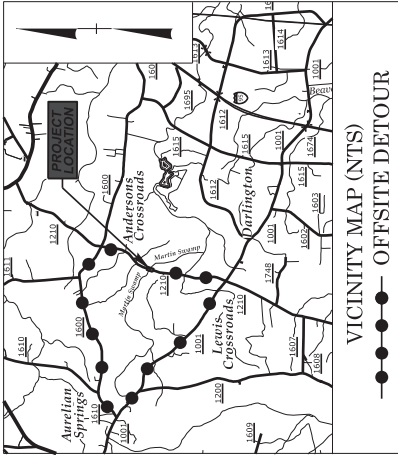
A handwritten signature in black ink that reads "M. Scott Jones". The signature is written in a cursive style with a large, stylized "M" and "J". There are some small red marks above and below the signature.

M. Scott Jones, PWS  
WRDA / Transportation Branch Chief

Enclosures

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                               |                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|--------------------|
| U.S. Army Corps of Engineers (USACE)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                               | Form Approved -    |
| <b>CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                               | OMB No. 0710-0003  |
| For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                               | Expires 2027-10-31 |
| <b>The Agency Disclosure Notice (ADN)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                               |                    |
| The Public reporting burden for this collection of information, 0710-0003, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at <a href="mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil">whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil</a> . Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. |                                                               |                    |
| <b>PURPOSE:</b> This form is used by recipients of U.S. Army Corps of Engineer Regulatory permits to certify compliance with the permit terms and conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                               |                    |
| Your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                               |                    |
| Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the U.S. Army Corps of Engineers, Wilmington District, Regulatory Office.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                               |                    |
| The certification can be submitted by email at <u>Matthew.K.Martin</u> @usace.army.mil or by mail at the below address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                               |                    |
| U.S. Army Corps of Engineers<br>Wilmington District Office<br>Street Address: 2407 West Fifth Street Washington<br>City: Washington      State: North Carolina      Zip Code: 27889                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                               |                    |
| <b>COMPLETED BY THE CORPS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                               |                    |
| Corps Action Number:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SAW-2024-02222                                                |                    |
| Permit Type:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | General Permit                                                |                    |
| General Permit Number and Name (if applicable):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | RGP 50                                                        |                    |
| Name of Permittee:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Garry Wright                                                  |                    |
| Project Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | NCDOT / BP4.R033 / Culvert 410021 / SR 1210 / Halifax / Div 4 |                    |
| Project Location (physical address):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 36.350578, -77.748882                                         |                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Littleton, North Carolina                                     |                    |
| <b>PERMITTEE'S CERTIFICATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                               |                    |
| Date Work Started:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                               |                    |
| Date Work Completed:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                               |                    |
| Enclose photographs showing the completed project (if available).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                               |                    |
| I _____ hereby certify that the work authorized by the above referenced permit has been completed in accordance with all of the permit terms and conditions, and that any required compensatory mitigation has been completed in accordance with the permit conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                               |                    |
| Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Date                                                          | Signature          |

See Sheet 1A For Index of Sheets  
See Sheet 1B For Conventional Plan Sheet Symbols



# STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

## HALIFAX COUNTY

LOCATION: REPLACE BRIDGE NO. 410021 ON  
SR 1210 OVER MARTIN SWAMP

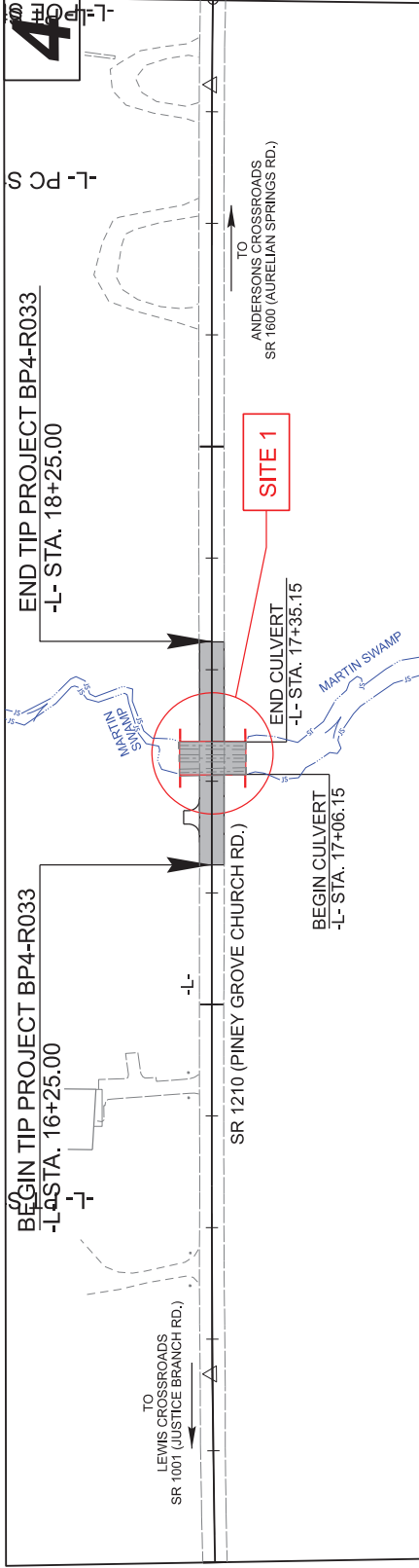
TYPE OF WORK: GRADING, PAVING, DRAINAGE, AND  
STRUCTURE

PERMIT DRAWINGS 05-01-2026

PERMIT DRAWING  
SHEET 1 OF 10

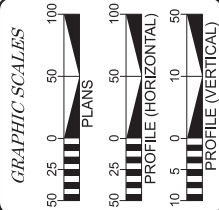


| DATE            | STATE PROJECT REFERENCE NO. | SHEET NO. | TOTAL SHEETS |
|-----------------|-----------------------------|-----------|--------------|
| N.C.            | BP4-R033                    | I         |              |
| DESCRIPTION     |                             |           |              |
| STATE PROJ. NO. | BP4-R033.1                  | PE        |              |
| F. A. PROJ. NO. | BP4-R033.2                  | RW & UTIL |              |
|                 | BP4-R033.3                  | CONST     |              |
|                 |                             |           |              |
|                 |                             |           |              |
|                 |                             |           |              |
|                 |                             |           |              |
|                 |                             |           |              |



CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED



**DESIGN DATA**  
ADT 2027 = 625  
ADT 2047 = 900  
T = 6%  
V = 55 MPH  
FUNC CLASS = LOCAL  
SUBREGIONAL TIER

**PROJECT LENGTH**  
LENGTH OF ROADWAY TIP PROJECT BP4-R033 = 0.033 MILES  
LENGTH OF STRUCTURE TIP PROJECT BP4-R033 = 0.005 MILE  
TOTAL LENGTH OF TIP PROJECT BP4-R033 = 0.038 MILES

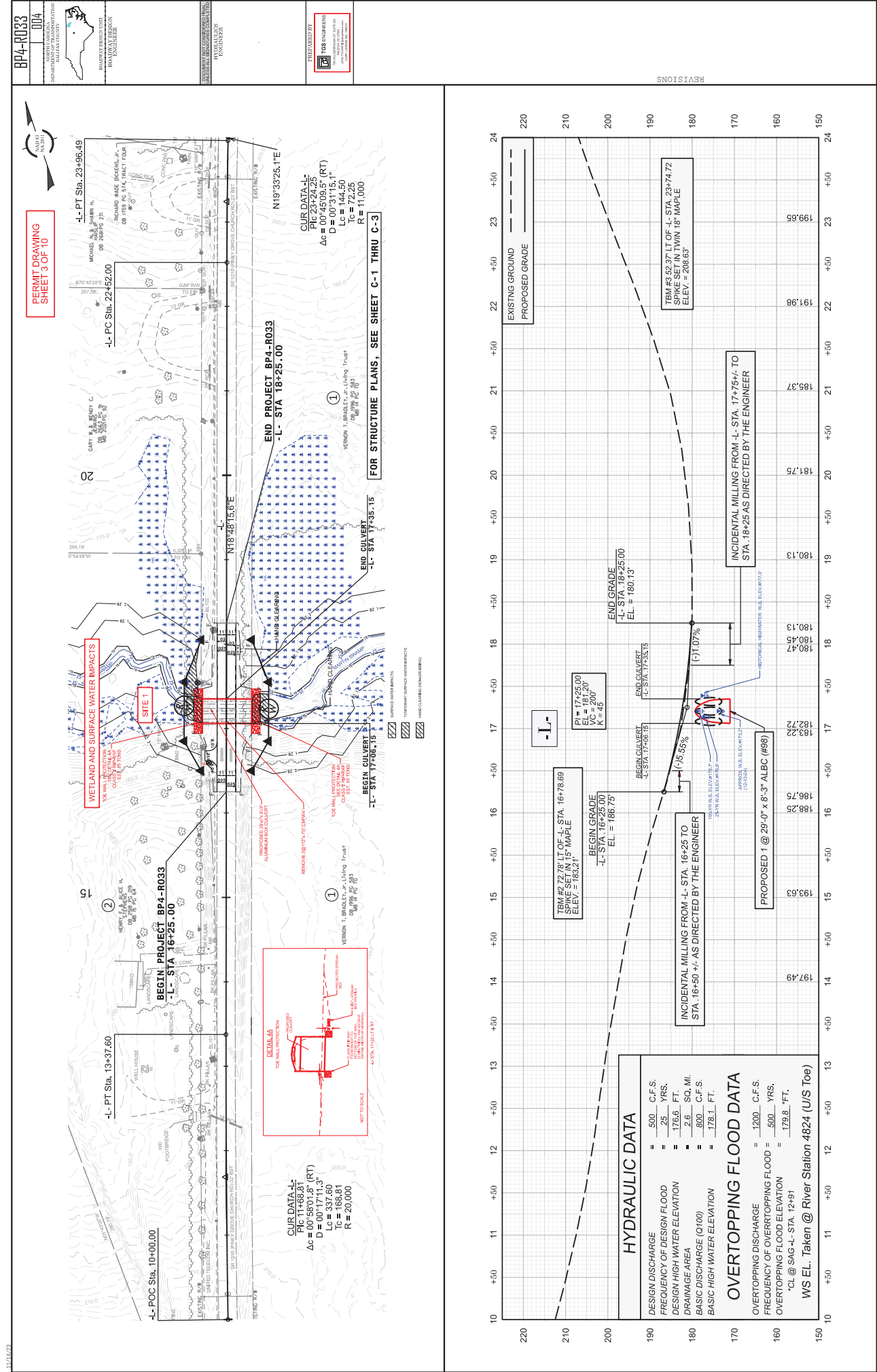
Prepared for NCDOT Division 4 in the Office of  
TCS ENGINEERS  
2024 STANDARD SPECIFICATIONS  
RIGHT OF WAY DATE:  
JANUARY 20, 2026  
LETTING DATE:  
MARCH 29, 2027

BURKE EVANS, PE  
PROJECT ENGINEER  
NATHAN PUERTOLLANO, EI  
PROJECT DESIGN ENGINEER  
RUSSELL BROADWELL, PE  
NCDOT CONTACT

HYDRAULICS ENGINEER  
SIGNATURE  
ROADWAY DESIGN ENGINEER  
SIGNATURE









11/14/23

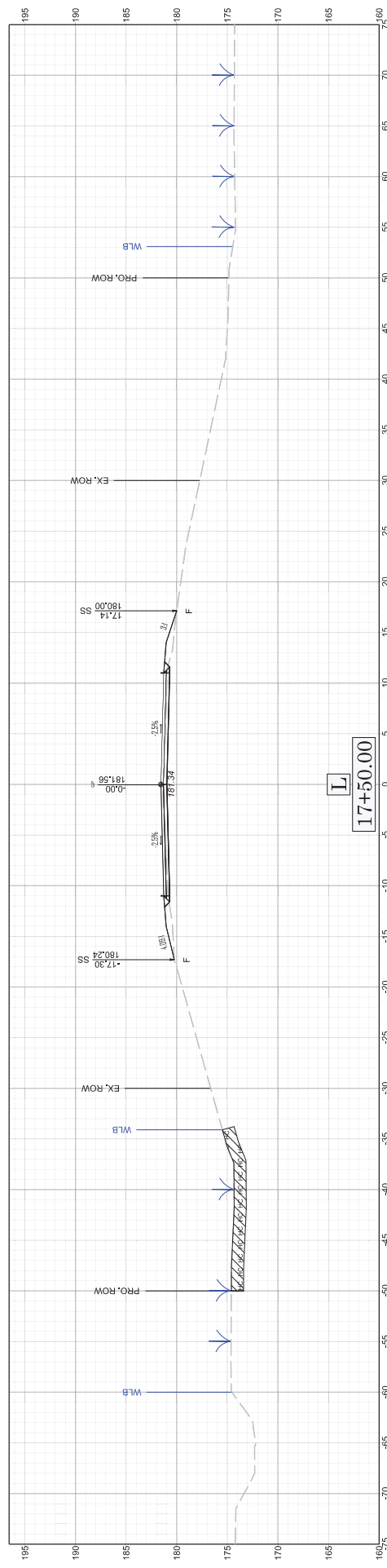
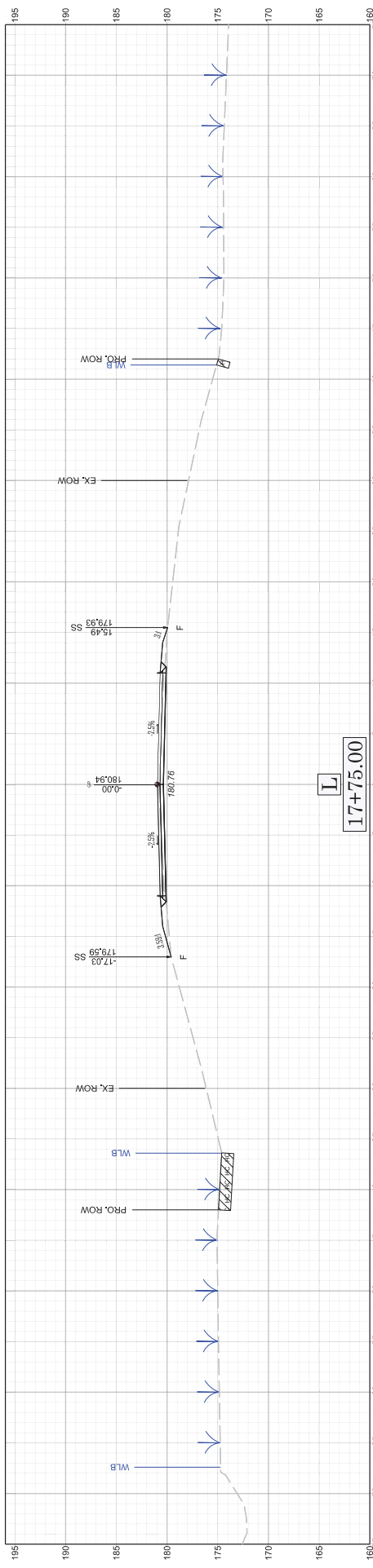
# WETLAND CROSS SECTIONS SITE 1

PERMIT DRAWING  
SHEET 5 OF 10

HAND CLEARING (NON-GRUBBING)



X 05



SSS-USER\NAME-SSS - SSS-DATE-SSS



**DEPARTMENT OF THE ARMY  
Wilmington District, Corps of Engineers  
69 Darlington Avenue  
Wilmington, North Carolina 28403-1343**

**Regional General Permit No. SAW-2019-02350 (RGP 50)**  
**Name of Permittee: North Carolina Department of Transportation**  
**Effective Date: May 26, 2025**  
**Expiration Date: May 25, 2030**

**DEPARTMENT OF THE ARMY  
REGIONAL GENERAL PERMIT**

A regional general permit (RGP) to perform work in or affecting navigable waters of the United States and waters of the United States, upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344), is hereby issued by authority of the Secretary of the Army by the

District Commander  
U.S. Army Engineer District, Wilmington  
Corps of Engineers  
69 Darlington Avenue  
Wilmington, North Carolina 28403-1343

**TO AUTHORIZE THE DISCHARGE OF DREDGED OR FILL MATERIAL IN WATERS OF THE UNITED STATES (U.S.), INCLUDING WETLANDS, ASSOCIATED WITH CERTAIN MAINTENANCE, REPAIR, AND CONSTRUCTION PROJECTS CONDUCTED BY THE VARIOUS DIVISIONS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT), INCLUDING THE NCDOT DIVISION OF HIGHWAYS, RAIL, BICYCLE/PEDESTRIAN, ETC.**

Activities authorized by this RGP:

- a. (1) Road widening, and/or (2) construction, maintenance, replacement, and/or repair of bridges. For bridge projects, work can include the approaches.
- b. (1) Improvement of interchanges or intersections, or (2) construction of interchanges or intersections over, or on, existing roads.

**Full descriptions/terms of “a.” and “b.”:**

**a. (1) Road widening, and/or (2) construction, maintenance, and/or repair of bridges. For bridge projects, work can include the approaches.**

Permanent impacts that result in a loss of waters of the U.S., excluding stream relocation(s), must be less than or equal to 500 linear feet (lf) of stream and/or one (1) acre of wetland/open water for each single and complete linear project.

Single and complete linear project. As noted in 33 CFR 330.2(i), for linear projects, the “single and complete project” (i.e., single and complete crossing) will apply to each crossing of a separate water of the U.S. (i.e., single waterbody) at that location; except that for linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. 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 crossing of such features cannot be considered separately.

This RGP can be used for those projects where a bridge is replaced with a culvert if the U.S. Army Corps of Engineers (Corps) determines that (1) NCDOT has provided sufficient justification for replacing a bridge with a culvert and (2) NCDOT has adequately demonstrated that the bridge to culvert replacement project would have no more than minimal individual and cumulative adverse effects to the aquatic environment. Note that all comments from commenting and/or other permitting agencies would be considered in the Corps’ evaluation of a bridge to culvert project.

Activities authorized under “a.” may include a small amount of new location roadway provided that the Corps determines that NCDOT has sufficiently demonstrated that (1) the new location roadway is necessary for safety, access, or other compelling reasons and (2) the length of the new location roadway is minimal and would not change the nature of the project from a widening or bridge project under “a.” to a new location roadway project.

For road widening or bridge projects - to ensure that the Corps has the necessary information to evaluate proposed impacts and effects to waters of the U.S. for a specific transportation project prior to making a permit decision, NCDOT’s Preconstruction Notification (PCN) for a specific transportation project must include a description of all impacts to waters of the U.S. that would result from (1) the transportation facility itself AND (2) all other impacts to waters of the U.S. that would be caused by, or result from, construction of the transportation facility; this includes impacts to waters of the U.S. from any associated, non-transportation facilities, such as utility infrastructure, driveway relocations, etc. NCDOT shall also detail in the PCN whether or not another entity (i.e., other than NCDOT) will apply for those non-transportation facility impacts to waters of the

U.S. separately. If NCDOT will apply for both the transportation AND non-transportation facility impacts to waters of the U.S. for a specific project (or some but not all of the non-transportation facilities), NCDOT will provide the required information for both the transportation AND the non-transportation facility impacts in the project summary and the impact table sections of the PCN. In those situations where NCDOT applies for and receives authorization to impact waters of the U.S. for both the transportation facility AND the non-transportation facilities for a specific project (or some but not all of the non-transportation facilities), NCDOT will be the responsible party/permittee for all permit-related matters for those impacts to waters of the U.S. to include the responsibility for permit compliance and obtaining any required compensatory mitigation.

Also authorized under “a”: (1) stream relocation(s) and (2) temporary impacts, such as those from temporary structures, fills, dewatering, and other work necessary to conduct the activities listed under “a”. Stream relocation(s) and temporary impacts will be evaluated independently and are not limited to the permanent loss limits of 500 lf of stream and/or 1 acre of wetland/open water (i.e., stream relocations and/or temporary impacts do not factor into these limits) for each single and complete linear project; however, if the Corps determines that the proposed stream relocation(s) and/or temporary impacts are of such magnitude that they cannot be authorized under this section (“a”) of RGP 50, even if the permanent losses from road widening, and/or construction, maintenance, and repair of bridges do not exceed the impact limits for this section (“a”) of RGP 50, an Individual Permit will be required.

If the Corps determines, on a case-by-case basis, that the concerns for the aquatic environment so indicate, he/she may exercise discretionary authority to override this RGP and require an Individual Permit.

**b. (1) Improvement of interchanges or intersections, or (2) construction of interchanges or intersections, over or, on existing roads.**

For activities authorized under “b”, the limits for permanent impacts that result in a loss of waters of the U.S. depend on the location of the impacts, as described below:

- In the coastal plain of North Carolina (both inner coastal plain and outer coastal plain) - permanent impacts that result in a loss of waters of the U.S., excluding stream relocation(s), must be less than or equal to 1,000 lf of stream and/or 3 acres of wetland/open water for the entire interchange or intersection project.
- All other areas of North Carolina - permanent impacts that result in a loss of waters of the U.S., excluding stream relocation(s), must be less than or equal to 1,000 lf of stream and/or 2 acres of wetland/open water for the entire interchange or intersection project.

Coastal plain – See [http://saw-reg.usace.army.mil/JD/LRRs\\_PandT.pdf](http://saw-reg.usace.army.mil/JD/LRRs_PandT.pdf) for Land Resource Areas LRRP (inner coastal plain) and LRRT (outer coastal plain).

When proposed impacts to waters of the U.S. are located both inside AND outside of the coastal plain, the Corps will determine, based on the location(s) of proposed impacts to waters of the U.S., if a project is a “coastal plain project”.

Single and complete project. For permitting purposes, each interchange or intersection is considered to be one single and complete project. For example, an interchange project cannot result in a permanent loss (excluding stream relocation), of (1) greater than 1,000 lf of stream and/or 3 acres of wetland/open water in the coastal plain OR (2) greater than 1,000 lf of stream and/or 2 acres of wetland/open water in all other areas of North Carolina.

Approach fills may be considered to be part of an interchange or intersection project if the Corps determines that inclusion of these areas meet the terms of this section (“b”) of RGP 50. It is understood that approach fills may be on new location. Early coordination with the Corps is encouraged.

Intersections, regardless of the mode of transportation (e.g., railroad, other roadways, etc.), may be at grade or grade separated if the Corps determines that the project would meet the terms of this section (“b”) of RGP 50. Early coordination with the Corps is encouraged.

For interchange or intersection projects - to ensure that the Corps has the necessary information to evaluate proposed impacts and effects to waters of the U.S. for a specific transportation project prior to making a permit decision, NCDOT’s Preconstruction Notification (PCN) for a specific transportation project must include a description of all impacts to waters of the U.S. that would result from (1) the transportation facility itself AND (2) all other impacts to waters of the U.S. that would be caused by, or result from, construction of the transportation facility; this includes impacts to waters of the U.S. from any associated, non-transportation facilities, such as utility infrastructure, driveway relocations, etc. NCDOT shall also detail in the PCN whether or not another entity (i.e., other than NCDOT) will apply for those non-transportation facility impacts to waters of the U.S. separately. If NCDOT will apply for both the transportation AND non-transportation facility impacts to waters of the U.S. for a specific project (or some but not all of the non-transportation facilities), NCDOT will provide the required information for both the transportation AND the non-transportation facility impacts in the project summary and the impact table sections of the PCN. In those situations where NCDOT applies for and receives authorization to impact waters of the U.S. for both the transportation facility AND the non-transportation facilities for a specific project (or some but not all of the non-transportation facilities), NCDOT will be the responsible party/permittee for all permit-related matters for those impacts to waters of the U.S. to include the responsibility for permit compliance and obtaining any required compensatory mitigation.

Also authorized under “b”: (1) stream relocation(s) and (2) temporary impacts, such as those from temporary structures, fills, dewatering, and other work necessary to conduct the activities listed under “b”. Stream relocation(s) and temporary impacts will be evaluated independently and are not limited to the permanent loss limits of (1) 1,000 lf of

stream and/or 3 acres of wetland/open water in the coastal plain OR (2) 1,000 lf of stream and/or 2 acres of wetland/open water in all other areas of North Carolina (i.e., stream relocations and/or temporary impacts do not factor into these limits) for each interchange or intersection project; however, if the Corps determines that the proposed stream relocation(s) and/or temporary impacts are of such magnitude that they cannot be authorized under this section (“b”) of RGP 50, even if the permanent losses from improvement of interchanges or intersections, or construction of interchanges or intersections over, or on, existing roads do not exceed the impact limits for this section (“b”) of RGP 50, an Individual Permit will be required.

If the Corps determines, on a case-by-case basis, that the concerns for the aquatic environment so indicate, he/she may exercise discretionary authority to override this RGP and require an Individual Permit.

## **1. Special Conditions**

a. The prospective permittee must submit a pre-construction notification (PCN) and applicable supporting information to the District Engineer and receive written verification from the Corps that the proposed work complies with this RGP prior to commencing any activity authorized by this RGP.

b. If the project will not impact a designated “Area of Environmental Concern” (AEC) in the twenty\* (20) counties of North Carolina covered by the North Carolina Coastal Area Management Act (CAMA) (“CAMA counties”), a consistency submission is not required. If the project will impact a designated AEC and meets the definition of “development”, the prospective permittee must obtain the required CAMA permit. Development activities shall not commence until a copy of the approved CAMA permit is furnished to the appropriate Corps Regulatory Field Office (Wilmington Field Office – 69 Darlington Avenue, Wilmington, NC 28403 or Washington Field Office – 2407 West 5th Street, Washington, NC 27889).

**\*The 20 CAMA counties in North Carolina include Beaufort, Bertie, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell, and Washington.**

c. No work shall be authorized by this RGP within the 20\* CAMA counties without prior consultation with the National Oceanic and Atmospheric Administration’s (NOAA) Habitat Conservation Division. For each activity reviewed by the Corps where it is determined that the activity may affect Essential Fish Habitat (EFH) for federally managed species, an EFH Assessment shall be prepared by the prospective permittee and forwarded to the Corps and NOAA Fisheries for review and comment prior to authorization of work.

d. Culverts and pipes. The following conditions [(1)-(8)] apply to the construction of culverts/pipes, and work on existing culverts/pipes.

Additionally, if the proposed work would affect an existing culvert/pipe (e.g., culvert/pipe extensions), the prospective permittee must include actions (in the PCN) to correct any existing deficiencies that are located:

- At the inlet and/or outlet of the existing culvert/pipe, IF these deficiencies are/were caused by the existing culvert/pipe, or
- Near the inlet or outlet of the existing culvert/pipe, IF these deficiencies are/were caused by the existing culvert/pipe.

These deficiencies may include, but are not limited to, stream over-widening, bank erosion, streambed scour, perched culvert/pipes, and inadequate water depth in culvert(s). Also note if the proposed work would address the existing deficiency or eliminate it – e.g., bank erosion on left bank, but the culvert extension will be placed in this eroded area. If the prospective permittee is unable to correct the deficiencies caused by the existing culvert/pipe, they must document the reasons in the PCN for Corps consideration.

(1) No activity may result in substantial, permanent disruption of the movement of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area. Measures will be included that will promote the safe passage of fish and other aquatic organisms.

(2) The dimension, pattern, and profile of the stream above and below a culvert/pipe shall not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. It is acceptable to use rock vanes at culvert/pipe outlets to ensure, enhance, or maintain aquatic passage. Pre-formed scour holes are acceptable when designed for velocity reduction. The width, height, and gradient of a proposed opening shall be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. Spring flow will be determined from gauge data, if available. In the absence of such data, bankfull flow will be used as a comparable level.

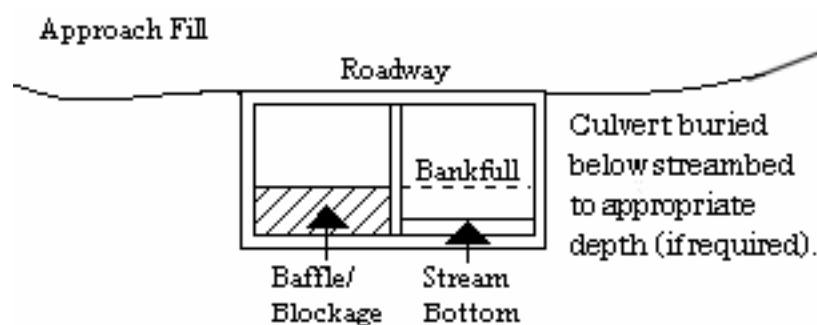
(3) Burial/depth specifications: If the project is located within any of the 20\* CAMA counties, culvert/pipe inverts will be buried at least one foot below normal bed elevation when they are placed within the Public Trust AEC and/or the Estuarine Waters AEC as designated by CAMA. If the project is located outside of the 20\* CAMA counties, culvert/pipe inverts will be buried at least one foot below the bed of the stream for culverts/pipes that are greater than 48 inches in diameter. Culverts/pipes that are 48 inches in diameter or less shall be buried or placed on the stream bed as practicable and appropriate to maintain aquatic passage, to include passage during

drought or low flow conditions. Every effort shall be made to maintain the existing channel slope. A waiver from the burial/depth specifications in this condition may be requested in writing. The prospective permittee is encouraged to request agency input about waiver requests as early as possible, and prior to submitting the PCN for a specific project; this will allow the agencies time to conduct a site visit, if necessary, and will prevent time delays and potential project revisions for the prospective permittee. The waiver will only be issued by the Corps if it can be demonstrated that the impacts of complying with burial requirements would result in more adverse impacts to the aquatic environment.

(4) Appropriate actions to prevent destabilization of the channel and head cutting upstream shall be incorporated in the design and placement of culverts/pipes.

(5) Culverts/pipes placed within riparian and/or riverine wetlands must be installed in a manner that does not restrict the flow and circulation patterns of waters of the U.S. Culverts/pipes placed across wetland fills purely for the purposes of equalizing surface water do not have to be buried but must be of adequate size and/or number to ensure unrestricted transmission of water.

(6) Bankfull flows (or less) shall be accommodated through maintenance of the existing bankfull channel cross sectional area in no more than one culvert/pipe or culvert/pipe barrel. Additional culverts/pipes or barrels at such crossings shall be allowed only to receive flows exceeding the bankfull flow. A waiver from this condition may be requested in writing; this request must be specific as to the reason(s) for the request. The waiver will be issued if it can be demonstrated that it is not practicable to comply with this condition.



(7) Where adjacent floodplain is available, flows exceeding bankfull will be accommodated by installing culverts/pipes at the floodplain elevation. When multiple culverts/pipes are used, baseflow must be maintained at the appropriate width and depth by the construction of floodplain benches, sills, and/or construction methods to ensure that the overflow culvert(s)/pipe(s) is elevated above the baseflow culvert(s)/pipe(s).

(8) The width of the baseflow culvert/pipe shall be comparable to the width of the bankfull width of the stream channel. If the width of the baseflow culvert/pipe is wider than the stream channel, the culvert/pipe shall include baffles, benches and/or sills to maintain the width of the stream channel. A waiver from this condition may be requested in writing; this request must be specific as to the reason(s) for the request. The waiver will be issued if it can be demonstrated that it is not practicable or necessary to include baffles, benches or sills.

See the remaining special conditions for additional information about culverts/pipes in specific areas.

e. Discharges into waters of the U.S. designated by either the North Carolina Division of Marine Fisheries (NCDMF) or the North Carolina Wildlife Resources Commission (NCWRC) as anadromous fish spawning areas are prohibited during the period between February 15th and June 30th, without prior written approval from the Corps and the appropriate wildlife agencies (NCDMF, NCWRC, and/or the National Marine Fisheries Service (NMFS)). Discharges into waters of the U.S. designated by NCWRC as primary nursery areas in inland waters are prohibited during the period between February 15th and September 30th, without prior written approval from the Corps and the appropriate wildlife agencies. Discharges into waters of the U.S. designated by NCDMF as primary nursery areas shall be coordinated with NCDMF prior to being authorized by this RGP. Coordination with NCDMF may result in a required construction moratorium during periods of significant biological productivity or critical life stages.

The prospective permittee should contact:

|                                                                         |                                      |
|-------------------------------------------------------------------------|--------------------------------------|
| <b>NC Division of Marine FisheriesNorth Carolina Wildlife Resources</b> |                                      |
| <b>Commission</b>                                                       |                                      |
| <b>3441 Arendell Street</b>                                             | <b>Habitat Conservation Division</b> |
| <b>Morehead City, NC 28557</b>                                          | <b>1721 Mail Service</b>             |
| <b>Center Telephone 252-726-7021</b>                                    | <b>Raleigh, NC</b>                   |
| <b>27699-1721 or 800-682-2632</b>                                       | <b>Telephone (919) 707-</b>          |
| <b>0220</b>                                                             |                                      |

f. This permit does not authorize the use of culverts in areas designated as anadromous fish spawning areas by the NCDMF or the NCWRC.

g. No in-water work shall be conducted in Waters of the U.S. designated as Atlantic sturgeon critical habitat during the periods between February 1st and June 30th. No in-water work shall be conducted in Waters of the U.S. in the Roanoke River designated as Atlantic sturgeon critical habitat during the periods between February 1st and June 30th, and between August 1st to October 31st, without prior written approval from NMFS.

h. Before discharging dredged or fill material into waters of the U.S. in designated trout watersheds in North Carolina, the PCN will be sent to the NCWRC and the Corps concurrently. See <https://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/Trout.aspx> for the designated trout watersheds. The PCN shall summarize alternatives to conducting work in waters of the U.S. in trout watersheds that were considered during the planning process and detail why alternatives were or were not selected. For proposals where (1) a bridge in a trout stream will be replaced with a culvert, or (2) a culvert will be placed in a trout stream, the PCN must also include a compensatory mitigation plan for all loss of stream bed, and details of any on-site evaluations that were conducted to determine that installation of a culvert will not adversely affect passage of fish or other aquatic biota at the project site. The evaluation information must include factors such as the proposed slope of the culvert and determinations of how the slope will be expected to allow or impede passage, the necessity of baffles and/or sills to ensure passage, design considerations to ensure that expected baseflow will be maintained for passage and that post-construction velocities will not prevent passage, site conditions that will or will not allow proper burial of the culvert, existing structures (e.g., perched culverts, waterfalls, etc.) and/or stream patterns up and downstream of the culvert site that could affect passage and bank stability, and any other considerations regarding passage. The level of detail for this information shall be based on site conditions (i.e., culverts on a slope over 3% will most likely require more information than culverts on a slope that is less than 1%, etc.). Also, in order to evaluate potential impacts, the prospective permittee will describe bedforms that will be impacted by the proposed culvert – e.g., pools, glides, riffles, etc. The NCWRC will respond to both the prospective permittee and the Corps.

i. For all activities authorized by this RGP that involve the use of riprap material for bank stabilization, the following measures shall be applied:

(1) Filter cloth must be placed underneath the riprap as an additional requirement of its use in North Carolina waters; however, the prospective permittee may request a waiver from this requirement. The waiver request must be in writing. The Corps will only issue a waiver if the prospective permittee demonstrates that the impacts of complying with this requirement would result in greater adverse impacts to the aquatic environment. Note that filter fabric is not required if the riprap will be pushed or “keyed” into the bank of the waterbody.

(2) Rip rap shall be placed only on the stream banks, or, if it is necessary to be placed in the stream bed, the finished top elevation of the rip rap shall not exceed that of the original stream bed.

(3) The placement of riprap shall be limited to the areas depicted on submitted work plan drawings.

(4) Riprap shall not be placed in a manner that prevents or impedes fish

passage.

(5) Riprap shall be clean and free from loose dirt or any pollutant except in trace quantities that will not have an adverse environmental effect.

(6) Riprap shall be of a size sufficient to prevent its movement from the authorized alignment by natural forces under normal conditions.

(7) Riprap material shall consist of clean rock or masonry material such as, but not limited to, granite, marl, or broken concrete.

j. Discharges of dredged or fill material into waters of the U.S., including wetlands, must be minimized or avoided to the maximum extent practicable.

k. Generally, off-site detours are preferred to avoid and minimize impacts to the human and natural environment; however, if an off-site detour is considered impracticable, then an on-site detour may be considered as a necessary component of the actions authorized by this RGP. Impacts from the detour may be considered temporary and may not require compensatory mitigation if the impacted area is restored to pre-construction elevations and contours after construction is complete. The permittee shall also restore natural hydrology and stream corridors (if applicable), and reestablish native vegetation/riparian corridors. If the construction of a detour (on-site or off-site) includes standard undercutting methods, removal of all material and backfilling with suitable material is required. See special condition "s" for additional information.

l. All activities authorized by this RGP shall, to the maximum extent practicable, be conducted "in the dry", with barriers installed between work areas and aquatic habitat to protect that habitat from sediment, concrete, and other pollutants. Where concrete is utilized, measures will be taken to prevent live or fresh concrete, including bags of uncured concrete, from coming into contact with waters of the U.S. until the concrete has set and cured. All water in the work area that has been in contact with concrete shall only be returned to waters of the U.S. when it no longer poses a threat to aquatic organisms (concrete is set and cured).

m. In cases where new alignment approaches are to be constructed and the existing approach fill in waters of the U.S. is to be abandoned and no longer maintained as a roadway, the abandoned fill shall be removed and the area will be restored to pre-construction elevations and contours. The permittee shall also restore natural hydrology and stream corridors (if applicable), and reestablish native vegetation/riparian corridors, to the extent practicable. This activity may qualify as compensatory mitigation credit for the project and will be assessed on a case-by-case basis in accordance with Special Conditions "q" and "r" in this document. Any proposed on-site wetland restoration area must be void of utility conflicts and/or utility maintenance areas. A restoration plan detailing this activity will be required with the submittal of the PCN.

n. 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 and storm water management activities, 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).

o. The project must be implemented and/or conducted so that all reasonable and practicable measures to ensure that equipment, structures, fill pads, and work associated with the project do not adversely affect upstream and/or downstream reaches. Adverse effects include, but are not limited to, channel instability, scour, flooding, and/or shoreline/streambank erosion. During construction, the permittee shall routinely monitor for these effects, cease all work if/when detected, take initial corrective measures to correct actively eroding areas, and notify the Corps immediately. Permanent corrective measures may require additional authorization from the Corps.

p. All PCNs will describe sedimentation and erosion control structures and measures proposed for placement in waters of the U.S. To the maximum extent practicable, structures and measures will be depicted on maps, surveys or drawings showing location and impacts to jurisdictional wetlands and streams. In addition, appropriate soil and erosion control measures must be established and maintained during construction. All fills, temporary and permanent, must be adequately stabilized at the earliest practicable date to prevent erosion of fill material into adjacent waters or wetlands.

q. Compensatory mitigation will be required for permanent impacts resulting in a loss of waters of the U.S. due to culvert/pipe installation and other similar activities. Mitigation may be required for stream relocation projects (see Special Condition “r” below). When compensatory mitigation is required, the prospective permittee will attach a proposed mitigation plan to the PCN. Compensatory mitigation proposals will be written in accordance with currently approved Wilmington District guidance and Corps mitigation regulations, unless the purchase of mitigation credits from an approved mitigation bank or the North Carolina Division of Mitigation Services (NCDMS) is proposed to address all compensatory mitigation requirements. The Corps Project Manager will make the final determination concerning the appropriate amount and type of mitigation.

r. Stream Relocations (non-tidal only). Stream relocation is when a stream is moved laterally to a new location to allow a project, or part of a project, to be constructed in the stream's former location. For permitting purposes, stream relocations are considered a loss of waters of the U.S. The new/relocated stream itself may reduce the

amount of compensatory mitigation that is required for a specific stream relocation activity. Depending on the condition and location of (1) the existing stream, and (2) the relocated stream, the relocated stream may provide a functional uplift of overall stream function. The Corps will determine if an uplift is possible based on the information submitted with the PCN. If the anticipated uplift(s) occurs, it may offset, either partially or fully, the loss associated with a stream relocation(s) - i.e., due to the uplift, either no compensatory mitigation would be required for the stream relocation itself, or compensatory mitigation would be required at a reduced ratio.

Because the amount of potential uplift is, in part, dependent upon the condition (or quality) of the channel to be relocated, there is no pre-determined amount of uplift needed to satisfy the requirements for a successful relocation project. After performing the evaluation(s) noted in this document, the prospective permittee will propose a certain amount of uplift potential and the Corps project manager will make the final determination. Baseline conditions and subsequent monitoring must show that the relocated channel is providing/will provide aquatic function at, or above, the level provided by the baseline (pre-project) condition. If the required uplift is not achieved, the work will not be in compliance with this special condition of RGP 50 and remediation will be required through repair (and continued monitoring), or by the permittee providing compensatory mitigation (e.g., mitigation credit through an approved bank, mitigation credit through NCDMS, etc.).

Compensatory mitigation, in addition to the stream relocation activity, may be required if the Corps determines that (a) no uplift in stream function is achievable, (b) the proposed uplift in stream function is not sufficient, by itself, (c) the risks associated with achieving potential uplifts in stream function are excessive, and/or (d) the time period for achieving the potential uplifts/functional success is too great.

On-site compensatory mitigation is not the same as stream relocation. While stream relocation simply moves a stream to a nearby, geographically similar area, it does not generate mitigation credits. If NCDOT proposes to generate compensatory mitigation on a project site, NCDOT must submit a mitigation plan that complies with 33 CFR 332.4.

**The prospective permittee is required to submit the following information for any proposed project that involves stream relocation, regardless of the size/length of the stream relocation** (note that 1-5 below only apply to stream relocations and not to compensatory mitigation):

- (1) A statement detailing why relocating the stream is unavoidable. In order to ensure that this action is separate from a compensatory mitigation project, the need for the fill must be related to road/interchange/intersection construction or improvement, and the project must meet the requirements set forth in the full descriptions/terms of “a” and “b” on pages 2 and 3 of this permit.

- (2) An evaluation of effects on the relocated stream and buffer from utilities, or potential for impact from utility placement in the future.
- (3) An evaluation of the baseline condition of the stream to be relocated. In order to demonstrate a potential uplift, the prospective permittee must provide the baseline (pre-impact) condition of the stream that is proposed for relocation. The prospective permittee will document the baseline condition of the stream by using the Corps' (Wilmington District's) current functional assessment method - e.g., the North Carolina Stream Assessment Method (NCSAM). The functional assessment must be used to identify specific areas where an uplift would reasonably be expected to occur, and also show important baseline functions that will remain after the relocation.
- (4) An evaluation of the potential uplifts to stream function for the relocated channel. The amount of detail required in the plan will be commensurate with the functional capacity of the original stream and proposed uplift(s). Low functional capacity will warrant less monitoring and less detail in the plan in order to ensure that the relocated channel provides the same, or better/increased, suite of aquatic functions as the existing channel.

Note that to either reduce or eliminate the need to provide compensatory mitigation for stream relocation impacts, the bed of the relocated stream should not be hardened or stabilized, to include embedded rip rap; note that grade control structures are acceptable. Additionally, the relocated channel should have similar or better pattern, profile, and dimension than the existing channel. Finally, the banks of the relocated channel should not be hardened, although limited stabilization may be acceptable if NCDOT adequately demonstrates why this is necessary.

- (5) A proposed monitoring plan for the relocated channel (and buffer, if applicable), will be prepared in accordance with current District guidance. The level of detail needed in the plan will be directly related to the quality of baseline functions and the anticipated uplift, therefore it is recommended that a pre-application discussion occur with the Corps Project Manager as early as possible. For example, if the risk for achieving the anticipated functional uplift is moderate or low, or if there is a low amount of proposed uplift, less information and monitoring will be required in the proposed relocation plan; similar to the requirements found in the "2003 Stream Mitigation Guidelines". If the risk for uplift is higher, or if there is a high amount of proposed uplift, additional monitoring and information will be required, trending toward the prescriptions found in the most recent Wilmington District Compensatory Mitigation Guidance – e.g., the 2016 Wilmington District Stream and Wetland Compensatory Mitigation Update. All monitoring will be for at least 5 years unless the Corps project manager determines that (a) a specific project requires less than 5 years

due to site conditions or limited risk/uplift potential, and/or complexity (or simplicity) of the existing channel and/or the relocation work, or (b) the Corps project manager determines (during the monitoring period) that the 5 years of monitoring may be reduced (or that no further monitoring is required) based on monitoring information received once the stream relocation has been completed.

s. Upon completion of any work authorized by this RGP, all temporary fills (to include culverts, pipes, causeways, etc.) will be completely removed from waters of the U.S. and the areas will be restored to pre-construction elevations and contours. The permittee shall also restore natural hydrology and stream corridors (if applicable) and reestablish native vegetation/riparian corridors. This work will be completed within 60 days of completion of project construction. If this timeframe occurs while a required moratorium of this permit is in effect, the temporary fill shall be removed in its entirety within 60 days of the moratorium end date. If vegetation cannot be planted due to the time of the year, all disturbed areas will be seeded with a native mix appropriate for the impacted area, and vegetation will be planted during the next appropriate time frame. A native seed mix may contain non-invasive small grain annuals (e.g. millet and rye grain) to ensure adequate cover while native vegetation becomes established. The PCN must include a restoration plan showing how all temporary fills and structures will be removed and how the area will be restored to pre-project elevations and contours.

t. Borrow and Waste Activities. For those projects that involve borrow and/or waste activities (note that if the borrow or waste area is also used for purposes/clients other than NCDOT, this condition will not apply to an NCDOT project) - To ensure that all borrow and waste activities occur on high ground and do not result in the degradation of adjacent waters and wetlands, except as authorized by the RGP verification letter issued for a specific project, the permittee shall require its contractors and/or agents to identify all areas to be used as borrow and/or waste sites associated with an authorized project. The permittee shall provide the Corps with appropriate maps indicating the locations of proposed borrow and/or waste sites as soon as such information is available. The permittee shall submit to the Corps site-specific information needed to ensure that borrow and/or waste sites comply with all applicable Federal requirements, to include compliance with the Endangered Species Act and the National Historic Preservation Act, such as surveys or correspondence with agencies (e.g., the USFWS, the NC HPO, etc.). The required information shall also include the location of all aquatic features, if any, out to a distance of 400 feet beyond the nearest boundary of the site. The permittee shall not approve any borrow and/or waste sites before receiving written confirmation from the Corps that the proposed site meets all Federal requirements, whether or not waters of the U.S., including wetlands, are located in the proposed borrow and/or waste site. All delineations of aquatic sites on borrow and/or waste sites shall be verified by the Corps and shown on the approved reclamation plans. The permittee shall ensure that all borrow and/or waste sites comply with the following: Except as authorized by this permit or any

Corps approved modification to this permit, no excavation, fill, or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, within waters or wetlands, or shall any activities take place that cause the degradation of waters or wetlands. There shall be no excavation from, waste disposal into, or degradation of, jurisdictional wetlands or waters associated with this permit without appropriate modification of this permit, including appropriate compensatory mitigation. This prohibition applies to all borrow and waste activities connected with this project. Additionally, the permittee shall produce and maintain documentation of all borrow and waste sites associated with this project. This documentation will include data regarding soils, vegetation, hydrology, any delineation(s) of aquatic sites, and any jurisdictional determinations made by the Corps. All information will be available to the Corps upon request. The permittee shall require its contractors to complete and execute reclamation plans for each borrow and/or waste site and provide written documentation that the reclamation plans have been implemented and all work is completed. This documentation will be provided to the Corps within 30 days of the completion of the reclamation work.

u. Once the authorized work in waters of the U.S. is complete, the permittee shall sign and return the compliance certificate that is attached to the RGP verification letter.

v. The District Engineer will consider any comments from Federal and/or State agencies concerning the proposed activity's compliance with the terms and conditions of this RGP.

w. The Corps may place additional special conditions, limitations, or restrictions on any verification of the use of RGP 50 on a project-by-project basis.

## **2. General Conditions**

a. The permittee shall ensure that the construction design plans do not deviate from the permit plans referenced in the RGP verification letter issued for a specific project. Any modification to the permit plans referenced in the RGP verification letter for a specific project must be approved by the Corps prior to any active construction in waters or wetlands.

b. Except as authorized by an RGP verification letter issued for a specific project and the supporting plans referenced in that verification letter, or any Corps approved modification to an RGP verification letter for a specific project, no excavation, fill or mechanized land-clearing activities shall take place within waters or wetlands, at any time during construction or maintenance of the project. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area. This prohibition applies to all borrow and fill activities connected with the project.

c. The permittee shall require its contractors and/or agents to comply with (1) the terms and conditions of this permit and (2) all conditions in the RGP verification letter for that project. The permittee shall provide each of its contractors and/or agents associated with the construction or maintenance of a specific project with a copy of this permit and the RGP verification letter. A copy of this permit and the RGP verification letter, including all conditions, drawings/plans and attachments shall be available at the project site during the construction and maintenance of any project authorized by an RGP verification letter.

d. During the clearing phase of the project, heavy equipment shall not be operated in surface waters or stream channels. Temporary stream crossings will be used to access the opposite sides of stream channels. All temporary diversion channels and stream crossings will be constructed of non-erodible materials. Grubbing of riparian vegetation will not occur until immediately before construction begins on a given segment of stream channel.

e. All mechanized equipment shall be regularly inspected and maintained to prevent contamination of waters and wetlands from fuels, lubricants, hydraulic fluids, or other toxic materials. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the N.C. Division of Water Resources at (919) 733-3300 or (800) 858-0368 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act shall be followed.

f. Authorization under this RGP does not obviate the need to obtain other federal, state, or local authorizations.

g. All work authorized by this RGP must comply with the terms and conditions of the applicable CWA Section 401 Water Quality Certification for this RGP issued by the North Carolina Division of Water Resources (NCDWR).

h. The permittee shall employ all sedimentation and erosion control measures necessary to prevent an increase in sedimentation or turbidity within waters and wetlands outside of the permit area. This shall include, but is not limited to, the immediate installation of silt fencing or similar appropriate devices around all areas subject to soil disturbance or the movement of earthen fill, and the immediate stabilization of all disturbed areas. Additionally, the project must remain in full compliance with all aspects of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statutes Chapter 113A Article 4).

i. The permittee shall remove all sediment and erosion control measures placed in waters and/or wetlands, and shall restore natural grades on those areas, prior to project completion.

j. The activities authorized by this RGP must not interfere with the public's right to free navigation on all navigable waters of the U.S. No attempt will be made by the

permittee to prevent the full and free use by the public of all navigable waters at, or adjacent to, the authorized work for a reason other than safety.

k. The permittee understands and agrees that if future operations by the U.S. 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, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

l. The permittee, upon receipt of a notice of revocation of this RGP for the verified individual activity, may apply for an individual permit, or will, without expense to the U.S. and in such time and manner as the Secretary of the Army or his/her authorized representative may direct, restore the affected water of the U.S. to its former conditions.

m. This RGP does not authorize any activity that would conflict with a federal project's congressionally authorized purposes, established limitations or restrictions, or limit an agency's ability to conduct necessary operation and maintenance functions. Per Section 14 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. 408), no project that has the potential to take possession of or make use of for any purpose, or build upon, alter, deface, destroy, move, injure, or obstruct a federally constructed work or project, including, but not limited to, levees, dams, jetties, navigation channels, borrow areas, dredged material disposal sites, flood control projects, etc., shall be permitted unless the project has been reviewed and approved by the appropriate Corps approval authority. Permittees shall not begin the activity authorized by this RGP until notified by the Corps that the activity may proceed.

n. The permittee shall obtain a Consent to Cross Government Easement from the appropriate Corps District's Land Use Coordinator prior to any crossing of a Corps easement and/or prior to commencing construction of any structures, authorized dredging, or other work within the right-of-way of, or in proximity to, a federally designated disposal area.

o. Federal Navigation Channel Setbacks. Authorized structures and fills located in or adjacent to Federally authorized waterways must be constructed in accordance with the latest setback criteria established by the Wilmington District Engineer. You may review the setback policy at <http://www.saw.usace.army.mil/Missions/Navigation/Setbacks.aspx>. This RGP permit does not authorize the construction of hardened or permanently fixed structures within the Federally Authorized Channel Setback, unless the activity is approved by the Corps.

p. The permittee will allow the Wilmington District Engineer or his/her representative to inspect the authorized activity at any time deemed necessary to ensure that the activity is being performed or maintained in strict accordance with the Special and General Conditions of this permit.

q. This RGP does not grant any property rights or exclusive privileges.

r. This RGP does not authorize any injury to the property or rights of others.

s. This RGP does not authorize the interference with any existing or proposed federal project.

t. In issuing this permit, the Federal Government does not assume any liability for the following:

(1) Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

(2) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the U.S. in the public interest.

(3) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

(4) Design or construction deficiencies associated with the permitted work.

(5) Damage claims associated with any future modification, suspension, or revocation of this permit.

u. Authorization provided by this RGP may be modified, suspended or revoked in whole, or in part, if the Wilmington District Engineer, acting for the Secretary of the Army, determines that such action would be in the best public interest. The term of this RGP shall be five (5) years unless subject to modification, suspension, or revocation. Any modification, suspension, or revocation of this authorization will not be the basis for any claim for damages against the U.S. Government.

v. No activity may occur in a component of the National Wild and Scenic Rivers 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 designation

or study status. 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, etc.).

w. Endangered Species

(1) No activity is authorized under this RGP 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 this RGP which “may affect” a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(2) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal prospective permittees (and when FHWA is the lead federal agency) must provide the District Engineer with the appropriate documentation to demonstrate compliance with those requirements. The District Engineer will review the documentation and determine whether it is sufficient to address ESA compliance for the RGP activity, or whether additional ESA consultation is necessary.

(3) Non-federal prospective permittees - for activities that might affect federally listed endangered or threatened species or designated critical habitat, the PCN must include the name(s) of the endangered or threatened species that might be affected by the proposed work or that utilize the designated critical habitat that might be affected by the proposed work. The District Engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat. In cases where the non-federal prospective permittee 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 prospective permittee shall not begin work until the Corps has provided notification that the proposed activities will have “no effect” on listed species or critical habitat, or until Section 7 consultation has been completed.

(4) As a result of formal or informal consultation with the U.S. Fish and Wildlife Service (USFWS) or NMFS, the District Engineer may add species-specific endangered species conditions to the RGP verification letter for a project.

(5) Authorization of an activity by a RGP 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 USFWS or the NMFS, the ESA prohibits any person subject to the jurisdiction of the U.S. 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.

(6) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS in North Carolina at the addresses provided below, or from the USFWS and NMFS via their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.noaa.gov/fisheries.html> respectively.

USFWS offices in North Carolina:

The Asheville USFWS Office covers all NC counties west of, and including, Anson, Stanly, Davidson, Forsyth and Stokes Counties.

US Fish and Wildlife Service  
Asheville Field Office  
160 Zillicoa Street  
Asheville, NC 28801  
Telephone: (828) 258-3939

The Raleigh USFWS Office covers all NC counties east of, and including, Richmond, Montgomery, Randolph, Guilford, and Rockingham Counties.

US Fish and Wildlife Service  
Raleigh Field Office  
Post Office Box 33726  
Raleigh, NC 27636-3726  
Telephone: (919) 856-4520

x. The Wilmington District, USFWS, NCDOT, and the FHWA have conducted programmatic Section 7(a)(2) consultation for a number of federally listed species and habitat, and programmatic consultation concerning other federally listed species and/or habitat may occur in the future. The result of completed programmatic consultation is a Programmatic Biological Opinion (PBO) issued by the USFWS. These PBOs contain mandatory terms and conditions to implement the reasonable and prudent measures that are associated with “incidental take” of whichever species or critical habitat is covered by a specific PBO. Authorization under RGP 50 is conditional upon the permittee’s compliance with all the mandatory terms and conditions associated with incidental take of the applicable PBO (or PBOs), which are incorporated by reference in RGP 50. Failure to comply with the terms and conditions associated with incidental take of an applicable PBO, where a take of the federally listed species occurs, would constitute an unauthorized take by the permittee, and would also constitute permittee non-compliance with the authorization under RGP 50. If the terms and conditions of a specific PBO (or PBOs)

apply to a project, the Corps will include this/these requirements in any RGP 50 verification that may be issued for a project. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its PBO, and with the ESA.

y. For proposed activities the sixteen (16) counties listed below, prospective permittees must provide a copy of the PCN to the USFWS, 160 Zillicoa Street, Asheville, North Carolina 28801. This PCN must be sent concurrently to the USFWS and the Corps Project Manager for that specific county.

The 16 counties with tributaries that drain to designated critical habitat that require notification to the Asheville USFWS are: Avery, Cherokee, Forsyth, Graham, Haywood, Henderson, Jackson, Macon Mecklenburg, Mitchell, Stokes, Surry, Swain, Transylvania, Union and Yancey.

z. If the permittee discovers or observes any live, damaged, injured or dead individual of an endangered or threatened species during construction, the permittee shall immediately notify the Wilmington District Engineer so that required coordination can be initiated with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service.

aa. Historic Properties.

(1) 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 (NRHP), the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(2) Federal prospective permittees (or when FHWA is the lead federal agency) should follow their own procedures for complying with the requirements of Section 106 of the NHPA. Federal prospective permittees must provide the District Engineer with the appropriate documentation to demonstrate compliance with those requirements; this includes copies of correspondence sent to all interested, federally recognized tribes and a summary statement about tribal consultation efforts or, if the Corps enters into a Programmatic Agreement (PA) with the FHWA/NCDOT, documentation that the FHWA/NCDOT has complied with PA requirements. The District Engineer will review the documentation and determine whether it is sufficient to address Section 106 compliance for this RGP activity, or whether additional Section 106 consultation is necessary.

(3) Non-federal prospective permittees - the PCN must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation

Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO), as appropriate, and the NRHP (see 33 CFR 330.4(g)). When reviewing PCNs, the District Engineer will comply with the current procedures for addressing the requirements of Section 106 of the NHPA. 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 and these efforts, the District Engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties.

(4) Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR §800.3(a)).

(5) Section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to a prospective permittee 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 will 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 prospective permittee. 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 prospective permittee, 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.

bb. If you discover any previously unknown historic, cultural, or archeological remains and/or artifacts while accomplishing the activity authorized by this general 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/or artifacts until the required coordination has been completed. The District Engineer will initiate the Federal, Tribal, and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

cc. Permittees are advised that development activities in or near a floodway may be subject to the National Flood Insurance Program that prohibits any development, including fill, within a floodway that results in any increase in base flood elevations. This general permit does not authorize any activity prohibited by the National Flood Insurance Program.

dd. The permittee must install and maintain, at his/her expense, any signal lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on authorized facilities. For further information, the permittee should contact Coast Guard Sector North Carolina at (910) 772-2191 or email Coast Guard Fifth District at [cgd5waterways@uscg.mil](mailto:cgd5waterways@uscg.mil).

ee. The permittee must maintain any structure or work authorized by this general permit in good condition and in conformance with the terms and conditions of this general permit. The permittee is not relieved of this requirement if the permittee abandons the structure or work. Transfer in fee simple of the work authorized by this general permit will automatically transfer this general permit to the property's new owner, with all of the rights and responsibilities enumerated herein. The permittee must inform any subsequent owner of all activities undertaken under the authority of this general permit and provide the subsequent owner with a copy of the terms and conditions of this general permit.

ff. At his or her sole discretion, any time during the processing cycle, the Wilmington District Engineer may determine that this general permit will not be applicable to a specific proposal. In such case, the procedures for processing an individual permit in accordance with 33 CFR 325 will be available.

gg. Except as authorized by this general permit or any Corps approved modification to this general permit, all fill material placed in waters or wetlands shall be generated from an upland source and will be clean and free of any pollutants except in trace quantities. Metal products, organic materials (including debris from land clearing activities), or unsightly debris will not be used.

hh. Except as authorized by this general permit or any Corps approved modification to this general permit, all excavated material will be disposed of in approved upland disposal areas.

ii. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon this general permit will remain authorized provided the activity is completed within twelve months of the date of the general permit's expiration, modification, or revocation. Activities completed under the authorization of this general permit that were in effect at the time the activity was completed continue to be authorized by the general permit.

jj. The permittee is responsible for obtaining any "take" permits required under the USFWS's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the USFWS to determine if such "take" permits are required for a particular activity.

kk. The activity must comply with applicable FEMA approved state or local floodplain management requirements.

ll. There will be no unreasonable interference with navigation or the right of the public to riparian access by the existence or use of activities authorized by this RGP.

mm. Unless authorization to fill those specific wetlands or mudflats has been issued by the Corps, heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

nn. This RGP will not be applicable to proposed construction when the Wilmington District Engineer determines that the proposed activity will significantly affect the quality of the human environment and determines that an EIS must be prepared.

oo. Violation of these permit conditions or violation of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act shall be reported to the Corps in writing and by telephone within 24 hours of the permittee's discovery of the violation. Corps contact information for a specific project can be found at the bottom of the RGP verification letter for that project.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

FOR THE DISTRICT COMMANDER:

A handwritten signature in black ink, appearing to read 'K. Porter', is positioned above the printed name.

KENNETH M. PORTER  
LTC, EN  
Acting Commander

**JOSH STEIN**  
Governor

**D. REID WILSON**  
Secretary

**RICHARD E. ROGERS, JR.**  
Director



June 19, 2026

DWR # 20260634  
Halifax County

Matt Clarke, PE, Division Engineer  
NCDOT Division 4  
PO Box 3165  
Wilson, NC 27895  
wmclarke@ncdot.gov

**Subject: Approval of Individual 401 Water Quality Certification**

NCDOT Project: BP4.R033.1: Culvert 410021 on SR 1210  
USACE Action ID. No. SAW-2024-02222  
Location: Lat 36.350578, Long -77.748882

Dear Mr. Clarke:

Attached hereto is a copy of Water Quality Certification No. 8987 issued to the North Carolina Department of Transportation, Division 4, dated June 19, 2026. This approval is for the purpose and design described in your application.

This Water Quality Certification does not relieve the recipient of the certificate (or the Permittee) of the responsibility to obtain all other required federal, state, or local approvals before proceeding with the project, including those required by, but not limited to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, and Trout Buffer regulations.

Upon the presentation of proper credentials, the Division of Water Resources (Division or DWR) may inspect the property.

This Water Quality Certification shall expire on the same day as the expiration date of the corresponding Section 404 Permit that is current at the time this Certification is issued. The conditions shall remain in effect for the life of the project, regardless of the expiration date of this Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth may result in revocation of this Water Quality Certification for the project and may also result in criminal and/or civil penalties.

Notice regarding the right to contest this 401 Water Quality Certification decision is attached to this letter.



North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617  
919.707.9000

This letter completes the DWR's review under Section 401 of the Clean Water Act and 15A NCAC 02H .0500. Please contact Rob Ridings at 919-707-8786 or [rob.ridings@deq.nc.gov](mailto:rob.ridings@deq.nc.gov) if you have any questions or concerns.

Sincerely,

Signed by:  
*Paul Wojoski*  
949D91BA53EF4E0...

Faith Hardin, Supervisor  
401 & Buffer Transportation Permitting Branch

Electronic cc:

Matthew Martin, USACE Raleigh Regulatory Field Office ([Matthew.K.Martin@usace.army.mil](mailto:Matthew.K.Martin@usace.army.mil))

Garry Wright, NCDOT Division 4 Environmental Supervisor ([glwright@ncdot.gov](mailto:glwright@ncdot.gov))

DWR 401 & Buffer Permitting Branch Electronic file



**NOTICE REGARDING THE RIGHT TO CONTEST A DWR DECISION ON A 401 WATER QUALITY  
CERTIFICATION AND/OR BUFFER AUTHORIZATION**

**Right of Persons Aggrieved to File a Contested Case for the Decision on a 401 Water Quality Certification and/or Buffer Authorization:**

The Division's decision is subject to review under NCGS 150B-23.

**Rights of Persons Aggrieved to File a Contested Case:** Pursuant to NCGS 150B, Article 3, a party or person aggrieved may commence a contested case by filing a petition under NCGS 150B-23 in the Office of Administrative Hearings within 60 days after the Division provides notice of its decision on an application, as provided in NCGS 150B-23(f). If no contested case is commenced within the required time, the Division's decision is final and is not subject to review.

**General Filing Instructions:** A petition for contested case hearing must be in the form of a written petition, conforming to NCGS 150B-23, and filed with the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh NC, 27609, along with a fee in an amount provided in NCGS 150B-23.2. A petition for contested case hearing form may be obtained upon request from the Office of Administrative Hearings or on its website at <https://www.oah.nc.gov/hearings-division/filing/hearing-forms>. Additional specific instructions for filing a petition are set forth at 26 NCAC Chapter 03.

**Service Instructions:** A party filing a contested case is required to serve a copy of the petition, by any means authorized under 26 NCAC 03 .0102, on the process agent for the Department of Environmental Quality:

Daniel Hirschman, General Counsel  
North Carolina Department of Environmental Quality  
1601 Mail Service Center  
Raleigh, North Carolina 27699-1601

If the party filing the petition is a person aggrieved other than the recipient of the certificate (the "Permittee"), the party **must also** serve the Permittee in accordance with NCGS 150B-23(a).

Be aware that other rules or laws may apply to the filing of a petition for a contested case. Additional information is available at <https://www.oah.nc.gov/hearings-division/hearing-process/filing-contested-case>. Please contact the Office of Administrative Hearings at (984) 236-1850 with all questions regarding the filing fee and/or the details of the filing process.



## NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

**CERTIFICATION** #WQC 8987 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to North Carolina's Regulations in 15 NCAC 02H .0500 and 15A NCAC 02B .0200, to North Carolina Department of Transportation, Division 4, who has authorization for the impacts listed below, as described within your application received by the N.C. Division of Water Resources (DWR) with fee received on May 15, 2026, and by Public Notice issued by DWR on May 19, 2026, and within the *Reasonable Period of Time* pursuant to 40 CFR Part 121.6.

The State of North Carolina certifies that this activity will comply with water quality requirements and the applicable portions of Sections 301, 302, 303, 306, 307 of the Public Laws 92-500 and PL 95-217 if conducted in accordance with the application, the supporting documentation, and the conditions hereinafter set forth.

The following impacts are hereby approved. No other impacts are approved, including incidental impacts. [15A NCAC 02H .0506(b)]

| Type of Impact           | Amount Approved Permanent | Amount Approved Temporary |
|--------------------------|---------------------------|---------------------------|
| <b>Perennial Streams</b> |                           |                           |
| Riprap Stabilization     | 20 linear feet            | 0 linear feet             |
| Temporary Dewatering     | 0 linear feet             | 20 linear feet            |
| <b>Totals:</b>           | <b>20 linear feet</b>     | <b>20 linear feet</b>     |
| <b>Riparian Wetlands</b> |                           |                           |
| Hand Clearing            | 0 acres                   | 0.015 acres               |
| <b>Totals:</b>           | <b>0 acres</b>            | <b>0.015 acres</b>        |

This approval requires you to follow the conditions listed in the Certification below.

### CONDITIONS OF CERTIFICATION [15A NCAC 02H .0507(c)]:

1. The plans and specifications for this project are incorporated by reference as part of this Water Quality Certification. Any final construction plans for a project must include or reference the application and plans submitted to the DWR. The Permittee must evaluate all other acquired permits to ensure that they are consistent with the plans submitted to the DWR, and all relative impacts are accounted for and shown on the final construction plans. Any modifications or additional impacts to streams and/or wetlands and/or waters within the project require the permittee to notify the DWR and may require submission of a new application package with the appropriate fee. [15A NCAC 02H .0506(b)(2) and (3); 15A NCAC 02H .0507(c)]



2. If the property is sold, the Permittee shall provide the new owner with a copy of this Certification and all plans and specifications incorporated by reference. The Permittee may transfer a Certification to the new owner by submitting a letter to the Division with the following statement: *"At the time the property is transferred, the terms and conditions of this 401 Individual Water Quality Certification, including the responsibility to ensure compliance, are binding on the new owner(s) of the property."* The letter shall be signed and dated by both the transferee and the new owner. [15A NCAC 02H .0507(d)(2)]

3. The Permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Director), upon the presentation of credentials and other documents as may be required by law, to: [15A NCAC 02H .0502(e); 15A NCAC 02H .0507(c)]

- a. Enter, at reasonable times, upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this certificate;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this certificate;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this certificate; and
- d. Sample or monitor at reasonable times, for the purposes of assuring certificate compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location

4. Unless otherwise approved in this certification, placement of culverts and other structures in open waters and streams, shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by the NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]

5. If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage. [15A NCAC 02H.0506(b)(2)]

6. Riprap shall not be placed the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed. [15A NCAC 02H.0506(b)(2)]



7. The stream channel shall be excavated no deeper than the natural bed material of the stream, to the maximum extent practicable. Efforts must be made to minimize impacts to the stream banks, as well as to vegetation responsible for maintaining the stream bank stability. Any applicable riparian buffer impact for access to stream channel shall be temporary and be revegetated with native riparian species. [15A NCAC 02H.0506(b)(2)]

8. Wetland areas impacted by temporary clearing shall be stabilized and reseeded with native wetland seed. [15A NCAC 2H.506(b)]

9. DWR approves the stormwater drainage design as shown in the 401 application, under the assumption that it meets the requirements of the NCDOT NPDES permit #NCS000250. These plans are enforceable by DWR. Changes to the approved plans are prohibited without prior approval from DWR. If sediment or other pollutants are found to be discharged from the stormwater outfalls, DWR may take enforcement action. NCDOT and DWR shall assess the damage to water quality standards and implement an appropriate action plan to address the impacts. The action plan shall provide an appropriate timeline for implementation as agreed upon by both DWR and NCDOT. This may require NCDOT to obtain a modification to its current 401 and 404 permits.

10. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. [15A NCAC 02B.0200]

11. For all streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species. [15A NCAC 02H.0506(b)(2)]

12. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S., or protected riparian buffers. [15A NCAC 02H.0506(b)(2)]

13. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions. [15A NCAC 02H.0506(b)(2)]

14. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]

15. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water. [15A NCAC 02H.0506(b)(3) and (c)(3)]

16. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream. [15A NCAC 02H.0506(b)(3)]



17. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials. [15A NCAC 02H.0506(b)(3)]

18. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]

19. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]

20. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If the NCDWR determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]

21. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]

22. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]

23. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification. [15A NCAC 02H.0501 and .0502]

24. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.

25. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]

26. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities. [15A NCAC 02H.0506(b)(3) and (c)(3)]



27. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within jurisdictional wetlands. [15A NCAC 2H.0506; 15A NCAC 2H.0507]

28. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards [15A NCAC 02H.0506(b)(3) and (c)(3)]:

- a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
- b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
- c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
- d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.

29. Sediment and erosion control measures shall not be placed in wetlands or surface waters, or within 5 feet of the top of bank, without prior approval from DWR. [15A NCAC 02H.0506(b)(3) and (c)(3)]

30. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur. [15A NCAC 02H .0506{b}(3) and (c)(3) and 15A NCAC 02B .0200]

31. Design, installation, operation, and maintenance of all sediment and erosion control measures shall be equal to or exceed the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*, or for linear transportation projects, the *NCDOT Sediment and Erosion Control Manual*.

All devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) sites, including contractor-owned or leased borrow pits associated with the project. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times.

For borrow pit sites, the erosion and sediment control measures shall be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*. Reclamation measures and implementation shall comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971. [15A NCAC 02H.0506(b)(3) and (c)(3)]



32. If the Permittee becomes aware of any inability to comply with any of the conditions of this Water Quality Certification, they must notify the DWR Transportation Permitting Branch within 24 hours (or the next business day if it is a weekend or holiday) from the time the Permittee becomes aware of the circumstances. The Permittee may be required to submit a new application package with appropriate fee to initiate modification of this authorization, and/or to conduct corrective actions as determined by the Division. [15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)]

This Water Quality Certification shall expire on the same day as the expiration date of the corresponding Section 404 Permit that is current at the time this Certification is issued. The conditions shall remain in effect for the life of the project, regardless of the expiration date of this Water Quality Certification.

Upon completion of the proposed project, the applicant shall submit a Certificate of Completion and/or shall provide as-built documentation. Certificates of Completion and/or as-built documentation can be submitted via the DWR website: <https://edocs.deq.nc.gov/Forms/Certificate-of-Completion>.

This, the 19<sup>th</sup> day of June 2026

Signed by:  
*Paul Wojoski*  
949D91BA53EF4E0...

Faith Hardin, Supervisor  
401 & Buffer Transportation Permitting Branch



**STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER RESOURCES**

**WATER QUALITY GENERAL CERTIFICATION NO. 7679**

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR US ARMY CORPS OF ENGINEERS REGIONAL  
GENERAL PERMIT 201902350 (NCDOT MAINTENANCE, REPAIR AND CONSTRUCTION PROJECTS)**

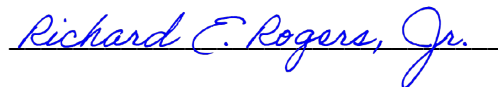
Water Quality Certification Number 7679 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Regulations in 15A NCAC 02H .0500 and 15A NCAC 02B .0200 for the discharge of fill material to surface waters and wetland areas as described in the US Army Corps of Engineers Wilmington District's Regional General Permit 201902350.

The State of North Carolina certifies that the specified category of activity will comply with water quality requirements and applicable portions of Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

Effective date: May 26, 2025

Signed this day: March 20, 2025

By



Richard E. Rogers, Jr.  
Director

**GENERAL CERTIFICATION COVERAGE:**

**Activities that are eligible for US Army Corps of Engineers Wilmington District's Regional General Permit 201902350 qualify for coverage under this General Certification unless they meet one of the thresholds listed below. Activities meeting any one (1) of the thresholds or circumstances listed below are not eligible for coverage under this General Certification and require an Individual 401 Water Quality Certification from the Division of Water Resources (DWR):**

- a) If any of the Activity Specific or General Conditions of this General Certification cannot be met; or
- b) Total permanent impacts to intermittent and/or perennial streams greater than 300 linear feet per stream; or
- c) Total permanent impacts to wetlands equal to or greater than one-tenth (1/10) of an acre; or
- d) Total temporary impacts to wetlands equal to or greater than 0.5 acres; or
- e) Total permanent impacts to open waters of greater than 0.5 acres; or
- f) Any impacts to streams from excavation or dredging other than excavation that is conducted as preparation for installing permanent fill or structures; or
- g) Any stream restoration or relocation other than stream relocations that are conducted for the purpose of proper culvert installation, alignment, protection, repair or maintenance where the relocation length is equal to or less than 150 feet in length and the relocated stream is designed and installed based on current natural channel techniques. *[Stream relocation is when a stream is moved laterally to a new location to allow a project, or part of a project, to be constructed in the stream's former location.];* or
- h) Any permanent impacts to streams or open waters designated as: ORW (including SAV), HQW (including PNA), SA, WS-I, WS-II, Trout, or North Carolina or National Wild and Scenic River; or
- i) Any permanent impacts to coastal wetlands [15A NCAC 07H .0205] equal to or greater than 750 square feet; or
- j) Any impacts to Unique Wetlands (UWL); or
- k) Any impacts to subject water bodies and/or state regulated riparian buffers along subject water bodies in the Neuse, Tar-Pamlico, or Catawba River Basins or in the Randleman Lake, Jordan Lake or Goose Creek Watersheds (or any other basin or watershed with State Regulated Riparian Area Protection Rules State Regulated Riparian Buffer Rules in Chapter 2B of Title 15A in the North Carolina Administrative Code in effect at the time of application) *unless*:
  - i. The activities are listed as "EXEMPT" or "DEEMED ALLOWABLE" from these rules; or
  - ii. A Buffer Authorization Certificate is issued by the NC Division of Coastal Management (DCM); or

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In accordance with 15A NCAC 02H .0503(f), the Director of the North Carolina Division of Water Resources may require submission of a formal application for Individual Certification for any project if it is deemed in the public's best interest or determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or will degrade the waters so that existing uses of the waters or downstream waters are precluded.

This General Certification does not relieve the permittee of the responsibility to obtain all other required Federal, State, or Local approvals before proceeding with the project, including those required by, but not limited to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, Coastal Area Management Act, and Trout Buffer regulations.

Upon the presentation of proper credentials, DWR may inspect the property.

This Water Quality Certification shall expire on the same day as the expiration date of the corresponding Section 404 Permit that is current at the time this Certification is issued. The conditions shall remain in effect for the life of the project, regardless of the expiration date of this Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth by a specific project may result in revocation of this General Certification for the project and may also result in criminal and/or civil penalties.

### **I. ACTIVITY SPECIFIC CONDITIONS:**

1. All stream relocations shall be completed and stabilized, and approved on site by NCDWR staff, prior to diverting water into the new channel. All stream relocations shall include establishment of a vegetated buffer on both sides of the relocated channel to the maximum extent practical. Stream banks shall be matted with coir-fiber matting and all vegetation used for bank stabilization shall be limited to native riparian vegetation. Armoring such as rip-rap may be used if it is necessary to maintain the physical integrity of the stream. Notification including written justification and all calculations used to determine the extent of rip-rap coverage shall be provided to DWR a minimum of 30 calendar days prior to conducting the stream relocation.

*Citation: 15A NCAC 02H .0506(b)(2); 15A NCAC 02H .0507(c)*

2. If open water features (ponds, lakes, etc) are proposed to be partially or fully drained as part of a specific project, the Permittee shall:
  - a. ensure that proper measures will be taken to drain the feature with minimal impact to upstream and downstream channel stability as well as to native aquatic species such that the conditions of waters shall be suitable for all best uses specified in 15A NCAC 02B .0200 NCDOT shall consult with NC Wildlife Resources staff to determine if there are any sensitive species, and the most appropriate measures to limit impacts to these species.
  - b. that proper measures will be taken to avoid sediment release and/or sediment accumulation downstream as a result of draining activities.

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- c. the permittee shall observe any natural channel re-establishment, or utilize natural channel construction techniques, to ensure that any stream channel above and below the drained feature remain stable, and that no indirect impacts occur within the natural stream channel as a result of draining activities.

*Citation: 15A NCAC 02H .0506(b)(3); 15A NCAC 02H .0507(c)*

### **II. GENERAL CONDITIONS:**

1. The permittee shall report to the appropriate DWR Regional Office any noncompliance with, and/or any violation of, stream or wetland standards [15A NCAC 02B .0200], including but not limited to sediment impacts to streams or wetlands. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the permittee became aware of the non-compliance circumstances.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

2. If the Permittee becomes aware of any inability to comply with any of the conditions of this Water Quality Certification, they must notify the appropriate Regional Office within 24 hours (or the next business day if a weekend or holiday) from the time the Permittee becomes aware of the circumstances.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

3. No waste, spoil, solids, or fill of any kind shall occur in wetlands or waters beyond the footprint of the impacts (including temporary impacts); or beyond the thresholds established for use of this General Certification and Regional General Permit.

*Citation: 15A NCAC 02H .0506; 15A NCAC 02H .0507(c)*

4. All activities shall be in compliance with any applicable State Regulated Riparian Buffer Rules in Chapter 2B of Title 15A in the North Carolina Administrative Code.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

5. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur.

Design, installation, operation, and maintenance of all sediment and erosion control measures shall be equal to or exceed the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*, or the *North Carolina Department of Transportation Sediment and Erosion Control Manual*.

All devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) sites, including contractor-owned or leased borrow pits associated with the project.

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Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times.

For borrow pit sites, the erosion and sediment control measures shall be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*. Reclamation measures and implementation shall comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.

If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), SA, WS-I, WS-II, High Quality Waters (HQP), or Outstanding Resource Waters (ORW), then the sedimentation and erosion control designs shall comply with the requirements set forth in 15A NCAC 04B .0124, *Design Standards in Sensitive Watersheds*.

*Citation: 15A NCAC 02H .0506(b)(2); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231*

6. Sediment and erosion control measures shall not be installed in wetland or waters except within the footprint of permanent impacts covered by this Certification. The placement of such measures shall not be conducted in a manner that results in dis-equilibrium of any wetlands, streambeds, or streambanks. Any silt fences installed within wetlands shall be removed from wetlands and the natural grade restored within two (2) months of the date the sediment and erosion control program has released the specific area within the project to ensure wetland standards are maintained upon completion of the project.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231*

7. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within wetlands.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

8. The North Carolina Department of Transportation (NCDOT) shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their Individual NPDES Stormwater Permit Number NCS000250.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231*

9. All work in or adjacent to streams shall be conducted so that the flowing stream does not come in contact with the disturbed area. Approved best management practices from the most current version of the *NC Sediment and Erosion Control Manual*, or the *NC Department of Transportation Construction and Maintenance Activities Manual*, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200*

10. If activities must occur during periods of high biological activity of aquatic species or aquatic or jurisdictional wetland habitat (e.g. sea turtle nesting, fish spawning, or bird nesting), then all biological monitoring requested by other state or federal agencies must be conducted.

All moratoriums associated with aquatic species or aquatic jurisdictional wetland habitat on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) shall be implemented. Exceptions to this condition require written approval by the resource agency responsible for the given moratorium.

Work within a designated trout watershed of North Carolina (as identified by the Wilmington District of the US Army Corps of Engineers), or work within identified state or federal endangered or threatened species habitat, shall be coordinated with the appropriate WRC, USFWS, NMFS, and/or DMF personnel.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 04B .0125*

11. In-stream structures installed to mimic natural channel geomorphology such as cross-vanes, sills, step-pool structures, etc. shall be designed and installed in such a manner that allow for continued aquatic life movement.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

12. Culverts shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. The dimension, pattern, and profile of the stream above and below a pipe or culvert shall not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. The width, height, and gradient of a proposed culvert shall be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. If the width of the culvert is wider than the stream channel, the culvert shall include multiple boxes/pipes, baffles, benches and/or sills to maintain the natural width of the stream channel. If multiple culverts/pipes/barrels are used, low flows shall be accommodated in one culvert/pipe and additional culverts/pipes shall be installed such that they receive only flows above bankfull.

Placement of culverts and other structures in streams shall be below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20% of the culvert diameter for culverts having a diameter less than or equal to 48 inches, to allow low flow passage of water and aquatic life. If the culvert outlet is submerged within a pool or scour hole and designed to provide for aquatic passage, then culvert burial into the streambed is not required.

For structures less than 72" in diameter/width and in area where topographic constraints dictate culvert slopes will be greater than 2.5%, culvert burial is not required, provided that all alternative options for flattening the slope have been investigated and aquatic life movement/connectivity has been provided when possible (e.g. rock ladders, cross-vanes, sills, baffles etc.). Notification, including supporting documentation to include a location

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map of the culvert, culvert profile drawings, and slope calculations, shall be provided to DWR 30 calendar days prior to the installation of the culvert.

When bedrock is present in culvert locations, culvert burial is not required, provided that there is sufficient documentation of the presence of bedrock. Notification, including supporting documentation such as a location map of the culvert, geotechnical reports, photographs, etc. shall be provided to DWR a minimum of 30 calendar days prior to the installation of the culvert. If bedrock is discovered during construction, then DWR shall be notified by phone or email within 24 hours of discovery.

Installation of culverts in wetlands shall ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. When roadways, causeways, or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges shall be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in destabilization of streams or wetlands.

The establishment of native woody vegetation and other soft stream bank stabilization techniques shall be used where practicable instead of rip-rap or other bank hardening methods.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

13. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means to the maximum extent practicable (e.g. grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. This condition may be waived with prior approval from the NCDWR.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

14. Application of fertilizer to establish planted/seeded vegetation within disturbed riparian areas and/or wetlands shall be conducted at agronomic rates and shall comply with all other Federal, State and Local regulations. Fertilizer application shall be accomplished in a manner that minimizes the risk of contact between the fertilizer and surface waters.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0231*

15. If concrete is used during construction, then all necessary measures shall be taken to prevent direct contact between uncured or curing concrete and waters of the state. Water that inadvertently contacts uncured concrete shall not be discharged to waters of the state.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200*

16. All temporary pipes/culverts/rip-rap pads etc. in streams shall be installed as outlined in the most recent edition of the *North Carolina Sediment and Erosion Control Planning and Design Manual* or the *North Carolina Surface Mining Manual* or the *North Carolina Department of Transportation Best Management Practices for Construction and*

## GC7679

*Maintenance Activities* so as not to restrict stream flow or cause dis-equilibrium during use of this General Certification.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

17. All temporary fill and temporary culverts shall be removed and the impacted area shall be returned to natural conditions within 60 calendar days after the temporary impact is no longer necessary. The impacted areas shall be restored to original grade, including each stream's original cross-sectional dimensions, planform pattern, and longitudinal bed profile. All temporarily impacted sites shall be restored and stabilized with native vegetation.

*Citation: 15A NCAC 02H.0506(b); 15A NCAC 02H .0507(c)*

18. Any rip-rap required for proper culvert placement, stream stabilization, or restoration of temporarily disturbed areas shall be restricted to the area directly impacted by the approved construction activity. All rip-rap placed in streams shall be placed such that the original streambed elevation and streambank contours are restored and that the finished elevation of the rip rap shall not exceed that of the original stream bed. All rip-rap shall consist of clean rock or masonry material free of debris or toxic pollutants. Placement of rip-rap or other approved materials shall not result in de-stabilization of the stream bed or banks upstream or downstream of the area or be installed in a manner that precludes aquatic life passage.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

19. Any rip-rap used for stream or shoreline stabilization shall be of a size and density to prevent movement by wave, current action, or stream flows, and shall consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures. Any rip-rap placed in the streambed shall be such that the finished elevation of the rip rap shall not exceed that of the original stream bed.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0201*

20. All mechanized equipment operated near surface waters shall be inspected and maintained regularly to prevent contamination of surface waters from fuels, lubricants, hydraulic fluids, or other toxic materials. Construction shall be staged in order to minimize the exposure of equipment to surface waters to the maximum extent practicable. Fueling, lubrication, and general equipment maintenance shall be performed in a manner to prevent, to the maximum extent practicable, contamination of surface waters by fuels and oils.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200*

21. Heavy equipment working in wetlands shall be placed on mats or other measures shall be taken to minimize soil disturbance and compaction.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0231*

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22. In accordance with G.S 143-215.85(b), the permittee shall report any petroleum spill of 25 gallons or more; any spill regardless of amount that causes a sheen on surface waters; any petroleum spill regardless of amount occurring within 100 feet of surface waters; and any petroleum spill less than 25 gallons that cannot be cleaned up within 24 hours.

*Citation: 15A NCAC 02H .0507(c); N.C.G.S 143-215.85(b)*

23. The permittee and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

24. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this General Certification. A copy of this General Certification shall be available at the project site during the construction and maintenance of this project.

*Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)*

25. This Water Quality Certification neither grants nor affirms any property right, license, or privilege in any lands or waters, or any right of use in any waters. This Water Quality Certification does not authorize any person to interfere with the riparian rights, littoral rights, or water use rights of any other person and does not create any prescriptive right or any right of priority regarding any usage of water. This Water Quality Certification shall not be interposed as a defense in any action respecting the determination of riparian or littoral rights or other rights to water use. No consumptive user is deemed by virtue of this Water Quality Certification to possess any prescriptive or other right of priority with respect to any other consumptive user.

*History Note: Water Quality Certification (WQC) Number 7679 issued March 20, 2025 replaces WQC 4135 issued December 1, 2017; WQC 4088 issued March 3, 2017; WQC 3886 issued March 12, 2012; WQC 3820 issued April 6, 2010; WQC 3627 issued March 19, 2007; WQC Number 3404 issued March 2003; WQC 3375 issued March 18, 2002; WQC 3289 issued June 1, 2000; WQC 3103 issued February 11, 1997; WQC Number 2732 issued May 1, 1992; WQC 2666 issued January 21, 1992; WQC 2177 issued November 5, 1987..*

**JOSH STEIN**  
Governor

**D. REID WILSON**  
Secretary

**RICHARD E. ROGERS, JR.**  
Director



June 19, 2026

DWR # 20260634  
Halifax County

Matt Clarke, PE, Division Engineer  
NCDOT Division 4  
PO Box 3165  
Wilson, NC 27895  
wmclarke@ncdot.gov

**Subject: APPROVAL of TAR-PAMLICO RIPARIAN BUFFER AUTHORIZATION CERTIFICATE WITH ADDITIONAL CONDITIONS**  
NCDOT Project: BP4.R033.1: Culvert 410021 on SR 1210  
Location: Lat 36.350578, Long -77.748882

Dear Mr. Clarke:

You have our approval for the impacts listed below for the purpose described in your application dated and received by the Division of Water Resources (Division) on May 15, 2026. These impacts are covered by the Tar-Pamlico Buffer Rules and the conditions listed below. This Buffer Authorization does not relieve the permittee of the responsibility to obtain all other required Federal, State, or Local approvals before proceeding with the project, including those required by, but not limited to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, and/or Stormwater regulations.

The following impacts are hereby approved, provided that all of the Conditions listed below, and all of the conditions of the Tar-Pamlico Buffer Rules are met. No other impacts are approved, including incidental impacts. [15A NCAC 02B.0611(b)(2)]

| Type of Impact          | Amount Approved  |
|-------------------------|------------------|
| <b>Buffers – Zone 1</b> |                  |
| Culvert Crossing        | 2745 square feet |
| <b>Buffers – Zone 2</b> |                  |
| Culvert Crossing        | 920 square feet  |



North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617  
919.707.9000

This approval is for the purpose and design described in your application. The plans and specifications for this project are incorporated by reference as part of this Authorization Certificate. If you change your project, you must notify the Division and you may be required to submit a new application package. If the property is sold, the new owner must be given a copy of this Authorization Certificate and is responsible for complying with all conditions. [15A NCAC 02B.0611(b)(2)]

If you are unable to comply with any of the conditions below, you must notify the NC Division of Water Resources within 24 hours (or the next business day if a weekend or holiday) from the time the permittee becomes aware of the circumstances.

The permittee shall report to the DWR Transportation Permitting Branch any noncompliance with the conditions of this Authorization Certificate and/or any violation of state regulated riparian buffer rules [15A NCAC 02B.0734]. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the applicant became aware of the circumstances.

**Additional Conditions:**

1. All riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated. Maintained buffers shall be permanently revegetated with non-woody species by the end of the growing season following completion of construction. For the purpose of this condition, maintained buffer areas are defined as areas within the transportation corridor that will be subject to regular NCDOT maintenance activities including mowing. The area with non-maintained buffers shall be permanently revegetated with native woody species before the next growing season following completion of construction. [15A NCAC 02B.0734]
2. Pursuant to 15A NCAC 2B.0734 sediment and erosion control devices shall not be placed in Zone 1 of any Tar Buffer without prior approval by the NCDWR. At this time, the NCDWR has approved no sediment and erosion control devices in Zone 1, outside of the approved project impacts, anywhere on this project. Moreover, sediment and erosion control devices shall be allowed in Zone 2 of the buffers provided that Zone 1 is not compromised and that discharge is released as diffuse flow.
3. All stormwater runoff shall be directed as sheetflow through stream buffers at non-erosive velocities, unless otherwise approved by this certification. [15A NCAC 02B.0734]
4. Native riparian vegetation (i.e., trees and shrubs native to your geographic region) must be reestablished in the riparian areas within the construction limits of the project by the end of the growing season following completion of construction. [15A NCAC 02B.0734] & [15A NCAC 02B.0506(b)(2)]



This approval and its conditions are final and binding unless contested. [G.S. 143-215.5] Upon the presentation of proper credentials, the Division may inspect the property.

Notice regarding the right to contest this buffer authorization decision is attached to this letter.

This Authorization Certificate neither grants nor affirms any property right, license, or privilege in any lands or waters, or any right of use in any waters. This Authorization Certificate does not authorize any person to interfere with the riparian rights, littoral rights, or water use rights of any other person, nor does it create any prescriptive right or any right of priority regarding any usage of water. This Authorization Certificate shall not be interposed as a defense in any action respecting the determination of riparian or littoral rights or other rights to water use. No consumptive user is deemed by virtue of this Authorization Certificate to possess any prescriptive or other right of priority with respect to any other consumptive user.

**This Authorization shall expire five (5) years from the date of this letter / when the corresponding 401 Water Quality Certification Approval DWR#xxxxxxx expires.**

This letter completes the Division's review under the Tar-Pamlico Riparian Buffer Rules as described in 15A NCAC 02B.0734. Please contact Rob Ridings at 919-707-8786 or [rob.ridings@deq.nc.gov](mailto:rob.ridings@deq.nc.gov) if you have any questions or concerns.

Sincerely,

Signed by:  
*Paul Wojoski*  
949D91BA53EF4E0...

Faith Hardin, Supervisor  
401 & Buffer Transportation Permitting Branch

Electronic cc:

Matthew Martin, USACE Raleigh Regulatory Field Office ([Matthew.K.Martin@usace.army.mil](mailto:Matthew.K.Martin@usace.army.mil))

Garry Wright, NCDOT Division 4 Environmental Supervisor ([glwright@ncdot.gov](mailto:glwright@ncdot.gov))

DWR 401 & Buffer Permitting Branch Electronic file



North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617  
919.707.9000

**NOTICE REGARDING THE RIGHT TO CONTEST A DWR DECISION ON A 401 WATER QUALITY  
CERTIFICATION AND/OR BUFFER AUTHORIZATION**

**Right of Persons Aggrieved to File a Contested Case for the Decision on a 401 Water Quality Certification and/or Buffer Authorization:**

The Division's decision is subject to review under NCGS 150B-23.

**Rights of Persons Aggrieved to File a Contested Case:** Pursuant to NCGS 150B, Article 3, a party or person aggrieved may commence a contested case by filing a petition under NCGS 150B-23 in the Office of Administrative Hearings within 60 days after the Division provides notice of its decision on an application, as provided in NCGS 150B-23(f). If no contested case is commenced within the required time, the Division's decision is final and is not subject to review.

**General Filing Instructions:** A petition for contested case hearing must be in the form of a written petition, conforming to NCGS 150B-23, and filed with the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh NC, 27609, along with a fee in an amount provided in NCGS 150B-23.2. A petition for contested case hearing form may be obtained upon request from the Office of Administrative Hearings or on its website at <https://www.oah.nc.gov/hearings-division/filing/hearing-forms>. Additional specific instructions for filing a petition are set forth at 26 NCAC Chapter 03.

**Service Instructions:** A party filing a contested case is required to serve a copy of the petition, by any means authorized under 26 NCAC 03 .0102, on the process agent for the Department of Environmental Quality:

Daniel Hirschman, General Counsel  
North Carolina Department of Environmental Quality  
1601 Mail Service Center  
Raleigh, North Carolina 27699-1601

If the party filing the petition is a person aggrieved other than the recipient of the certificate (the "Permittee"), the party **must also** serve the Permittee in accordance with NCGS 150B-23(a).

Be aware that other rules or laws may apply to the filing of a petition for a contested case. Additional information is available at <https://www.oah.nc.gov/hearings-division/hearing-process/filing-contested-case>. Please contact the Office of Administrative Hearings at (984) 236-1850 with all questions regarding the filing fee and/or the details of the filing process.





## North Carolina Department of Transportation

Highway Stormwater Program  
STORMWATER MANAGEMENT PLAN

FOR NCDOT PROJECTS



(Version 3.00; Released August 2021)

WBS Element: BP4.R033.1 TIP/Proj No: BP4-R033 County(ies): Halifax Page 1 of 2

## General Project Information

|                                 |                                               |             |          |                        |                                 |       |          |
|---------------------------------|-----------------------------------------------|-------------|----------|------------------------|---------------------------------|-------|----------|
| WBS Element:                    | BP4.R033.1                                    | TIP Number: | BP4-R033 | Project Type:          | Other                           | Date: | 5/1/2026 |
| NCDOT Contact:                  | Russell E. Broadwell, PE / Highway Division 4 |             |          | Contractor / Designer: | TGS Engineers / Ben Henegar, PE |       |          |
| Address:                        | 509 Ward Blvd                                 |             |          | Address:               | 706 Hillsborough St             |       |          |
|                                 | PO Box 3165                                   |             |          |                        | Suite 200                       |       |          |
|                                 | Wilson, NC 27895                              |             |          |                        | Raleigh, NC 27603               |       |          |
| Phone:                          | 252-640-6409                                  |             |          | Phone:                 | 919-773-8887 ext. 123           |       |          |
| Email:                          | rebroadwell@ncdot.gov                         |             |          | Email:                 | bhenegar@tgsengineers.com       |       |          |
| City/Town:                      | Andersons Crossroads, NC                      |             |          | County(ies):           | Halifax                         |       |          |
| River Basin(s):                 | Tar-Pamlico                                   |             |          | CAMA County?           | No                              |       |          |
| Wetlands within Project Limits? | Yes                                           |             |          |                        |                                 |       |          |

## Project Description

|                                        |                                                                 |                       |                                                                 |
|----------------------------------------|-----------------------------------------------------------------|-----------------------|-----------------------------------------------------------------|
| Project Length (lin. miles or feet):   | 200 ft                                                          | Surrounding Land Use: | Rural Piedmont                                                  |
| Proposed Project                       |                                                                 | Existing Site         |                                                                 |
| Project Built-Upon Area (ac.)          | 0.10 ac.                                                        |                       | 0.10 ac.                                                        |
| Typical Cross Section Description:     | Two - 11' Paved Lanes w/ 3' graded shoulders<br>3:1 Fill Slopes |                       | Two - 11' Paved Lanes w/ 3' graded shoulders<br>3:1 Fill Slopes |
| Annual Avg Daily Traffic (veh/hr/day): | Design/Future: 900                                              | Year: 2047            | Existing: 625                                                   |
|                                        |                                                                 |                       | Year: 2027                                                      |

General Project Narrative:  
(Description of Minimization of Water  
Quality Impacts)

The project involves the replacement of NCDOT structure #410021 on SR 1210 (Piney Grove Church Rd.) over Martin Swamp in Halifax County, NC. The proposed 1 @ 29' - 0" x 8' - 3" ALBC (buried 1.0', length=58.5') will replace the existing 3 @ 112" x 75" CMPA at the same location. The proposed grade will be approximately 1.0' above existing grade above the crossing.

All proposed stormwater runoff will be discharged as far away from the stream and at the lowest velocities practicable.

## Project minimum measures include:

- >3:1 fill slopes.
- >Providing adequate ground cover.
- >Stabilizing embankments.
- >Providing adequate energy dissipation.
- >Utilizing natural features and drainage pathways - Existing drainage pathways were utilized to the maximum extent practicable.



## North Carolina Department of Transportation

Highway Stormwater Program  
STORMWATER MANAGEMENT PLAN  
FOR NCDOT PROJECTS

(Version 3.00; Released August 2021)

WBS Element: BP4.R033.1

TIP/Proj No.: BP4-R033

County(ies): Halifax

Page 2 of 2

## General Project Information

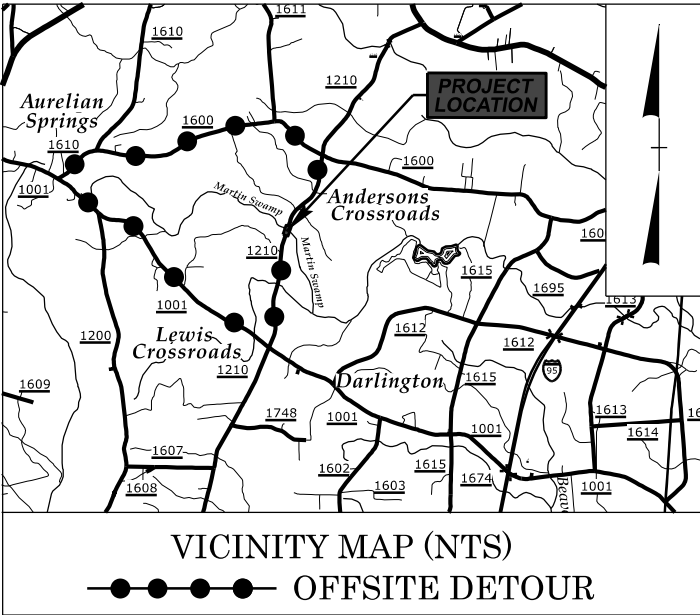
## Waterbody Information

|                                                                  |                              |                                                                                                                      |                         |                                                                                                      |             |
|------------------------------------------------------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------------------------------------------------------------------------------|-------------|
| Surface Water Body (1):                                          | Martin Swamp                 |                                                                                                                      | NCDWR Stream Index No.: | 28-79-30-1-0.5-1                                                                                     |             |
| NCDWR Surface Water Classification for Water Body                | Primary Classification:      |                                                                                                                      | Class C                 |                                                                                                      |             |
|                                                                  | Supplemental Classification: |                                                                                                                      | Swamp Waters (Sw)       | (NSW)                                                                                                |             |
| Other Stream Classification:                                     | None                         |                                                                                                                      |                         |                                                                                                      |             |
| Impairments:                                                     | None                         |                                                                                                                      |                         |                                                                                                      |             |
| Aquatic T&E Species?                                             | Yes                          | Comments: Neuse River Waterdog, Carolina Madtom, Atlantic Pigtoe. All are shown with a BC of Unresolved in the NRTR. |                         |                                                                                                      |             |
| NRTR Stream ID:                                                  | Martin Swamp                 |                                                                                                                      |                         | Buffer Rules in Effect:                                                                              | Tar-Pamlico |
| Project Includes Bridge Spanning Water Body?                     | No                           | Deck Drains Discharge Over Buffer?                                                                                   | N/A                     | Dissipator Pads Provided in Buffer?                                                                  | No          |
| Deck Drains Discharge Over Water Body?                           | N/A                          | (If yes, provide justification in the General Project Narrative)                                                     |                         | (If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative) |             |
| (If yes, provide justification in the General Project Narrative) |                              |                                                                                                                      |                         |                                                                                                      |             |
| Surface Water Body (2):                                          |                              |                                                                                                                      | NCDWR Stream Index No.: |                                                                                                      |             |
| NCDWR Surface Water Classification for Water Body                | Primary Classification:      |                                                                                                                      |                         |                                                                                                      |             |
|                                                                  | Supplemental Classification: |                                                                                                                      |                         |                                                                                                      |             |
| Other Stream Classification:                                     |                              |                                                                                                                      |                         |                                                                                                      |             |
| Impairments:                                                     |                              |                                                                                                                      |                         |                                                                                                      |             |
| Aquatic T&E Species?                                             |                              | Comments:                                                                                                            |                         |                                                                                                      |             |
| NRTR Stream ID:                                                  |                              |                                                                                                                      |                         | Buffer Rules in Effect:                                                                              |             |
| Project Includes Bridge Spanning Water Body?                     |                              | Deck Drains Discharge Over Buffer?                                                                                   |                         | Dissipator Pads Provided in Buffer?                                                                  |             |
| Deck Drains Discharge Over Water Body?                           |                              | (If yes, provide justification in the General Project Narrative)                                                     |                         | (If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative) |             |
| (If yes, provide justification in the General Project Narrative) |                              |                                                                                                                      |                         |                                                                                                      |             |
| Surface Water Body (3):                                          |                              |                                                                                                                      | NCDWR Stream Index No.: |                                                                                                      |             |
| NCDWR Surface Water Classification for Water Body                | Primary Classification:      |                                                                                                                      |                         |                                                                                                      |             |
|                                                                  | Supplemental Classification: |                                                                                                                      |                         |                                                                                                      |             |
| Other Stream Classification:                                     |                              |                                                                                                                      |                         |                                                                                                      |             |
| Impairments:                                                     |                              |                                                                                                                      |                         |                                                                                                      |             |
| Aquatic T&E Species?                                             |                              | Comments:                                                                                                            |                         |                                                                                                      |             |
| NRTR Stream ID:                                                  |                              |                                                                                                                      |                         | Buffer Rules in Effect:                                                                              |             |
| Project Includes Bridge Spanning Water Body?                     |                              | Deck Drains Discharge Over Buffer?                                                                                   |                         | Dissipator Pads Provided in Buffer?                                                                  |             |
| Deck Drains Discharge Over Water Body?                           |                              | (If yes, provide justification in the General Project Narrative)                                                     |                         | (If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative) |             |
| (If yes, provide justification in the General Project Narrative) |                              |                                                                                                                      |                         |                                                                                                      |             |

TIP PROJECT: BP4-R033

CONTRACT:

See Sheet 1A For Index of Sheets  
See Sheet 1B For Conventional Plan Sheet Symbols



STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS  
  
HALIFAX COUNTY

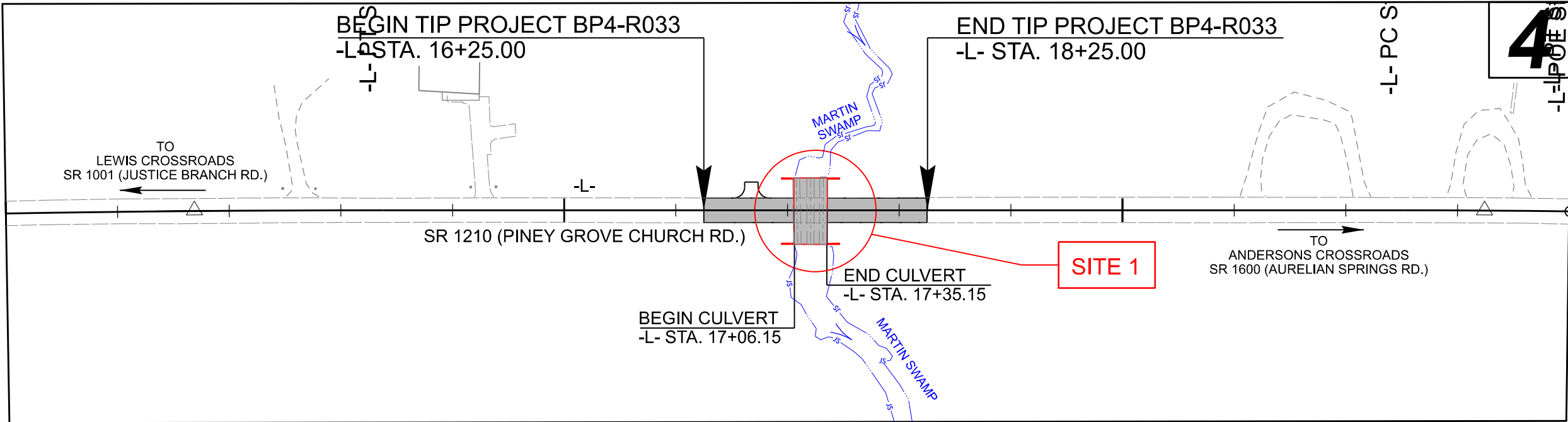
LOCATION: *REPLACE BRIDGE NO. 410021 ON  
SR 1210 OVER MARTIN SWAMP*

TYPE OF WORK: *GRADING, PAVING, DRAINAGE, AND  
STRUCTURE*

PERMIT DRAWINGS 05-01-2026

PERMIT DRAWING  
SHEET 1 OF 10

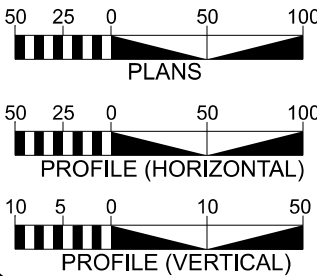
| STATE           | STATE PROJECT REFERENCE NO. | SHEET NO.      | TOTAL SHEETS |
|-----------------|-----------------------------|----------------|--------------|
| N.C.            | BP4-R033                    | 11             |              |
| STATE PROJ. NO. |                             | F.A. PROJ. NO. | DESCRIPTION  |
| BP4.R033.1      |                             |                | PE           |
| BP4.R033.2      |                             |                | R/W & UTIL   |
| BP4.R033.3      |                             |                | CONST        |
|                 |                             |                |              |
|                 |                             |                |              |
|                 |                             |                |              |



CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES



DESIGN DATA

ADT 2027 = 625  
ADT 2047 = 900  
T = 6%  
V = 55 MPH  
FUNC CLASS = LOCAL  
SUBREGIONAL TIER

PROJECT LENGTH

LENGTH OF ROADWAY TIP PROJECT BP4-R033 = 0.033 MILES  
LENGTH OF STRUCTURE TIP PROJECT BP4-R033 = 0.005 MILE  
TOTAL LENGTH OF TIP PROJECT BP4-R033 = 0.038 MILES

Prepared for NCDOT Division 4 in the Office of:  
**TGS ENGINEERS**  
708 HILLSBOROUGH ST. SUITE 200  
RALEIGH, NC 27603  
(919) 733-8887 | tgsengineers.com  
CORP. LICENSE NO.: C-0275

2024 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
JANUARY 20, 2026

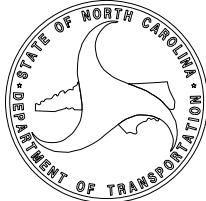
LETTING DATE:  
MARCH 29, 2027

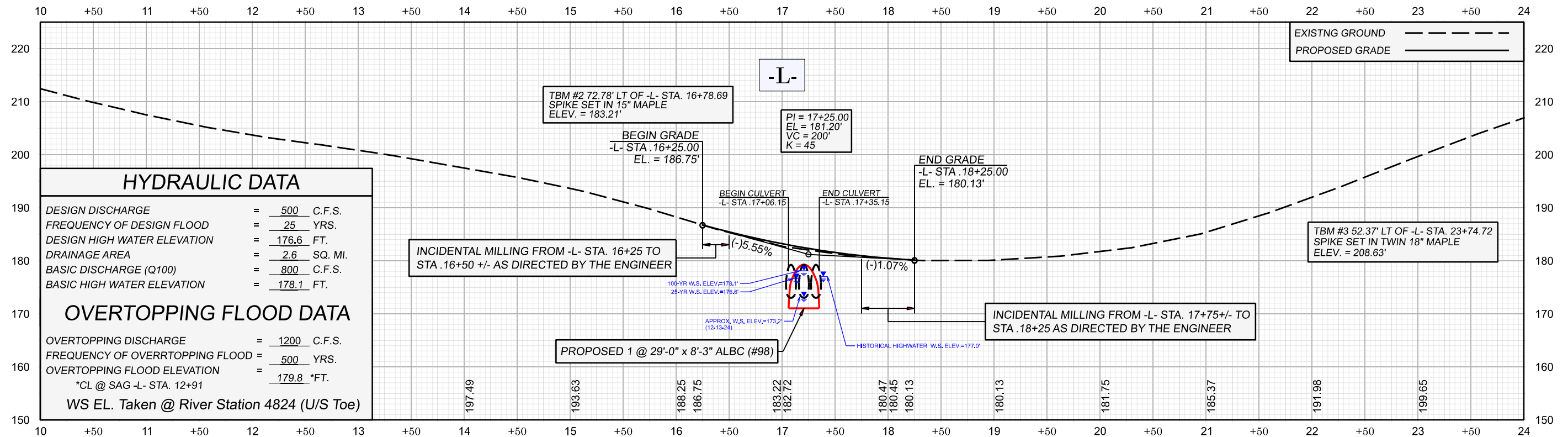
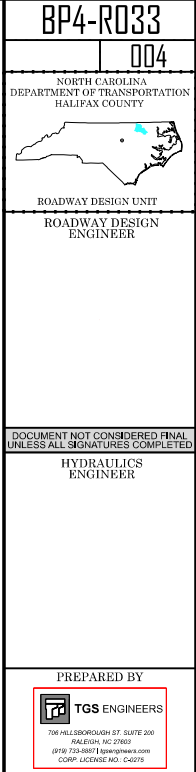
**BURKE EVANS, PE**  
PROJECT ENGINEER  
  
**NATHAN PUERTOLLANO, EI**  
PROJECT DESIGN ENGINEER  
  
**RUSSELL BROADWELL, PE**  
NCDOT CONTACT

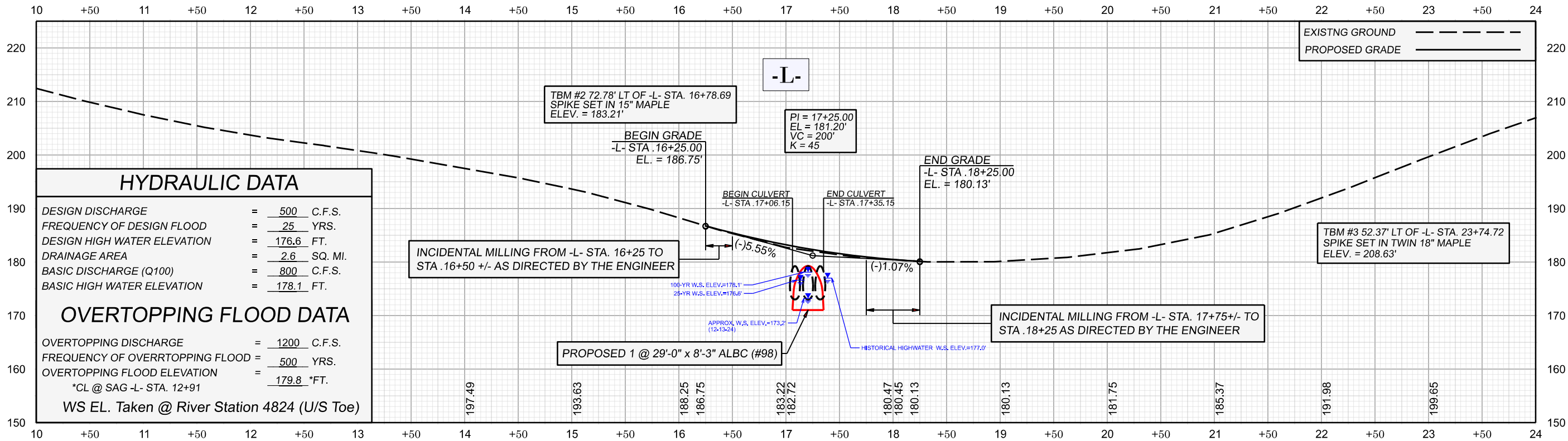
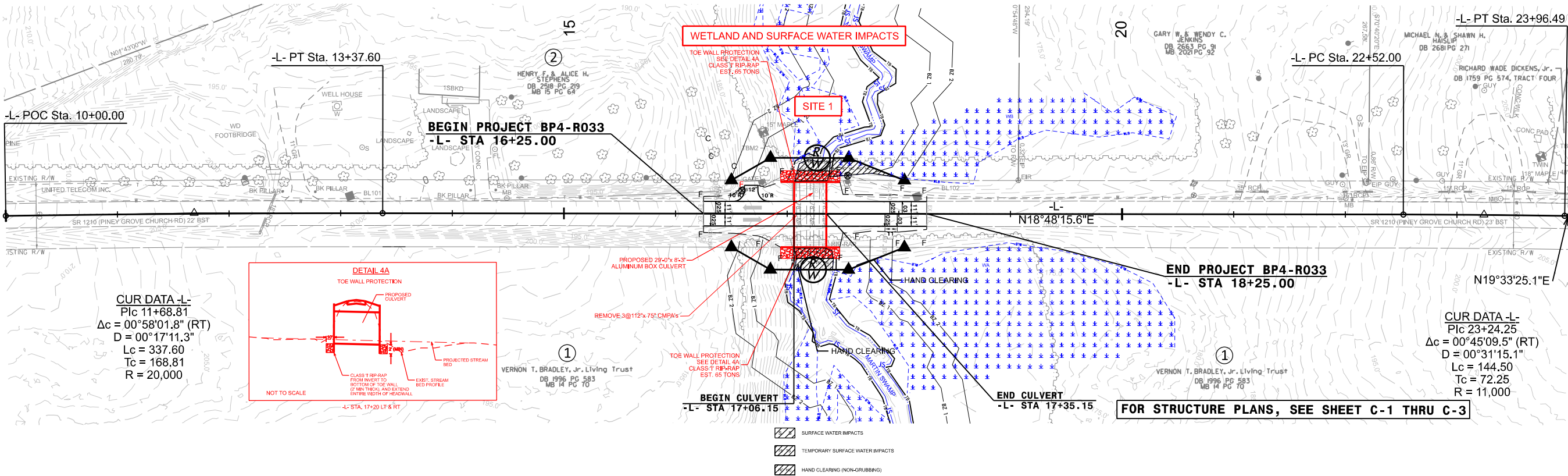
HYDRAULICS ENGINEER

SIGNATURE: \_\_\_\_\_  
ROADWAY DESIGN ENGINEER

SIGNATURE: \_\_\_\_\_  
P.E.







BP4-R033

NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
HALIFAX COUNTY



ROADWAY DESIGN UNIT

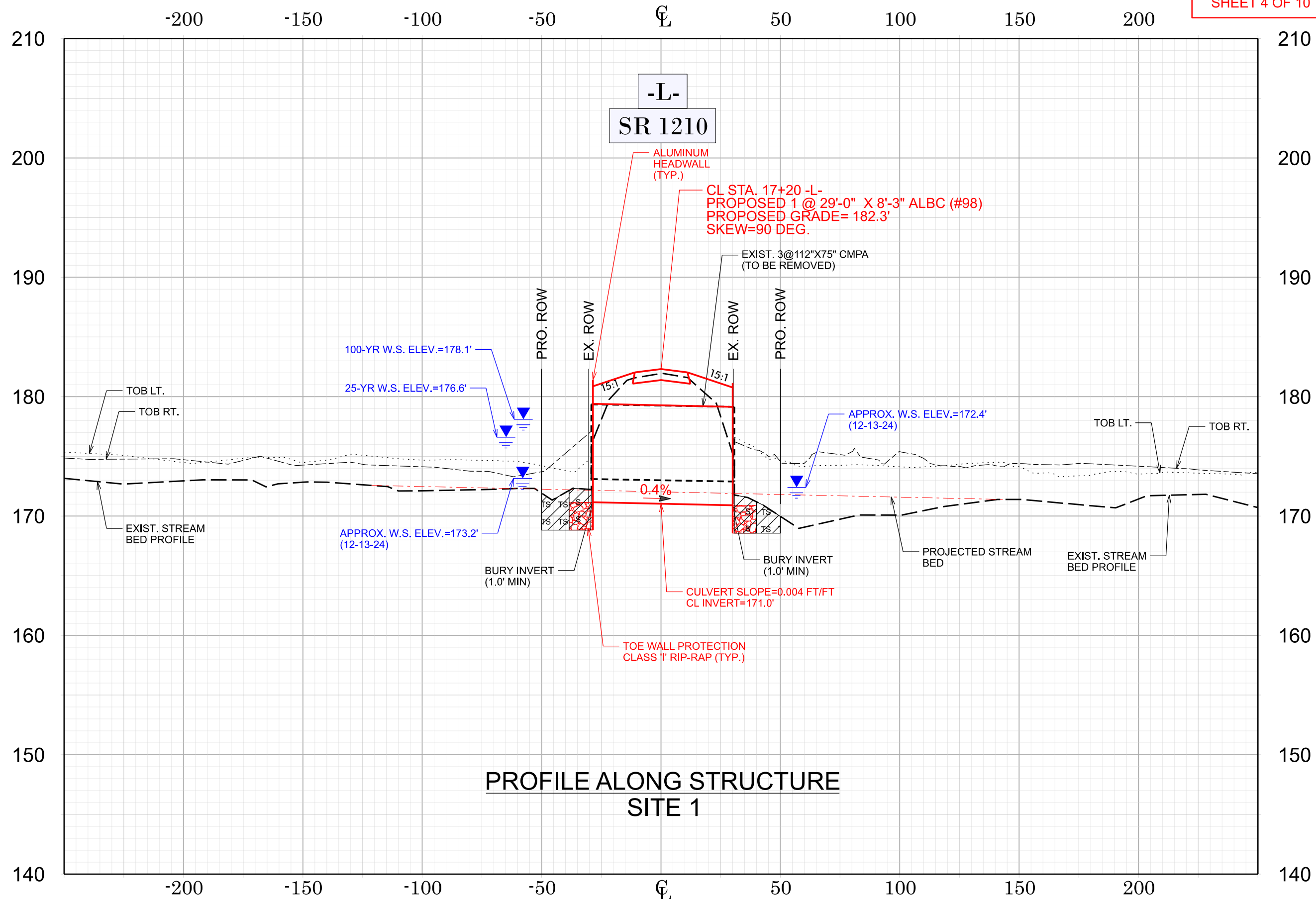
ROADWAY DESIGN  
ENGINEER

HYDRAULICS  
ENGINEER

PREPARED BY

 TOS ENGINEERS  
706 HILSBROUGH ST.  
RALEIGH, NC 27603  
PH: 919.774-2882  
CORP. LICENSE NO. C-2275

DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED



 SURFACE WATER IMPACTS

 TEMPORARY SURFACE WATER IMPACTS

SCALE  
1"=40' HORIZONTAL  
1"=8' VERTICAL

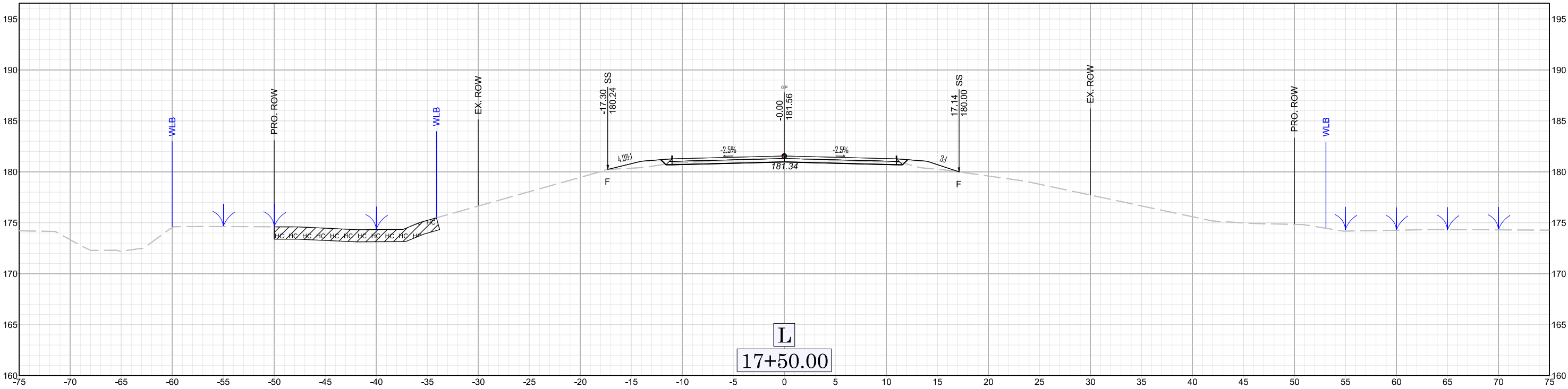
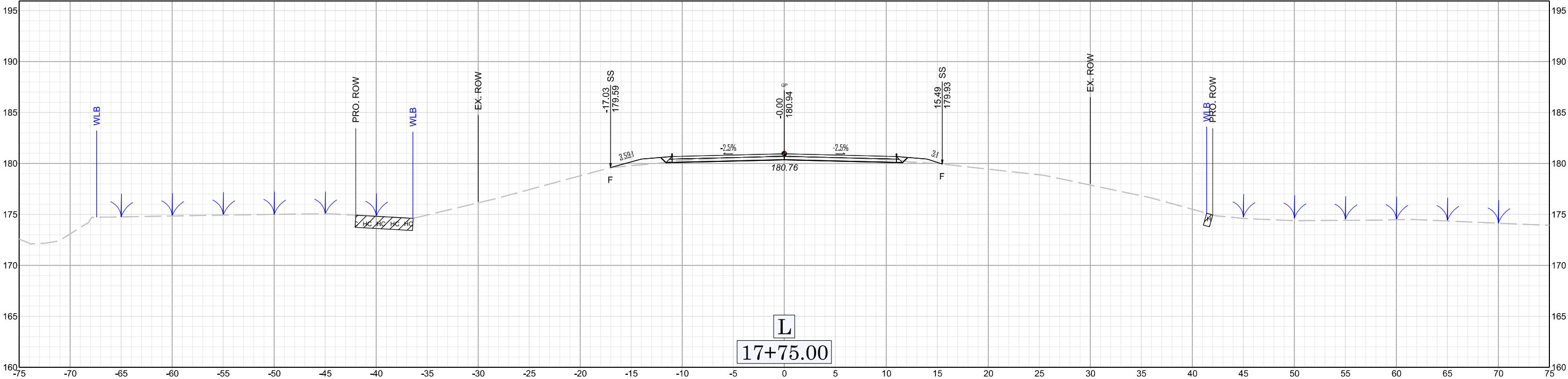
REVISIONS

# WETLAND CROSS SECTIONS

## SITE 1

PERMIT DRAWING  
SHEET 5 OF 10

 HAND CLEARING (NON-GRUBBING)



## WETLAND AND SURFACE WATER IMPACTS SUMMARY

|          |                       |                        |              | WETLAND IMPACTS                 |                             |                             |                                      |                                | SURFACE WATER IMPACTS     |                       |                                         |                                     |                            |
|----------|-----------------------|------------------------|--------------|---------------------------------|-----------------------------|-----------------------------|--------------------------------------|--------------------------------|---------------------------|-----------------------|-----------------------------------------|-------------------------------------|----------------------------|
| Site No. | Station (From/To)     | Structure Size / Type  | NRTR Map ID  | Permanent Fill In Wetlands (ac) | Temp. Fill In Wetlands (ac) | Excavation in Wetlands (ac) | Mechanized Clearing in Wetlands (ac) | Hand Clearing in Wetlands (ac) | Permanent SW impacts (ac) | Temp. SW impacts (ac) | Existing Channel Impacts Permanent (ft) | Existing Channel Impacts Temp. (ft) | Natural Stream Design (ft) |
| 1        | -L- 17+05 TO 17+40 LT | DEWATERING / DEVERSION | MARTIN SWAMP |                                 |                             |                             |                                      |                                |                           | 0.006                 |                                         | 10                                  |                            |
| 1        | -L- 17+05 TO 17+40 LT | TOE WALL PROTECTION    | MARTIN SWAMP |                                 |                             |                             |                                      |                                | 0.006                     |                       | 10                                      |                                     |                            |
| 1        | -L- 17+35 TO 18+00 LT | HAND CLEARING          | WB           |                                 |                             |                             |                                      | 0.013                          |                           |                       |                                         |                                     |                            |
| 1        | -L- 17+05 TO 17+40 RT | DEWATERING / DEVERSION | MARTIN SWAMP |                                 |                             |                             |                                      |                                |                           | 0.008                 |                                         | 10                                  |                            |
| 1        | -L- 17+05 TO 17+40 RT | TOE WALL PROTECTION    | MARTIN SWAMP |                                 |                             |                             |                                      |                                | 0.007                     |                       | 10                                      |                                     |                            |
| 1        | -L- 17+05 TO 17+10 RT | HAND CLEARING          | WA           |                                 |                             |                             |                                      | 0.001                          |                           |                       |                                         |                                     |                            |
| 1        | -L- 17+60 TO 17+80 RT | HAND CLEARING          | WA           |                                 |                             |                             |                                      | 0.001                          |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
|          |                       |                        |              |                                 |                             |                             |                                      |                                |                           |                       |                                         |                                     |                            |
| TOTALS:  |                       |                        |              |                                 |                             |                             |                                      | 0.015                          | 0.013                     | 0.014                 | 20                                      | 20                                  |                            |

NOTES:

Total Permanent Wetland Impacts = 0.000 Ac

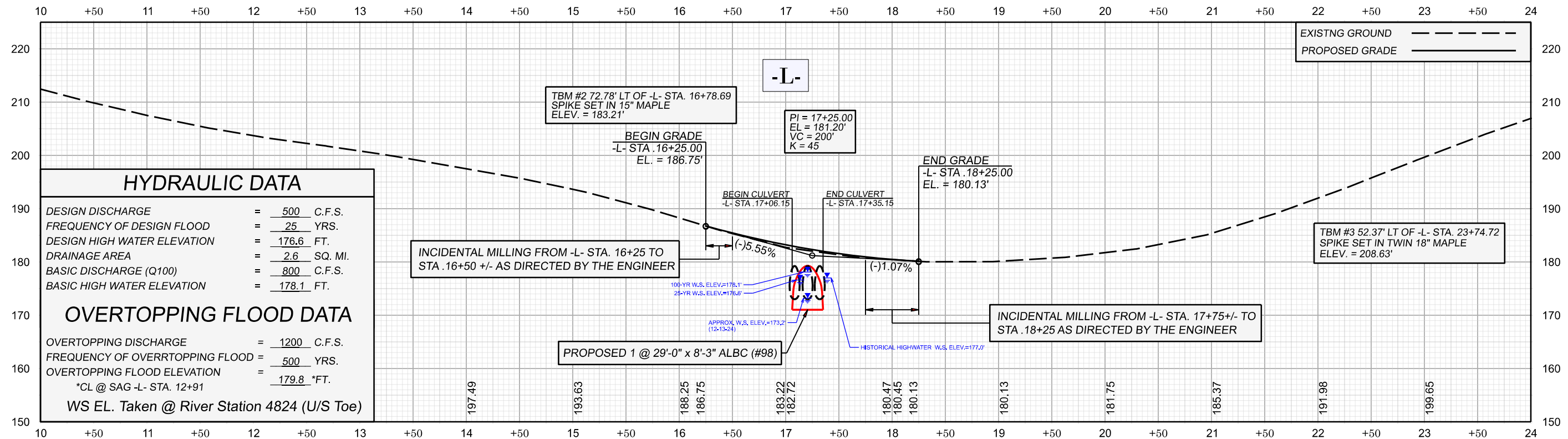
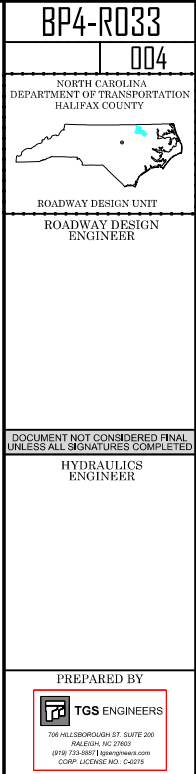
Total Temporary Wetland Impacts (Hand Clearing) = 0.015 Ac

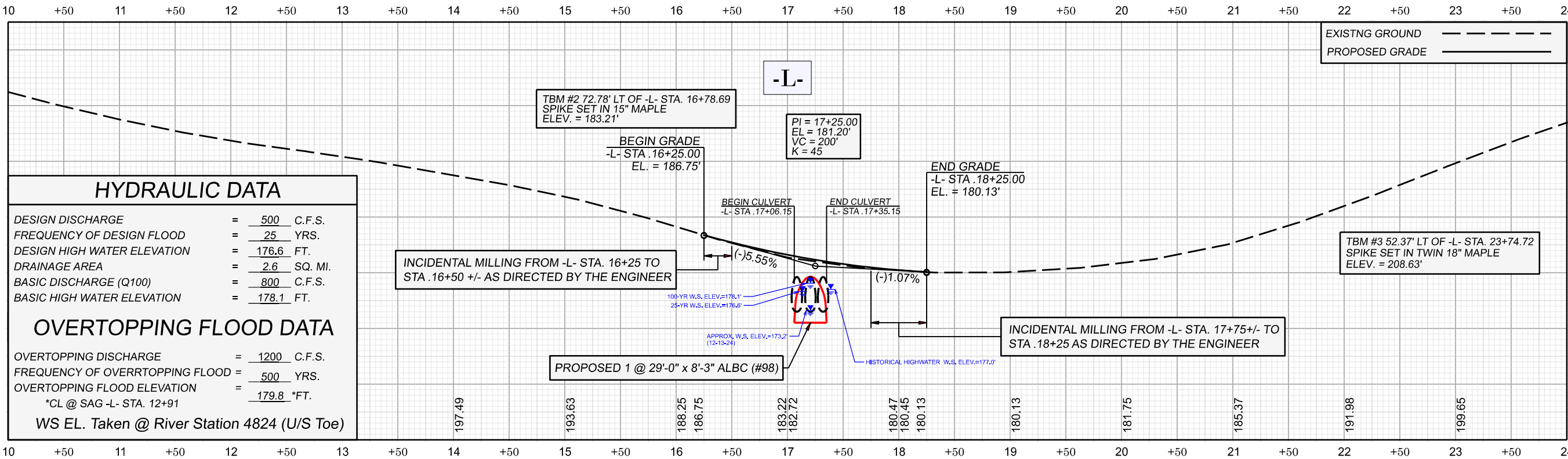
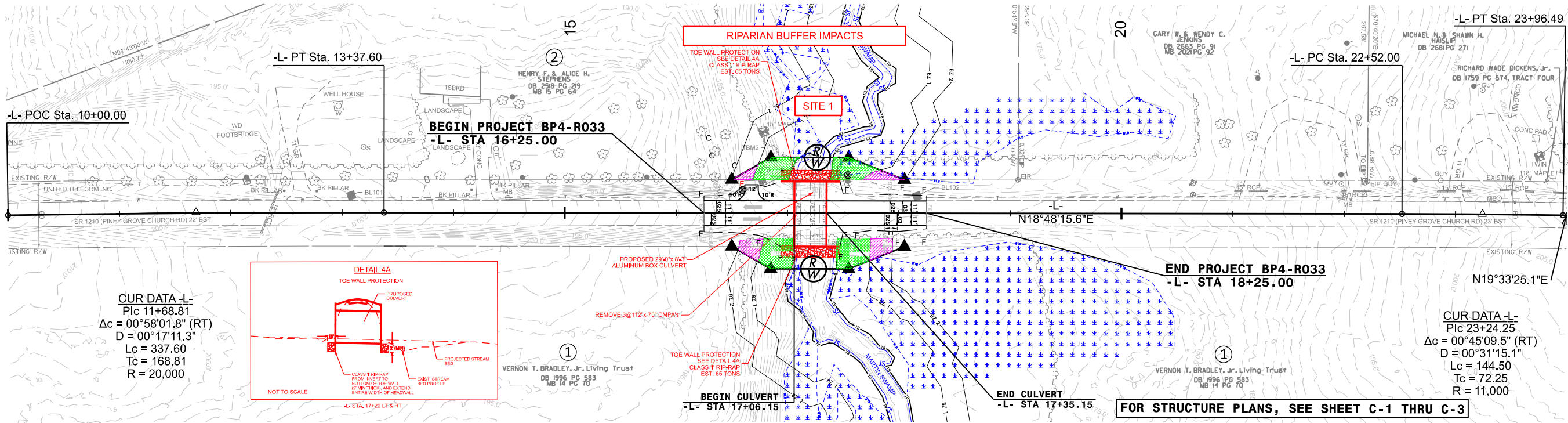
Total Mitigable Permanent Stream Impacts = 20 Ft

Total Non Mitigable Permanent Stream Impacts = 0 FT

Total Temporary Stream Impacts (Dewatering / Deversion) = 20 FT

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
5/1/26  
HALIFAX COUNTY  
BP4-R033  
BP4.R033.1  
SHEET 6 OF 10





### HYDRAULIC DATA

|                             |   |       |         |
|-----------------------------|---|-------|---------|
| DESIGN DISCHARGE            | = | 500   | C.F.S.  |
| FREQUENCY OF DESIGN FLOOD   | = | 25    | YRS.    |
| DESIGN HIGH WATER ELEVATION | = | 176.6 | FT.     |
| DRAINAGE AREA               | = | 2.6   | SQ. MI. |
| BASIC DISCHARGE (Q100)      | = | 800   | C.F.S.  |
| BASIC HIGH WATER ELEVATION  | = | 178.1 | FT.     |

### OVERTOPPING FLOOD DATA

|                                 |   |       |        |
|---------------------------------|---|-------|--------|
| OVERTOPPING DISCHARGE           | = | 1200  | C.F.S. |
| FREQUENCY OF OVERTTOPPING FLOOD | = | 500   | YRS.   |
| OVERTOPPING FLOOD ELEVATION     | = | 179.8 | *FT.   |

\*CL @ SAG -L- STA. 12+91

WS EL. Taken @ River Station 4824 (U/S Toe)

REVISIONS

| RIPARIAN BUFFER IMPACTS SUMMARY |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|---------------------------------|-----------------------|-------------------------|--------------|---------------|--------|-----------------|--------------|--------------|-------------|--------------|--------------|-------------|--------------------|--------------|
|                                 |                       |                         |              | IMPACTS       |        |                 |              |              |             |              |              |             | BUFFER REPLACEMENT |              |
| Site No.                        | Station (From/To)     | Structure Size / Type   | NRTR Map ID  | TYPE          |        |                 | ALLOWABLE    |              |             | MITIGABLE    |              |             |                    |              |
|                                 |                       |                         |              | ROAD CROSSING | BRIDGE | PARALLEL IMPACT | ZONE 1 (ft²) | ZONE 2 (ft²) | TOTAL (ft²) | ZONE 1 (ft²) | ZONE 2 (ft²) | TOTAL (ft²) | ZONE 1 (ft²)       | ZONE 2 (ft²) |
| 1                               | -L- 16+50 TO 17+10 LT | 1 @ 29'-0" X 8'-3" ALBC | MARTIN SWAMP | X             |        |                 | 620          | 125          | 745         |              |              |             |                    |              |
| 1                               | -L- 17+40 TO 18+05 LT | 1 @ 29'-0" X 8'-3" ALBC | MARTIN SWAMP | X             |        |                 | 625          | 180          | 805         |              |              |             |                    |              |
| 1                               | -L- 16+55 TO 17+05 RT | 1 @ 29'-0" X 8'-3" ALBC | MARTIN SWAMP | X             |        |                 | 765          | 300          | 1065        |              |              |             |                    |              |
| 1                               | -L- 17+45 TO 17+95 RT | 1 @ 29'-0" X 8'-3" ALBC | MARTIN SWAMP | X             |        |                 | 735          | 315          | 1050        |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
|                                 |                       |                         |              |               |        |                 |              |              |             |              |              |             |                    |              |
| TOTALS:                         |                       |                         |              |               |        |                 | 2745         | 920          | 3665        | 0            | 0            | 0           | 0                  | 0            |

Total Allowable Buffer Impacts = 3665 SF (0.084 Ac)  
Total Mitigable Buffer Impacts = 0 SF (0.000 Ac)

SHEET 9 OF 10

# WETLANDS IN BUFFER IMPACTS SUMMARY

|               |                       | WETLANDS IN BUFFERS          |                              |
|---------------|-----------------------|------------------------------|------------------------------|
| SITE NO.      | STATION (FROM/TO)     | ZONE 1<br>(ft <sup>2</sup> ) | ZONE 2<br>(ft <sup>2</sup> ) |
| 1             | -L- 17+40 TO 18+00 LT | 505                          | 40                           |
| 1             | -L- 17+60 TO 17+80 RT | 15                           | 5                            |
|               |                       |                              |                              |
|               |                       |                              |                              |
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|               |                       |                              |                              |
| <b>TOTAL:</b> |                       | <b>520</b>                   | <b>45</b>                    |

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS

5/1/26  
Halifax County  
BP4-R033  
BP4.R033.1

SHEET 10 OF 10

**STANDARD SPECIAL PROVISION**  
**AVAILABILITY OF FUNDS – TERMINATION OF CONTRACTS**

(5-20-08)(Rev. 1-16-24)

Z-2

*General Statute 143C-6-11. (h) Highway Appropriation* is hereby incorporated verbatim in this contract as follows:

(h) Amounts Encumbered. – Transportation project appropriations may be encumbered in the amount of allotments made to the Department of Transportation by the Director for the estimated payments for transportation project contract work to be performed in the appropriation fiscal year. The allotments shall be multiyear allotments and shall be based on estimated revenues and shall be subject to the maximum contract authority contained in *General Statute 143C-6-11(c)*. Payment for transportation project work performed pursuant to contract in any fiscal year other than the current fiscal year is subject to appropriations by the General Assembly. Transportation project contracts shall contain a schedule of estimated completion progress, and any acceleration of this progress shall be subject to the approval of the Department of Transportation provided funds are available. The State reserves the right to terminate or suspend any transportation project contract, and any transportation project contract shall be so terminated or suspended if funds will not be available for payment of the work to be performed during that fiscal year pursuant to the contract. In the event of termination of any contract, the contractor shall be given a written notice of termination at least 60 days before completion of scheduled work for which funds are available. In the event of termination, the contractor shall be paid for the work already performed in accordance with the contract specifications.

Payment will be made on any contract terminated pursuant to the special provision in accordance with Subarticle 108-13(D) of the *Standard Specifications*.

**STANDARD SPECIAL PROVISION**  
**NCDOT GENERAL SEED SPECIFICATION FOR SEED QUALITY**

(5-17-11)

Z-3

Seed shall be sampled and tested by the North Carolina Department of Agriculture and Consumer Services, Seed Testing Laboratory. When said samples are collected, the vendor shall supply an independent laboratory report for each lot to be tested. Results from seed so sampled shall be final. Seed not meeting the specifications shall be rejected by the Department of Transportation and shall not be delivered to North Carolina Department of Transportation warehouses. If seed has been delivered it shall be available for pickup and replacement at the supplier's expense.

Any re-labeling required by the North Carolina Department of Agriculture and Consumer Services, Seed Testing Laboratory, that would cause the label to reflect as otherwise specified herein shall be rejected by the North Carolina Department of Transportation.

Seed shall be free from seeds of the noxious weeds Johnsongrass, Balloonvine, Jimsonweed, Witchweed, Itchgrass, Serrated Tussock, Showy Crotalaria, Smooth Crotalaria, Sickledod, Sandbur, Wild Onion, and Wild Garlic. Seed shall not be labeled with the above weed species on the seed analysis label. Tolerances as applied by the Association of Official Seed Analysts will NOT be allowed for the above noxious weeds except for Wild Onion and Wild Garlic.

Tolerances established by the Association of Official Seed Analysts will generally be recognized. However, for the purpose of figuring pure live seed, the found pure seed and found germination percentages as reported by the North Carolina Department of Agriculture and Consumer Services, Seed Testing Laboratory will be used. Allowances, as established by the NCDOT, will be recognized for minimum pure live seed as listed on the following pages.

The specifications for restricted noxious weed seed refers to the number per pound as follows:

| <b><u>Restricted Noxious Weed</u></b> | <b><u>Limitations per Lb. Of Seed</u></b> | <b><u>Restricted Noxious Weed</u></b> | <b><u>Limitations per Lb. of Seed</u></b> |
|---------------------------------------|-------------------------------------------|---------------------------------------|-------------------------------------------|
| Blessed Thistle                       | 4 seeds                                   | Cornflower (Ragged Robin)             | 27 seeds                                  |
| Cocklebur                             | 4 seeds                                   | Texas Panicum                         | 27 seeds                                  |
| Spurred Anoda                         | 4 seeds                                   | Bracted Plantain                      | 54 seeds                                  |
| Velvetleaf                            | 4 seeds                                   | Buckhorn Plantain                     | 54 seeds                                  |
| Morning-glory                         | 8 seeds                                   | Broadleaf Dock                        | 54 seeds                                  |
| Corn Cockle                           | 10 seeds                                  | Curly Dock                            | 54 seeds                                  |
| Wild Radish                           | 12 seeds                                  | Dodder                                | 54 seeds                                  |
| Purple Nutsedge                       | 27 seeds                                  | Giant Foxtail                         | 54 seeds                                  |
| Yellow Nutsedge                       | 27 seeds                                  | Horsenettle                           | 54 seeds                                  |
| Canada Thistle                        | 27 seeds                                  | Quackgrass                            | 54 seeds                                  |
| Field Bindweed                        | 27 seeds                                  | Wild Mustard                          | 54 seeds                                  |
| Hedge Bindweed                        | 27 seeds                                  |                                       |                                           |

Seed of Pensacola Bahiagrass shall not contain more than 7% inert matter, Kentucky Bluegrass, Centipede and Fine or Hard Fescue shall not contain more than 5% inert matter whereas a maximum of 2% inert matter will be allowed on all other kinds of seed. In addition, all seed

shall not contain more than 2% other crop seed nor more than 1% total weed seed. The germination rate as tested by the North Carolina Department of Agriculture shall not fall below 70%, which includes both dormant and hard seed. Seed shall be labeled with not more than 7%, 5% or 2% inert matter (according to above specifications), 2% other crop seed and 1% total weed seed.

Exceptions may be made for minimum pure live seed allowances when cases of seed variety shortages are verified. Pure live seed percentages will be applied in a verified shortage situation. Those purchase orders of deficient seed lots will be credited with the percentage that the seed is deficient.

FURTHER SPECIFICATIONS FOR EACH SEED GROUP ARE GIVEN BELOW:

Minimum 85% pure live seed; maximum 1% total weed seed; maximum 2% total other crop seed; maximum 144 restricted noxious weed seed per pound. Seed less than 83% pure live seed will not be approved.

Sericea Lespedeza  
Oats (seeds)

Minimum 80% pure live seed; maximum 1% total weed seed; maximum 2% total other crop; maximum 144 restricted noxious weed seed per pound. Seed less than 78% pure live seed will not be approved.

|                                      |                            |
|--------------------------------------|----------------------------|
| Tall Fescue (all approved varieties) | Bermudagrass               |
| Kobe Lespedeza                       | Browntop Millet            |
| Korean Lespedeza                     | German Millet – Strain R   |
| Weeping Lovegrass                    | Clover – Red/White/Crimson |
| Carpetgrass                          |                            |

Minimum 78% pure live seed; maximum 1% total weed seed; maximum 2% total other crop seed; maximum 144 restricted noxious weed seed per pound. Seed less than 76% pure live seed will not be approved.

Common or Sweet Sundangrass

Minimum 76% pure live seed; maximum 1% total weed seed; maximum 2% total other crop seed; maximum 144 restricted noxious weed seed per pound. Seed less than 74% pure live seed will not be approved.

Rye (grain; all varieties)  
Kentucky Bluegrass (all approved varieties)  
Hard Fescue (all approved varieties)  
Shrub (bicolor) Lespedeza

Minimum 70% pure live seed; maximum 1% total weed seed; maximum 2% total other crop seed; maximum 144 noxious weed seed per pound. Seed less than 70% pure live seed will not be approved.

Centipedegrass  
Crownvetch  
Pensacola Bahiagrass  
Creeping Red Fescue

Japanese Millet  
Reed Canary Grass  
Zoysia

Minimum 70% pure live seed; maximum 1% total weed seed; maximum 2% total other crop seed; maximum 5% inert matter; maximum 144 restricted noxious weed seed per pound.

Barnyard Grass  
Big Bluestem  
Little Bluestem  
Bristly Locust  
Birdsfoot Trefoil  
Indiangrass  
Orchardgrass  
Switchgrass  
Yellow Blossom Sweet Clover

**STANDARD SPECIAL PROVISION**  
**ERRATA**

(1-16-24)(Rev. 6-16-26)

Z-4

Revise the *2024 Standard Specifications* as follows:

**Division 1**

**Page 1-1, Article 101-2 ABBREVIATIONS, line 25,** replace "American Wood-Preservers' Association" with "American Wood Protection Association".

**Page 1-18, Article 102-10 BID BOND OR BID DEPOSIT, line 26,** replace " Subarticle 102-8(A)(8)(b)" with "Subarticle 102-8(A)(12)(b)".

**Page 1-20, Subarticle 102-14(A) State Funded Projects, line 3,** replace "\$30,000" with "\$40,000".

**Page 1-20, Subarticle 102-14(B) Federal Aid Projects, line 7,** replace "\$30,000" with "\$40,000".

**Page 1-36, Subarticle 104-12(B) Evaluation of Proposals, line 21,** replace "Design-Build Unit" with "Alternative Delivery Unit".

**Page 1-36, Subarticle 104-12(D) Preliminary Review, line 37,** replace "Design-Build Unit" with "Alternative Delivery Unit".

**Page 1-37, Subarticle 104-12(E) Final Proposal, line 3,** replace "Design-Build Unit" with "Alternative Delivery Unit".

**Page 1-37, Subarticle 104-12(F) Design-Build VEPs, line 36,** replace "Design-Build Unit" with "Alternative Delivery Unit".

**Page 1-38, Subarticle 104-12(G) Modifications, line 1,** replace "Design-Build Unit" with "Alternative Delivery Unit".

**Division 3**

**Page 3-5, Article 305-2 MATERIALS, after line 16,** replace " 1032-3(A)(7)" with "1032-3" and add the item "Galvanized Corrugated Steel Pipe" with Section "1032-3".

**Page 3-6, Article 310-2 MATERIALS, after line 9,** add the item "Galvanized Corrugated Steel Pipe" with Section "1032-3".

**Division 6**

**Page 6-15, Article 610-1 DESCRIPTION, line 20,** replace "The work includes" with "The work includes, but is not limited to,".

**Page 6-15, Article 610-1 DESCRIPTION, line 22,** replace “applying the tack coat as specified.” with “applying the tack coat in accordance with Section 605.”.

**Page 6-30, Article 610-14 DENSITY ACCEPTANCE, line 39,** replace “QC process.” with “QC process in accordance with Section 609.”.

**Page 6-31, Article 610-16 MEASUREMENT AND PAYMENT, line 13,** replace "*Hot Mix Asphalt Pavement*" with "*Asphalt Concrete \_\_\_\_\_ Course, Type \_\_\_\_\_*".

**Page 6-50, Subarticle 661-4(A) Equipment, lines 4-7,** replace the first two sentences of the seventh paragraph with the following:

When an erected fixed stringline is utilized for longitudinal profile and cross slope control furnish and erect the necessary guide line for the equipment.

#### **Division 7**

**Page 7-18, Subarticle 710-10(A) General, lines 7-8,** delete “for *Surface Testing Concrete Pavement*” from the last paragraph.

#### **Division 8**

**Page 8-27, Article 846-1 DESCRIPTION, line 8,** delete “4 inch” from the first paragraph.

#### **Division 9**

**Page 9-17, Article 904-4 MEASUREMENT AND PAYMENT, prior to line 1,** replace " Sign Erection, Relocate Type (Ground Mounted)" with “Sign Erection, Relocate Type \_\_\_\_ (Ground Mounted)”.

#### **Division 10**

**Page 10-51, Article 1024-4 WATER, prior to line 1,** delete the “unpopulated blank row” in Table 1024-2 between “Time of set, deviation from control” and “Chloride Ion Content, Max.”.

**Page 10-170, Subarticle 1081-1(C) Requirements, line 4,** replace "maximum" with “minimum”.

#### **Division 11**

**Page 11-15, Article 1160-4 MEASUREMENT AND PAYMENT, line 24,** replace “Where barrier units are moved more than one” with “Where barrier units are moved more than once”.

#### **Division 15**

**Page 15-10, Article 1515-4 MEASUREMENT AND PAYMENT, lines 11,** replace " All piping” with “All labor, the manhole, other materials, excavation, backfilling, piping”.

**Division 16**

**Page 16-14, Article 1633-5 MEASUREMENT AND PAYMENT, line 20-24 and prior to line 25,** delete and replace with the following " *Flocculant* will be measured and paid in accordance with Article 1642-5 applied to the temporary rock silt checks."

**Page 16-3, Article 1609-2 MATERIALS, after line 26,** replace "Type 4" with "Type 4a".

**Page 16-25, Article 1644-2 MATERIALS, after line 22,** replace "Type 4" with "Type 4a".

**Page 16-27, Article 1644-5 MEASUREMENT AND PAYMENT, line 31,** replace "Article 1630-4" with "Article 1630-3".

**Division 17**

**Page 17-15, Article 1715-4 MEASUREMENT AND PAYMENT, line 23,** delete and replace "1.25" with "1-1/4".

**Page 17-15, Article 1715-4 MEASUREMENT AND PAYMENT, line 24,** delete and replace "(1.25" with " , 1-1/4".

**STANDARD SPECIAL PROVISION****PLANT AND PEST QUARANTINES**

**(Imported Fire Ant, Guava Root Knot Nematode, Spongy Moth (formerly known as gypsy moth), Witchweed, Cogon Grass, And Any Other Regulated Noxious Weed or Plant Pest)**

(3-18-03)(Rev. 3-18-25)

Z-04a

**Within Quarantined Area**

This project may be within a county regulated for plant and/or pests. If the project or any part of the Contractor's operations is located within a quarantined area, thoroughly clean all equipment prior to moving out of the quarantined area. Comply with federal/state regulations by obtaining a certificate or limited permit for any regulated article moving from the quarantined area.

**Originating in a Quarantined County**

Obtain a certificate or limited permit issued by the N.C. Department of Agriculture/United States Department of Agriculture. Have the certificate or limited permit accompany the article when it arrives at the project site.

**Contact**

Contact the N.C. Department of Agriculture/United States Department of Agriculture at 1-800-206-9333, 919-707-3730, or <https://www.ncagr.gov/divisions/plant-industry/plant-protection/plant-industry-plant-pest-quarantines> to determine those specific project sites located in the quarantined area or for any regulated article used on this project originating in a quarantined county.

**Regulated Articles Include**

1. Soil, sand, gravel, compost, peat, humus, muck, and decomposed manure, separately or with other articles. This includes movement of articles listed above that may be associated with cut/waste, ditch pulling, and shoulder cutting.
2. Plants with roots including grass sod.
3. Plant crowns and roots.
4. Bulbs, corms, rhizomes, and tubers of ornamental plants.
5. Hay, straw, fodder, and plant litter of any kind.
6. Clearing and grubbing debris.
7. Used agricultural cultivating and harvesting equipment.
8. Used earth-moving equipment.
9. Any other products, articles, or means of conveyance of any character, if determined by an inspector present a hazard of spreading imported fire ant, guava root knot nematode, spongy moth (formerly known as gypsy moth), witchweed, cogon grass, or other regulated noxious weed or plant pest.

**STANDARD SPECIAL PROVISION****MINIMUM WAGES**

(7-21-09)

Z-5

**FEDERAL:** The Fair Labor Standards Act provides that with certain exceptions every employer shall pay wages at the rate of not less than SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

**STATE:** The North Carolina Minimum Wage Act provides that every employer shall pay to each of his employees, wages at a rate of not less than SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

The minimum wage paid to all skilled labor employed on this contract shall be SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

The minimum wage paid to all intermediate labor employed on this contract shall be SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

The minimum wage paid to all unskilled labor on this contract shall be SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

This determination of the intent of the application of this act to the contract on this project is the responsibility of the Contractor.

The Contractor shall have no claim against the Department of Transportation for any changes in the minimum wage laws, Federal or State. It is the responsibility of the Contractor to keep fully informed of all Federal and State Laws affecting his contract.

**STANDARD SPECIAL PROVISION****TITLE VI AND NONDISCRIMINATION:**

(6-28-77)(Rev 1/16/2024)

Z-6

The North Carolina Department of Transportation is committed to carrying out the U.S. Department of Transportation's policy of ensuring nondiscrimination in the award and administration of contracts.

The provisions of this section related to United States Department of Transportation (US DOT) Order 1050.2A, Title 49 Code of Federal Regulations (CFR) part 21, 23 United States Code (U.S.C.) 140 and 23 CFR part 200 (or 49 CFR 303, 49 U.S.C. 5332 or 49 U.S.C. 47123) are applicable to all North Carolina Department of Transportation (NCDOT) contracts and to all related subcontracts, material supply, engineering, architectural and other service contracts, regardless of dollar amount. Any Federal provision that is specifically required not specifically set forth is hereby incorporated by reference.

**(1) Title VI Assurances (USDOT Order 1050.2A, Appendix A)**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

**(a) Compliance with Regulations**

The contractor (hereinafter includes consultants) shall comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

**(b) Nondiscrimination**

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

**(c) Solicitations for Subcontractors, Including Procurements of Materials and Equipment**

In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

**(d) Information and Reports**

The contractor shall provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and shall permit access to its

books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor shall so certify to the Recipient or the FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information.

(e) Sanctions for Noncompliance:

In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it and/or the FHWA may determine to be appropriate, including, but not limited to:

- (i) Withholding payments to the contractor under the contract until the contractor complies; and/or
- (ii) Cancelling, terminating, or suspending a contract, in whole or in part.

(f) Incorporation of Provisions

The contractor shall include the provisions of paragraphs (a) through (f) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor shall take action with respect to any subcontract or procurement as the Recipient or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

**(2) Title VI Nondiscrimination Program (23 CFR 200.5(p))**

The North Carolina Department of Transportation (NCDOT) has assured the USDOT that, as a condition to receiving federal financial assistance, NCDOT will comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed by Title 49 CFR part 21 and related nondiscrimination authorities to ensure that no person shall, on the ground of race, color, national origin, limited English proficiency, sex, age, or disability (including religion/creed or income-level, where applicable), be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs, activities, or services conducted or funded by NCDOT. Contractors and other organizations under contract or agreement with NCDOT must also comply with Title VI and related authorities, therefore:

- (a) During the performance of this contract or agreement, contractors (e.g., subcontractors, consultants, vendors, prime contractors) are responsible for complying with NCDOT's Title VI Program. Contractors are not required to prepare or submit Title VI Programs. To comply with this section, the prime contractor shall:
  - 1. Post NCDOT's Notice of Nondiscrimination and the Contractor's own Equal Employment Opportunity (EEO) Policy in conspicuous locations accessible to all employees, applicants and subcontractors on the jobsite.

2. Physically incorporate the required Title VI clauses into all subcontracts on federally-assisted and state-funded NCDOT projects, and ensure inclusion by subcontractors into all lower-tier subcontracts.
  3. Required Solicitation Language. The Contractor shall include the following notification in all solicitations for bids and requests for work or material, regardless of funding source:

“The North Carolina Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award. In accordance with other related nondiscrimination authorities, bidders and contractors will also not be discriminated against on the grounds of sex, age, disability, low-income level, creed/religion, or limited English proficiency in consideration for an award.”
  4. Physically incorporate the FHWA-1273, in its entirety, into all subcontracts and subsequent lower tier subcontracts on Federal-aid highway construction contracts only.
  5. Provide language assistance services (i.e., written translation and oral interpretation), free of charge, to LEP employees and applicants. Contact NCDOT OCR for further assistance, if needed.
  6. For assistance with these Title VI requirements, contact the NCDOT Title VI Nondiscrimination Program at 1-800-522-0453.
- (b) Subrecipients (e.g. cities, counties, LGAs, planning organizations) may be required to prepare and submit a Title VI Plan to NCDOT, including Title VI Assurances and/or agreements. Subrecipients must also ensure compliance by their contractors and subrecipients with Title VI. (23 CFR 200.9(b)(7))
- (c) If reviewed or investigated by NCDOT, the contractor or subrecipient agrees to take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed 90 calendar days, unless additional time is granted by NCDOT. (23 CFR 200.9(b)(15))
- (d) The Contractor is responsible for notifying subcontractors of NCDOT’s External Discrimination Complaints Process.
1. Applicability

Title VI and related laws protect participants and beneficiaries (e.g., members of the public and contractors) from discrimination by NCDOT employees, subrecipients and contractors, regardless of funding source.

## 2. Eligibility

Any person—or class of persons—who believes he/she has been subjected to discrimination based on race, color, national origin, Limited English Proficiency (LEP), sex, age, or disability (and religion in the context of employment, aviation, or transit) may file a written complaint. The law also prohibits intimidation or retaliation of any sort.

## 3. Time Limits and Filing Options

Complaints may be filed by the affected individual(s) or a representative and must be filed no later than 180 calendar days after the following:

- (i) The date of the alleged act of discrimination; or
- (ii) The date when the person(s) became aware of the alleged discrimination; or
- (iii) Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Title VI and related discrimination complaints may be submitted to the following entities:

- North Carolina Department of Transportation, Office of Civil Rights, Title VI Program, 1511 Mail Service Center, Raleigh, NC 27699-1511; toll free 1-800-522-0453
- Federal Highway Administration, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010
- US Department of Transportation, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070

## 4. Format for Complaints

Complaints must be in writing and signed by the complainant(s) or a representative, and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.

## 5. Discrimination Complaint Form

Contact NCDOT Civil Rights to receive a full copy of the Discrimination Complaint Form and procedures.

## 6. Complaint Basis

Allegations must be based on issues involving race, color, national origin (LEP), sex, age, disability, or religion (in the context of employment, aviation or transit). "Basis" refers to the complainant's membership in a protected group category.

**TABLE 103-1  
COMPLAINT BASIS**

| Protected Categories                                                                                                                 | Definition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Examples                                                                                                               | Applicable Nondiscrimination Authorities                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Race and Ethnicity                                                                                                                   | An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group                                                                                                                                                                                                                                                                                                                                                     | Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White | Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200; 49 U.S.C. 5332(b); 49 U.S.C. 47123.<br>(Executive Order 13166) |
| Color                                                                                                                                | Color of skin, including shade of skin within a racial group                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Black, White, brown, yellow, etc.                                                                                      |                                                                                                                                      |
| National Origin ( <i>Limited English Proficiency</i> )                                                                               | Place of birth. Citizenship is not a factor. ( <i>Discrimination based on language or a person's accent is also covered</i> )                                                                                                                                                                                                                                                                                                                                                                                              | Mexican, Cuban, Japanese, Vietnamese, Chinese                                                                          |                                                                                                                                      |
| Sex                                                                                                                                  | Gender. The sex of an individual.<br><i>Note:</i> Sex under this program does not include sexual orientation.                                                                                                                                                                                                                                                                                                                                                                                                              | Women and Men                                                                                                          | 1973 Federal-Aid Highway Act; 49 U.S.C. 5332(b); 49 U.S.C. 47123.                                                                    |
| Age                                                                                                                                  | Persons of any age                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 21-year-old person                                                                                                     | Age Discrimination Act of 1975 49 U.S.C. 5332(b); 49 U.S.C. 47123.                                                                   |
| Disability                                                                                                                           | Physical or mental impairment, permanent or temporary, or perceived.                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic                                                         | Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990                                               |
| Religion (in the context of employment)<br>( <i>Religion/ Creed in all aspects of any aviation or transit-related construction</i> ) | An individual belonging to a religious group; or the perception, based on distinguishable characteristics that a person is a member of a religious group. In practice, actions taken as a result of the moral and ethical beliefs as to what is right and wrong, which are sincerely held with the strength of traditional religious views. <i>Note:</i> Does not have to be associated with a recognized religious group or church; if an individual sincerely holds to the belief, it is a protected religious practice. | Muslim, Christian, Sikh, Hindu, etc.                                                                                   | Title VII of the Civil Rights Act of 1964; 23 CFR 230; FHWA-1273 Required Contract Provisions. (49 U.S.C. 5332(b); 49 U.S.C. 47123)  |

### (3) Pertinent Nondiscrimination Authorities

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest agrees to comply with the following non-discrimination statutes and authorities, including, but not limited to:

- (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.

- (b) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- (c) Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- (d) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR Part 27;
- (e) The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- (f) Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- (g) The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- (h) Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- (i) The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- (j) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- (k) Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- (l) Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).
- (m) Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq., Pub. L. 88-352), (prohibits employment discrimination on the basis of race, color, religion, sex, or national origin).

**(4) Additional Title VI Assurances**

*\*\*The following Title VI Assurances (Appendices B, C and D) shall apply, as applicable*

- (a) Clauses for Deeds Transferring United States Property (1050.2A, Appendix B)

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4.

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the North Carolina Department of Transportation (NCDOT) will accept title to the lands and maintain the project constructed thereon in accordance with the North Carolina General Assembly, the Regulations for the Administration of the Federal-Aid Highway Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the NCDOT all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the North Carolina Department of Transportation (NCDOT) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the NCDOT, its successors and assigns.

The NCDOT, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\* (2) that the NCDOT will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

(b) Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility, or Program (1050.2A, Appendix C)

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the North Carolina Department of Transportation (NCDOT) pursuant to the provisions of Assurance 7(a):

1. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  - (i.) In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
2. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the NCDOT will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. \*
3. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the NCDOT will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the NCDOT and its assigns. \*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

(c) Clauses for Construction/Use/Access to Real Property Acquired Under the Activity, Facility or Program (1050.2A, Appendix D)

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by the North Carolina Department of Transportation (NCDOT) pursuant to the provisions of Assurance 7(b):

1. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
2. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non- discrimination covenants, the NCDOT will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued. \*
3. With respect to deeds, in the event of breach of any of the above Nondiscrimination covenants, the NCDOT will there upon revert to and vest in and become the absolute property of the NCDOT and its assigns. \*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

**STANDARD SPECIAL PROVISION****ON-THE-JOB TRAINING**

(10-16-07) (Rev. 6-16-26)

Z-10

**Description**

The North Carolina Department of Transportation administers a custom version of the Federal On-the-Job Training (OJT) Program, commonly referred to as the Alternative OJT Program. All Contractors will be automatically placed in the Alternative OJT Program.

The Alternate OJT Program will allow a Contractor to train employees on Federal, State and privately funded projects located in North Carolina. However, priority shall be given to training employees on NCDOT Federal-Aid funded projects.

On the Job Training shall meet the requirements of 23 CFR 230.107 (b), 23 USC – Section 140, this special provision and the NCDOT On-the-Job Training Program Manual.

**Minorities and Women**

Developing, training and upgrading of minorities and women toward journeyman level status is a primary objective of this special provision. Accordingly, the Contractor shall make every effort to enroll minority and women as trainees to the extent that such persons are available within a reasonable area of recruitment. This training commitment is not intended, and shall not be used, to discriminate against any applicant for training, whether a member of a minority group or not.

**Assigning Training Goals**

The Department, through the OJT Program Unit, will assign annual training goals based on the Contractor's activity over the past three years' on federal projects with the Department. At the beginning of each year, all eligible Contractors will be contacted by the Department to determine the number of trainees that will be assigned for the upcoming calendar year. At that time, the Contractor shall enter into an agreement with the Department to implement a self-imposed on-the-job training program for the calendar year. This agreement will specify the annual training goals agreed upon by both parties. The number of training assignments may range from 1 to 15 per Contractor per calendar year, unless a higher number is agreed to by the Contractor. The Contractor shall sign an agreement committing to fulfill their annual goal for the year.

**Training Classifications**

The Contractor shall provide on-the-job training aimed at developing full journeyman level workers in the construction craft/operator positions.

The Department has established common training classifications and their respective training requirements that may be used by the Contractors. However, the classifications established are not all-inclusive. Where the training is oriented toward construction applications, training will be allowed in lower-level management positions such as office engineers and estimators. Contractors shall submit new classifications for specific job functions that their employees are performing. The Department will review and recommend for acceptance to FHWA the new

classifications proposed by contractors, if applicable. New classifications shall meet the following requirements:

Proposed training classifications are reasonable and realistic based on the job skill classification needs, and

The number of training hours specified in the training classification is consistent with common practices and provides enough time for the trainee to obtain journeyman level status.

The Contractor may allow trainees to be trained by a subcontractor provided that the Contractor retains primary responsibility for meeting the training and this special provision is made applicable to the subcontract. However, only the Contractor will receive credit towards the annual goal for the trainee.

Where feasible, 25 percent of trainees in each occupation shall be in their first year of training. The number of trainees shall be distributed among the work classifications on the basis of the Contractor's needs and the availability of journeymen in the various classifications within a reasonable area of recruitment.

No employee shall be employed as a trainee in any classification in which they have successfully completed a training course leading to journeyman level status or in which they have been employed as a journeyman.

### **Records and Reports**

The Contractor shall maintain enrollment, monthly and completion reports documenting company compliance under these contract documents. These documents and any other information as requested shall be submitted to the OJT Program Manager.

Upon completion and graduation of the program, the Contractor shall provide each trainee with a certification Certificate showing the type and length of training satisfactorily completed.

### **Trainee Interviews**

All trainees enrolled in the program will receive at minimum an initial and Trainee/Post graduate interview conducted by the OJT program staff.

### **Trainee Wages**

Contractors shall compensate trainees on a graduating pay scale based upon a percentage of the prevailing minimum journeyman wages (Davis-Bacon Act). Minimum pay shall be as follows:

|            |                                                                     |
|------------|---------------------------------------------------------------------|
| 60 percent | of the journeyman wage for the first half of the training period    |
| 75 percent | of the journeyman wage for the third quarter of the training period |
| 90 percent | of the journeyman wage for the last quarter of the training period  |

In no instance shall a trainee be paid less than the local minimum wage. The Contractor shall adhere to the minimum hourly wage rate that will satisfy both the NC Department of Labor (NCDOL) and the Department.

**Achieving or Failing to Meet Training Goals**

The Contractor will be credited for each trainee currently enrolled or becomes enrolled in an approved program and who receives training for at least 50 percent of the specific program requirement. Trainees will be allowed to be transferred between projects if required by the Contractor's scheduled workload to meet training goals.

If a Contractor fails to attain their training assignments for the calendar year, they may be taken off the NCDOT's Bidders List.

**Measurement and Payment**

No compensation will be made for providing required training in accordance with these contract documents.

**LISTING OF MBE/WBE SUBCONTRACTORS**

|                            |                |          |                  | Sheet                    | of                       |
|----------------------------|----------------|----------|------------------|--------------------------|--------------------------|
| Firm Name and Address      | Circle One     | Item No. | Item Description | * Agreed upon Unit Price | ** Dollar Volume of Item |
| <b>Name</b><br><br>Address | MBE<br><br>WBE |          |                  |                          |                          |
| <b>Name</b><br><br>Address | MBE<br><br>WBE |          |                  |                          |                          |
| <b>Name</b><br><br>Address | MBE<br><br>WBE |          |                  |                          |                          |
| <b>Name</b><br><br>Address | MBE<br><br>WBE |          |                  |                          |                          |
| <b>Name</b><br><br>Address | MBE<br><br>WBE |          |                  |                          |                          |
| <b>Name</b><br><br>Address | MBE<br><br>WBE |          |                  |                          |                          |

\* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the MBE/WBE subcontractor, and these prices will be used to determine the percentage of the MBE/WBE participation in the contract.

\*\* Dollar Volume of MBE/WBE Subcontractor Percentage of Total Contract Bid Price:

*If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent.*

*If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.*

**LISTING OF MBE/WBE SUBCONTRACTORS**

Sheet \_\_\_\_\_ of \_\_\_\_\_

| Firm Name and Address | Circle One | Item No. | Item Description | * Agreed upon Unit Price | ** Dollar Volume of Item |
|-----------------------|------------|----------|------------------|--------------------------|--------------------------|
| <b>Name</b>           | MBE        |          |                  |                          |                          |
| Address               | WBE        |          |                  |                          |                          |
| <b>Name</b>           | MBE        |          |                  |                          |                          |
| Address               | WBE        |          |                  |                          |                          |
| <b>Name</b>           | MBE        |          |                  |                          |                          |
| Address               | WBE        |          |                  |                          |                          |
| <b>Name</b>           | MBE        |          |                  |                          |                          |
| Address               | WBE        |          |                  |                          |                          |
| <b>Name</b>           | MBE        |          |                  |                          |                          |
| Address               | WBE        |          |                  |                          |                          |

\*\* Dollar Volume of MBE Subcontractor \$ \_\_\_\_\_

MBE Percentage of Total Contract Bid Price \_\_\_\_\_%

\*\* Dollar Volume of WBE Subcontractor \$ \_\_\_\_\_

WBE Percentage of Total Contract Bid Price \_\_\_\_\_%

\*The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the MBE/WBE subcontractor, and these prices will be used to determine the percentage of the MBE/WBE participation in the contract.

\*\* Dollar Volume of MBE/WBE Subcontractor Percentage of Total Contract Bid Price.

If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent.

If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.

County: HALIFAX

| Line #        | Item Number  | Sec # | Description                                           | Quantity   | Unit Cost | Amount |
|---------------|--------------|-------|-------------------------------------------------------|------------|-----------|--------|
| ROADWAY ITEMS |              |       |                                                       |            |           |        |
| 0001          | 0000100000-N | 800   | MOBILIZATION                                          | Lump Sum   | L.S.      |        |
| 0002          | 0000400000-N | 801   | CONSTRUCTION SURVEYING                                | Lump Sum   | L.S.      |        |
| 0003          | 0036000000-E | 225   | UNDERCUT EXCAVATION                                   | 200<br>CY  |           |        |
| 0004          | 0043000000-N | 226   | GRADING                                               | Lump Sum   | L.S.      |        |
| 0005          | 0050000000-E | 226   | SUPPLEMENTARY CLEARING &<br>GRUBBING                  | 1<br>ACR   |           |        |
| 0006          | 0195000000-E | 265   | SELECT GRANULAR MATERIAL                              | 200<br>CY  |           |        |
| 0007          | 0196000000-E | 270   | GEOTEXTILE FOR SOIL<br>STABILIZATION                  | 200<br>SY  |           |        |
| 0008          | 0318000000-E | 300   | FOUNDATION CONDITIONING<br>MATERIAL, MINOR STRUCTURES | 20<br>TON  |           |        |
| 0009          | 0321000000-E | 300   | FOUNDATION CONDITIONING<br>GEOTEXTILE                 | 50<br>SY   |           |        |
| 0010          | 1099500000-E | 505   | SHALLOW UNDERCUT                                      | 100<br>CY  |           |        |
| 0011          | 1099700000-E | 505   | CLASS IV SUBGRADE STABILIZATION                       | 200<br>TON |           |        |
| 0012          | 1112000000-E | 505   | GEOTEXTILE FOR SUBGRADE<br>STABILIZATION              | 300<br>SY  |           |        |
| 0013          | 1220000000-E | 545   | INCIDENTAL STONE BASE                                 | 50<br>TON  |           |        |
| 0014          | 1330000000-E | 607   | INCIDENTAL MILLING                                    | 260<br>SY  |           |        |
| 0015          | 1491000000-E | 610   | ASPHALT CONC BASE COURSE, TYPE<br>B25.0C              | 50<br>TON  |           |        |
| 0016          | 1519000000-E | 610   | ASPHALT CONC SURFACE COURSE,<br>TYPE S9.5B            | 60<br>TON  |           |        |
| 0017          | 1575000000-E | 620   | ASPHALT BINDER FOR PLANT MIX                          | 10<br>TON  |           |        |

County: HALIFAX

| Line # | Item Number  | Sec # | Description                                        | Quantity   | Unit Cost | Amount |
|--------|--------------|-------|----------------------------------------------------|------------|-----------|--------|
| 0018   | 2022000000-E | 815   | SUBDRAIN EXCAVATION                                | 44.8<br>CY |           |        |
| 0019   | 2026000000-E | 815   | GEOTEXTILE FOR SUBSURFACE DRAINS                   | 200<br>SY  |           |        |
| 0020   | 2036000000-E | 815   | SUBDRAIN COARSE AGGREGATE                          | 33.6<br>CY |           |        |
| 0021   | 2044000000-E | 815   | 6" PERFORATED SUBDRAIN PIPE                        | 200<br>LF  |           |        |
| 0022   | 2070000000-N | 815   | SUBDRAIN PIPE OUTLET                               | 1<br>EA    |           |        |
| 0023   | 2077000000-E | 815   | 6" OUTLET PIPE                                     | 6<br>LF    |           |        |
| 0024   | 3628000000-E | 876   | RIP RAP, CLASS I                                   | 130<br>TON |           |        |
| 0025   | 3656000000-E | 876   | GEOTEXTILE FOR DRAINAGE                            | 330<br>SY  |           |        |
| 0026   | 4400000000-E | 1110  | WORK ZONE SIGNS (STATIONARY)                       | 288<br>SF  |           |        |
| 0027   | 4410000000-E | 1110  | WORK ZONE SIGNS (BARRICADE MOUNTED)                | 94<br>SF   |           |        |
| 0028   | 4445000000-E | 1145  | BARRICADES (TYPE III)                              | 64<br>LF   |           |        |
| 0029   | 4685000000-E | 1205  | THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS) | 800<br>LF  |           |        |
| 0030   | 5325800000-E | 1510  | 8" WATER LINE                                      | 124<br>LF  |           |        |
| 0031   | 5329000000-E | 1510  | DUCTILE IRON WATER PIPE FITTINGS                   | 770<br>LB  |           |        |
| 0032   | 5562000000-E | 1515  | *** INSERTION VALVE<br>8"                          | 2<br>EA    |           |        |
| 0033   | 5798000000-E | 1530  | ABANDON *** UTILITY PIPE<br>8"                     | 120<br>LF  |           |        |
| 0034   | 6000000000-E | 1605  | TEMPORARY SILT FENCE                               | 550<br>LF  |           |        |

County: HALIFAX

| Line # | Item Number  | Sec # | Description                        | Quantity   | Unit Cost | Amount |
|--------|--------------|-------|------------------------------------|------------|-----------|--------|
| 0035   | 6006000000-E | 1610  | STONE FOR EROSION CONTROL, CLASS A | 70<br>TON  |           |        |
| 0036   | 6009000000-E | 1610  | STONE FOR EROSION CONTROL, CLASS B | 10<br>TON  |           |        |
| 0037   | 6012000000-E | 1610  | SEDIMENT CONTROL STONE             | 45<br>TON  |           |        |
| 0038   | 6015000000-E | 1615  | TEMPORARY MULCHING                 | 0.5<br>ACR |           |        |
| 0039   | 6018000000-E | 1620  | SEED FOR TEMPORARY SEEDING         | 100<br>LB  |           |        |
| 0040   | 6021000000-E | 1620  | FERTILIZER FOR TEMPORARY SEEDING   | 0.5<br>TON |           |        |
| 0041   | 6024000000-E | 1622  | TEMPORARY SLOPE DRAINS             | 200<br>LF  |           |        |
| 0042   | 6029000000-E | SP    | SAFETY FENCE                       | 260<br>LF  |           |        |
| 0043   | 6030000000-E | 1630  | SILT EXCAVATION                    | 10<br>CY   |           |        |
| 0044   | 6036000000-E | 1631  | MATting FOR EROSION CONTROL        | 800<br>SY  |           |        |
| 0045   | 6037000000-E | 1629  | COIR FIBER MAT                     | 100<br>SY  |           |        |
| 0046   | 6070000000-N | 1639  | SPECIAL STILLING BASINS            | 2<br>EA    |           |        |
| 0047   | 6071002000-E | 1642  | FLOCCULANT                         | 10<br>LB   |           |        |
| 0048   | 6071012000-E | 1642  | COIR FIBER WATTLE                  | 90<br>LF   |           |        |
| 0049   | 6071014000-E | 1642  | COIR FIBER WATTLE BARRIER          | 50<br>LF   |           |        |
| 0050   | 6084000000-E | 1660  | SEEDING & MULCHING                 | 0.5<br>ACR |           |        |
| 0051   | 6087000000-E | 1660  | MOWING                             | 0.5<br>ACR |           |        |

| Line #        | Item Number  | Sec # | Description                                                       | Quantity | Unit Cost | Amount |
|---------------|--------------|-------|-------------------------------------------------------------------|----------|-----------|--------|
| 0052          | 6090000000-E | 1661  | SEED FOR REPAIR SEEDING                                           | 50 LB    |           |        |
| 0053          | 6093000000-E | 1661  | FERTILIZER FOR REPAIR SEEDING                                     | 0.25 TON |           |        |
| 0054          | 6096000000-E | 1662  | SEED FOR SUPPLEMENTAL SEEDING                                     | 50 LB    |           |        |
| 0055          | 6108000000-E | 1665  | FERTILIZER TOPDRESSING                                            | 0.25 TON |           |        |
| 0056          | 6111000000-E | SP    | IMPERVIOUS DIKE                                                   | 85 LF    |           |        |
| 0057          | 6114500000-N | 1667  | SPECIALIZED HAND MOWING                                           | 10 MHR   |           |        |
| 0058          | 6117000000-N | 1675  | RESPONSE FOR EROSION CONTROL                                      | 19 EA    |           |        |
| 0059          | 6117500000-N | SP    | CONCRETE WASHOUT STRUCTURE                                        | 1 EA     |           |        |
| 0060          | 6123000000-E | 1670  | REFORESTATION                                                     | 0.1 ACR  |           |        |
| 0061          | 6132000000-N | SP    | GENERIC EROSION CONTROL ITEM<br>PREFABRICATED CONCRETE<br>WASHOUT | 3 EA     |           |        |
| CULVERT ITEMS |              |       |                                                                   |          |           |        |
| 0062          | 8130000000-N | 414   | BOX CULVERT EXCAVATION, STA<br>*****<br>(17+20.00 -L-)            | Lump Sum | L.S.      |        |
| 0063          | 8133000000-E | 414   | FOUNDATION CONDITIONING<br>MATERIAL, BOX CULVERT                  | 135 TON  |           |        |
| 0064          | 8804000000-N | SP    | GENERIC CULVERT ITEM<br>29'-0" X 8'-3" ALUMINUM BOX CULVERT       | Lump Sum | L.S.      |        |

1558/Oct05/Q7566/D265979528000/E64

**Total Amount Of Bid For Entire Project :**

**Execution of Contract**

**Contract No: DD00534**

**County: HALIFAX COUNTY**

ACCEPTED BY THE DEPARTMENT

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**DIVISION CONTRACT ENGINEER**

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Date

EXECUTION OF CONTRACT AND BONDS  
APPROVED AS TO FORM:

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**for DIVISION ENGINEER**

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Date

Signature Sheet (Bid) - ACCEPTANCE SHEET