



Purchasing Division
Finance Department
Room 120
411 West First Street
Duluth, Minnesota 55802

218-730-5340
purchasing@duluthmn.gov

Addendum 1
Solicitation 23-99588
Spirit Mountain Snowmobile Trail – Phase 1 Knowlton Creek Bridge Abutments

This addendum serves to notify all bidders of the following changes to the solicitation documents:

The BIDS DUE date on the Invitation to Bid has been updated from Tuesday, August 30th to Wednesday, August 30th.

The Special Provisions in Index to Division SP has been updated. They are attached to this addendum.

The MRARS is added to this solicitation as Appendix C and is attached to this addendum.

Please acknowledge receipt of this Addendum by checking the acknowledgment box within the www.bidexpress.com solicitation.

Posted: **August 23, 2023**

I HEREBY CERTIFY THAT THIS PLAN, specification or report
was prepared by me or under my direct supervision and that I am a duly
Licensed Professional Engineer under the laws of the State of Minnesota.



Signature

Emily R. Major
Typed or Printed Name

August 11, 2023
Date

52201
MN License

INDEX TO DIVISION SP

DIVISION SP

SB	SECTION TITLE	PAGE
SP-1	SCOPE OF WORK.....	1
SP-2	(1508) CONSTRUCTION STAKES, LINES AND GRADES	1
SP-3	(1701) LAWS TO BE OBSERVED (DATA PRACTICES)	1
SP-4	(1806) DETERMINATION AND EXTENSION OF CONTRACT TIME	2
SP-5	PERMITTING AND TESTING	3
SP-6	TRAFFIC CONTROL AND SITE ACCESS	3
SP-7	(2101) CLEARING AND GRUBBING	3

NOTICE TO ALL BIDDERS:

The City of Duluth Public Works & Utilities Department – Engineering Division 2019 Edition Standard Construction Specifications book and any addendums or supplements is incorporated by reference and is deemed to be a part hereof as if fully incorporated and set forth herein. The Standard Construction Specifications are available on the City website at: www.duluthmn.gov/engineering/index.cfm. This is a federally funded project. Certified payroll (IC134) shall be submitted to the Engineer before final payment is released.

SP-1 SCOPE OF WORK

This project includes construction of grading and clearing as required to place permanent bridge abutments for a bridge located on a seasonal snowmobile trail. This project includes salvage and reinstallation of bridge structure, removal of old bridge structure and abutment walls in entirety, installation of natural stone retaining walls, lead in railings and riprap, adjacent grading of trail surface, and vegetation establishment of disturbed areas. Initial clearing of the trail alignment will be completed by others. The Contractor will be responsible for clearing necessary for construction access or borrow/ spoil sites.

SP-1.1 Contact Information

TKDA is the engineer of record. Questions regarding this project shall be directed to Emily Major, Project Manager with TKDA, at 218.216.3142 or Jim Shoberg, Project Coordinator with the City of Duluth, at 218.730.4316.

SP-2 (1508) CONSTRUCTION STAKES, LINES AND GRADES

In addition to the provisions of MN/DOT 1508 the following construction staking will be provided by TKDA:

Benchmark elevations for Bridge Reinstallation

The Contractor will be responsible for all other intermediate stakes and grades as he/she deems necessary. The Contractor will be responsible for the preservation of the stakes set. Any negligence on the Contractor's part resulting in the disturbance of the stakes, that need to be reset will be deducted from monies due to the Contractor on the pay estimates.

SP-3 (1701) LAWS TO BE OBSERVED (DATA PRACTICES)

The provisions of Mn/DOT 1701 are supplemented with the following:

Bidders are advised that all data created, collected, received, maintained, or disseminated by the Contractor and any subcontractors in performing the Work contained in this Contract are subject to the requirements of MN Statute Chapter 13, the Minnesota Government Data Practices Act (MGDPA). The Contractor shall comply with the requirements of the MGDPA in the same manner as the Department. The Contractor does not have a duty to the public to provide access to the public data if the public data is available from the Department, except as required by the terms of the Contract.

SP-4 (1806) DETERMINATION AND EXTENSION OF CONTRACT TIME

The Contract time will be determined in accordance with the provisions of Mn/DOT 1806 and the following:

SP-4.1 Construction operations shall be started within ten (10) calendar days after the date of award by City Council resolution, whichever is later; however, the Notice to Proceed letter will be the official authorization to commence construction operations. Contractor shall not begin work to excavate or remove the existing bridge abutments until on or after May 1, 2024 (see MPARS permit requirements). The following completion dates shall apply to this project:

Description	Date	Work to be Completed
Substantial Completion	June 30, 2024	Concrete bridge abutments installed, stone retaining walls installed, salvaged bridge structure reinstalled, lead in railings installed and adjacent trail grading up to bridge completed. All work except for final turf establishment and punch list items.
Final Completion	July 31, 2024	All work completed including punch list items.

SP-4.2 The provisions of Mn/DOT 1806.1C(3) are modified to the extent that the phrase “during the inclusive period from November 15 to April 15,” is deleted. A similar phrase set forth in the second paragraph of Mn/DOT 1807.2 is also deleted.

SP-4.3 When all, or a portion, of the Contract time is specified as a calendar completion date, as provided in Mn/DOT 1103, the time is presumed to have been determined by considering the Proposal quantities, normal weather for the locality and season of the year, and the necessity of having the Work completed by the specified date. The time may be extended by the Engineer only in accordance with the following:

When the Contract time is specified as a fixed calendar completion date, any time extensions granted must be justified on the basis of unavoidable delay in starting or completing the progress controlling operations, and then, only when and to the extent that it is shown that delay time could not be overcome and the Work brought back on schedule through reasonable adjustments in the Progress Schedule. Provided the Contractor has made all reasonable efforts to maintain an adequate and acceptable Progress Schedule, the specified completion date may be extended as the Engineer determines to be justified, for any of the following reasons:

- A. Delays caused by failure of the City Council to award the Contract at least 10 calendar days in advance of the latest date specified for beginning construction operations.
- B. Delays caused by an earthquake, flood, cloudburst, cyclone, tornado, or other cataclysmic phenomenon of a nature beyond the power of the Contractor to foresee and make preparations in defense against.
- C. Delays caused by acts of the Government or a political subdivision, or by acts of the public enemy, including fires, epidemics, and strikes not caused by improper acts or omissions of the Contractor.
- D. Delays caused by an action or non-action of the Department, such as suspension of work by order of the Engineer through no fault on the Contractor.
- E. Delays caused in incompleteness of work being done by other Contractors or utility owners, or due to other unforeseeable interferences not the fault of the Contractor.
- F. Delays direction attributable to the performances of Extra Work or increased quantities or Work.

G. Extraordinary delays in delivery or materials, resulting from strikes, lockouts, freight embargoes, governmental acts, or sudden disaster, or a nature beyond the power of the Contractor or his/her supplier to foresee and forestall.

Delays caused by plant and equipment failure, and delays due to unsuitable weather or conditions resulting therefrom, will not be allowed as justification for time extension except when and only to the extent the Engineer considers justified in view of unavoidable circumstances or events. Normal weather delays and the usual plant and equipment failures must be allowed for establishing work schedules. An extension of time may be granted for such delays as are considered to be in excess of the normal, but only when it is shown that the lost time would not reasonably be made up through acceleration of the remaining Work. Failure to prosecute the Work continuously and effectively for the full time allowed, with adequate work force and schedule, will be cause for denial of any such time extension that may otherwise be allowed.

SP-5 PERMITTING & TESTING

Contractor is responsible to pay for and obtain all necessary permits for construction. These include, but are not limited to the NPDES permit, City of Duluth Grading, Fill, Erosion Control, Shoreline and Building permits and hazardous waste disposal. All testing shall be at the Contractor's expense and responsibility to schedule. Test results shall be submitted to the Engineer in a timely manner. Standard MNDOT specifications shall apply to out of compliance materials.

SP-6 TRAFFIC CONTROL AND SITE ACCESS

SP-6.1 Contractor Work Access

- A. Contractor shall access the project area from the existing roads and trail access points.
- B. Contractor is allowed to drive ATVs or other approved work equipment on the existing trails and off trail, at a safe speed with flashers on, yielding to right-of-way to trail users. Contractor must repair any ruts or other damage caused by work vehicles or equipment to the satisfaction of the Engineer.
- C. Contractor will keep all trails and roads open and not blocked with trees, branches, materials, equipment, vehicles, or debris resulting from this operation.

SP-6.2 Traffic Control

Contractor shall utilize Type III barricades and/or temporary work signage to alert the public that construction work is ongoing and make full closures for use when equipment is working or hauling on the trail. Barricades shall be placed to create a trail closure to protect the public.

SP-7 (2101) CLEARING AND GRUBBING

Clearing and grubbing shall be performed in accordance with the provisions of Mn/DOT 2101 except as modified below:

- A. Vegetation may be chipped and distributed onsite. Depth of chips may not exceed 4".
- B. Slashed brush may not exceed 18".
- C. Clearing and grubbing will be considered a lump sum pay item.
- D. Contractor will be responsible for clearing and grubbing vegetation necessary for construction. This includes, but is not limited to construction access routes, structure installation and borrow/ spoils areas.
- E. Clearing and grubbing pay item shall consider all vegetation removal incidental to the lump sum pay item, indiscriminate of diameter of vegetation.



MNDNR PERMITTING AND REPORTING SYSTEM

Permit Number

2020-2930

Amended

Public Waters Work Permit

Expiration Date: 06/08/2026

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. This permit supersedes the original permit and all previous amendments.

Project Name: Fairmount Snowmobile Keene Trib Crossing	County: St. Louis	Watershed: St. Louis River	Resource: Stream/River: Unnamed Stream (S-002-002-001)
Purpose of Permit: Bridge Construction/Modification/Replacement		Authorized Action: As part of Fairmont Snowmobile Trail reconstruction, replace to existing crossings at Knowlton Creek and Kingsbury Creek with new structure: Knowlton Creek Snowmobile Bridge - 40'x12' Prefabricated bridge; and Kingsbury Creek Snowmobile Bridge - 60'x12' Prefabricated Bridge. Also, install a new 11'-7" Span x 2'-10" Rise Aluminum Box Culvert over Unnamed Tributary to Keene Creek (the footing detail shown as detail #2 on plan sheet 006). Keene Creek Tributary - open bottom culvert substrate: natural stream substrate/or imported natural material matching the natural channel substrate shall be used to fill the culvert following installation to ensure a smooth transition at each end of the structure with the natural channel flow line, as well as across the culvert; with the channel margins having deeper substrate to concentrate flows during periods of low flow. Riprap installed to prevent footing scour should be limited to the minimum amount necessary to achieve the intended scour protection, being careful not to affect the substrate installation. DNR Restricted Work Dates apply to all crossings per condition of this permit. All work shall be in accordance with documents on file and the conditions of the permit.	
Permittee: CITY OF DULUTH - PROPERTY & FACILITIES MANAGEMENT CONTACT: ONDRIK, JENNIFER 411 W. 1ST STREET DULUTH, MN 55802 (218) 591-1675		Authorized Agent: TKDA CONTACT: DEROCHER, WILL, (218) 491-7384 11 EAST SUPERIOR STREET, SUITE 420 DULUTH, MN 55802 (218) 724-8578	
Property Description (land owned or leased or where work will be conducted): UTM zone 15N, 562501m east, 5176376m north, SWSE of Section 12, T49N, R15W			

Issued Date: 06/16/2021		Effective Date: 06/16/2021		Expiration Date: 06/08/2026	
Authorized Issuer: Patricia Fowler	Title: Area Hydrologist	Email Address: patricia.fowler@state.mn.us		Phone Number: 218-302-3246	

This permit is granted **subject to** the following **CONDITIONS**:

APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS: The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

NOT ASSIGNABLE: This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

NO CHANGES: The permittee shall make no changes, without written permission or amendment previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

SITE ACCESS: The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

TERMINATION: This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

COMPLETION DATE: Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

WRITTEN CONSENT: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

PERMISSIVE ONLY / NO LIABILITY: This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

EXTENSION OF PUBLIC WATERS: Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

WETLAND CONSERVATION ACT: Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

CONTRACTOR RESPONSIBILITY: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: https://bwsr.state.mn.us/sites/default/files/2019-01/Wetland_WCA_Contractor_Responsibility_Form.doc

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf.

CONDITIONS *(Continued from previous page)*

Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/invasives/laws.html#prohibited.

FISHERY PROTECTION - EXCLUSION DATES: No activity affecting the bed of the protected water may be conducted between September 15 and April 30, to minimize impacts on fish spawning and migration. If work during this time is essential, it shall be done only upon written approval of the Area Fisheries Manager. See contact list at: http://files.dnr.state.mn.us/fisheries/management/dnr_fisheries_managers.pdf. Should work begin elsewhere in the project area within these dates, all exposed soils that are within 200 feet of Public Waters and drain to those waters must complete erosion control measures within 24 hours of its disturbance to prevent sediment from entering Public Waters.

cc: Anna Hess, EWR District Manager
Shoberg, James, Contact; City of Duluth - Property & Facilities Management
Jacob Willis, Conservation Officers, Brookston
Tim Beaster, St. Louis SWCD - South
Erin Loeffler, BWSR Wetland Specialists, St. Louis
David Demmer, BWSR Wetland Specialists, St. Louis
Andrew Herberg, DNR Regional Nongame Specialists, Region 2
Gaea Crozier, DNR Regional Nongame Specialists, Region 2
Margi Coyle, DNR Regional Environmental Assessment Ecologist, Region 2
Chris Balzer, DNR Wildlife, Cloquet
Deserae Hendrickson, DNR Fisheries, Duluth Area
Corps of Engineers, Corps of Engineers, St. Louis (South)
R.C. Boheim, SWCD, St. Louis SWCD - South
Tom Johnson, City, Duluth
Adam Fulton, City, Duluth
Jim Filby Williams, City, Duluth
Kyle Deming, City, Duluth