

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE 1 OF 3 PAGES
2. AMENDMENT/MODIFICATION NO. A003	3. EFFECTIVE DATE 10/06/08	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable) WY HPP 4-1(5)	
6. ISSUED BY Federal Highway Administration Attention: Brenda McGehee 12300 W. Dakota Avenue, Suite 360 Lakewood, CO 80228	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)			(<input checked="" type="checkbox"/>) 9A. AMENDMENT OF SOLICITATION NO. DTFH68-08-B-00023	
			(<input checked="" type="checkbox"/>) 9B. DATED (SEE ITEM 11) September 9, 2008	
			10A. MODIFICATION OF CONTRACT/ORDER NO.	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers is extended, is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

- (a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

<input checked="" type="checkbox"/>	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)
CHANGES TO INVITATION FOR BID

Remove Page I-10 and replace with new Page I-10 bearing revision date 10/6/08. Changes to Subsection 107.01.

Remove Page I-13 and replace with new Page I-13 bearing revision date 10/6/08. Change to Subsection 107.01 (f) Inspections and Maintenance.

****Failure to acknowledge this amendment by the designated date and hour specified in the solicitation may result in rejection of your bid.**

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		BY (Signature of Contracting Officer)	

Section 107. - LEGAL RELATIONS AND RESPONSIBILITY TO THE PUBLIC

107.01 Laws to be Observed. Add the following:

Section 401 and 404 of the Clean Water Act.

The Federal Highway Administration has applied for the 404 Permit. We anticipate approval of the 404 Permit prior to bid opening. The 401 Permit will be issued simultaneously with the 404 Permit.

Comply with the terms and conditions of the 404 permit and with the terms and conditions, if any, specified in the 401 certification. Comply with the terms and conditions of any permits that are issued for the performance of work within the jurisdictional waters of the U.S.

For the rehabilitation portion of the project, the USACE has authorized the repair or rehabilitation of drainage structures or features under a separate nationwide permit. Construct all repair or rehabilitation work consistent with the terms and conditions of the USACE nationwide permit. A copy of the ~~requirements for the~~ nationwide permit *pertaining to Schedule A, and Options X and Z work* will be provided prior to the start of construction. *(A separate individual permit has been issued for the Option Y work – see Option Y SCRs.)*

National Pollutant Discharge Elimination System (NPDES)

(a) General. Implement the requirements of the National Pollutant Discharge Elimination System (NPDES) for erosion control due to storm water runoff during construction as specified under the ~~Small~~ *Large* Construction Storm Water General Permit, WYR10-~~A0000~~, for Wyoming.

Comply with all of the requirements of the *Construction General Permit (CGP)*. Develop a Storm Water Pollution Prevention Plan (SWPPP) describing the measures to be implemented at the construction site (including staging, storage, fueling and maintenance areas) that will eliminate or minimize pollutants in storm water runoff from the site and not cause a violation of water quality standards.

Designate the erosion control/water quality supervisor pursuant to Special Contract Requirement (SCR) 157.03 who will be responsible for implementing the SWPPP. The supervisor must be on-site during construction and can not be the project superintendent. The erosion control/water quality supervisor must be familiar with the CGP and the SWPPP procedures and practices to ensure that these are punctually updated in the SWPPP and available for inspection.

Obtain a separate NPDES permit associated with industrial activity for any mobile asphalt plant and/or concrete plant. Storm water discharge from these activities can be covered by this permit if the plants are dedicated only to this project, equipment is removed and the affected areas are reclaimed after construction, and there is no potential to discharge storm water to class 1 water.

Do not initiate land disturbing activities (clearing, grubbing, and earthwork) until the DEQ has provided written notice that coverage under the CGP is authorized and the SWPPP has been developed and implemented.

(e) “Good Housekeeping” Practices and Requirements. Specify the Contractor’s “good housekeeping” practices and requirements in the SWPPP. These include vehicle wash-down areas, methods for recovering sediments transported off of the construction site, onsite and offsite tracking control, protection of equipment storage and maintenance areas, and sweeping of highways and roadways related to hauling activities..

Take precautions and implement measures to prevent pollution of streams, lakes, reservoirs and other surface waters with litter, construction debris, fertilizers, fuels, oil, bitumens, calcium chloride, magnesium chloride, Portland cement, fresh Portland cement concrete, sanitary wastes, muddy water, chemicals or other harmful materials. Do not discharge these materials into channels leading to any stream, lake or reservoir.

Locate machinery servicing and refueling areas away from streambeds and washes to reduce the possibility and minimize the impacts of accidental spills or discharge.

Remove non-waste materials such as used cans, oils, machine and equipment parts, paint, hazardous materials, plastic and rubber parts, discarded metals, and building materials from the construction site and dispose of at an approved landfill.

Where the Contractor’s working area encroaches on a running or intermittent stream, construct and maintain adequate barriers to prevent the discharge of any contaminants into the stream.

Do not operate mechanical equipment in running streams unless approved in writing by the CO.

(f) Inspections and Maintenance. During construction, inspect disturbed areas and storm water outfalls to assess if measurable quantities of sediment or other pollutants are being transported offsite, control measures, areas used for storage of materials and locations where vehicles enter or exit the site, at least once every 14 calendar days and within 24 hours after the end of a storm or snow melt event of greater than 0.5 inches. During seasonal shutdowns inspect the site at least once per month. Inspections are not required in severe weather conditions or during winter when melting conditions ~~to~~ do not exist. Monitor rainfall with a rain gauge accurate to the nearest 0.125 inches of rain. Correct deficiencies in pollution control structures or procedures immediately. Summarize and record the measures taken to correct the deficiencies in the SWPPP.

Document inspections and maintenance activities on forms that include the information provided in Part 9.1.6 of the CGP. Sign inspection forms consistent with Part 10.7 of the CGP. Keep the inspection forms and record of maintenance activities in the SWPPP notebook throughout the construction period.

(g) Revisions to the SWPPP. Revisions to the SWPPP may be necessary during construction to make improvements or to respond to unforeseen conditions noted during construction or site inspections. For that purpose, specify in the SWPPP the mechanism whereby revisions may be proposed by the Contractor or the CO and incorporated into the plan, including review and approval of minor changes. Jointly approve and sign each revision to the SWPPP before implementation. Modify the plan whenever there is a change in design, construction, operation,