Date: June 28, 2013

City of Duluth Bid # 2013-00000-0401
Job Description: Merritt Creek Flood Repairs
City Project No. 1202

Addendum #1

Bid Form:

The attached Exhibit A replaces the Exhibit A in the bound Project Proposal. Complete the attached Exhibit A and include it with your bid. The replacement Exhibit A is modified from the original as follows:

1. Bid Quantity of Line Item 11. 4” PE PIPE DRAIN PERMEABLE has been adjusted.
2. Bid Quantity of Line Item 12. RANDOM RIPRAP CLASS V has been adjusted.

Plansheet:

Replace Existing Sheets G-2, G-3, and G-4 with the attached G-2, G-3, and G-4.

- Begin bank repair and match existing grouted stone, taper to meet height of existing grouted stone (approximate Station 1+38). End bank repair and match existing un-grouted rock (approximate Station 2+03).
- Begin bank repair at vertical grouted rock wall, slope in behind top of existing rock wall (approximate Station 1+05). End bank repair at end of 2012 bank erosion (approximate Station 1+42).

Special Provisions:

Substitute in SP- 6 Clearing and Grubbing; replace the word “logs” with “branches”.

Replace the following SP-7 Removing Pavement and Miscellaneous Structures in it’s entirety with the following:

A bid item for the entirety of this section has been provided for “Remove (Pedestrian Bridge)”. Contractor shall provide all labor and equipment necessary to demolish, remove and dispose of the existing concrete pedestrian bridge and the south abutment of said bridge. The Contractor shall remove the bridge and abutment from the site and dispose of in an approved manner. The City retains no right to salvage the bridge decking or abutment.
SP-7.1 Bridge demolition should comply with all provisions and conditions of the Mn/DNR permit for the site. The contractor shall remove any debris and repair any damage to the existing roadways or stream from the bridge removal. Contractor shall refer to SP-6 regarding clearing and grubbing for bridge removal. The cost of any debris removal or restoration due to the bridge removal shall be incidental to the demolition of the bridge.

SP-7.2 Contractor shall submit a written statement selecting a method of bridge deck removal, referencing one of the two approved options specified in sections SP-7.3 or SP-7.4. This statement shall be submitted within 3 working days of the award of contract and will be coordinated with Mn/DNR.

SP-7.3 The preferred method of bridge removal is to drag the bridge decking to the south onto existing city right of way for cutting and removal. Contractor shall utilize a swamp mat to minimize damage to existing streambed. Any tree pruning required to complete this task should be coordinated with the Engineer and City at the pre-construction meeting and will be considered incidental to the bid item.

SP-7.4 The contractor may utilize a crane for the removal of the bridge decking. If this method is chosen, debris netting shall be required to be installed beneath the bridge decking and all tree removal shall be coordinated with the engineer.

SP-7.5 For contractor's information, the original bridge plans from 1973 have been included for reference.

Add to Temporary Flow Control, at the end of paragraph SP-18.2:
Contractor must submit Temporary Stream Diversion design and calculations to Engineer and DNR for approval within 3 working days of the City Council award of Contract. See attached DNR General Permit Notification and Verification application, needing DNR approval and signature.

Clarification to SP-13 Soil Bioengineering System: Root-Rap is also described as Compost Grouting and Riprap seeding.

Information to Bidders:

Attached are Right of Entry forms from adjoining property owners.

Bidder asked if Prebid Meeting is requirement for Bidders. Engineer finds no reference to prebid meeting to be a requirement in the bid documents.

Best Practices for Meeting DNR GP 2004-0001

All other items remain the same.
Be sure to acknowledge this addendum and all others on sheet 3 of your bid form.

Sincerely,

[Signature]

Greg Stoewer
Project Engineer
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<th>LINE NO.</th>
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**GRAND TOTAL**

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**INITIAL**
June 22, 2012

Re: General Permit No. 2001-1172, Flood Damage Repair

To whom it may concern:

Flooding conditions in Northeastern Minnesota have led to Governor Dayton’s declaration of emergency in Aitkin, Carlton, Cook, Lake and St. Louis counties. In order to enable work to proceed in a timely manner in the affected areas, the Division of Ecological and Water Resources is authorizing the use of Public Waters Work General Permit # 2001-1172 which allows restoration of structures, property and stream channels below the ordinary high water level of public waters damaged by flood events, including bridge and culvert crossings.

Important notes:

The General Permit still requires that project notification via completion of a Project Verification Form be made to the Area Hydrologists at least 5 days prior to work commencing. The Area Hydrologist’s authorization on this form is required to verify that proposed work meets the general permit conditions to work in public waters. In any cases of which you are aware where this process did not take place, please take immediate steps to notify us and submit this form.

In-kind replacement is authorized by this permit. Deviations from in-kind replacement can be authorized by the Area Hydrologist if specifically identified within the permit authorization. The Division of Ecological and Water Resources recommends replacement structures which match bank full width whenever practicable. Information pertaining to best practices can be located http://www.dnr.state.mn.us/waters/watermgmt_section/pwpermits/gp_2004_0001_manual.html and http://files.dnr.state.mn.us/waters/watermgmt_section/pwpermits/gp_2004_0001_chapter2.pdf

A copy of the complete permit, Project Verification Form and Area Hydrologist contacts can be viewed at http://www.dnr.state.mn.us/climate/floods/gp_2001-1172.html Please pay particular attention to Condition 12 (Applicable Projects) which enumerates those activities that, without further consultation, are not included in the general permit, including work in designated trout streams.

If affected areas are ultimately declared a disaster by the Federal Government, there is a possibility that funds may become available via the Stafford Act to assist with replacement of structures beyond in-kind status. “Title 44 CFR §206.226 Restoration of damaged facilities contains a provision for the consideration of funding additional measures that will enhance a facility’s ability to resist similar damage in future events.” http://www.fema.gov/government/grant/pa/9526_l.shtml
In order to gain a comprehensive picture of damage and issues potentially affecting public waters, we would appreciate your sharing documentation you may have compiled regarding impacts. Please forward any relevant information you are able to share to your Area Hydrologist. Many of you have had previous discussions regarding the prioritization of work in your areas with these Hydrologists, and we would encourage further dialogue about the possibility of revisiting those priorities in order to best address public safety, infrastructure needs and protection of public waters in light of the recent events. Please contact your Area Hydrologist or me with any questions or concerns.

Sincerely,

Lisa Angelos
Lisa Angelos, Eastern District Manager, Northeast Region
Minnesota Department of Natural Resources
Ecological & Water Resources Division
Lisa.angelos@state.mn.us
218-834-1443
DEPARTMENT OF NATURAL RESOURCES
General Permit Notification and Verification Form

General Permit No. 2001-1172; Flood Damage Repair

Notification – To be completed by Applicant

General Permit 2001-1172 requires that the DNR be notified at least 5 days in advance of any work being done under the terms of this General Permit. Please provide all information requested below and email, fax or mail this form to the appropriate DNR official. Note: Work may NOT commence until this form is signed by the appropriate DNR staff person, and the signed form must be available on site to be presented to any DNR official while the authorized work is being done. Failure to have a verified copy of this form on site will be considered a violation of Minnesota Law, subject to specified penalties for doing work without a permit.

Applicant Name (property owner): CITY OF DULUTH
Contact Person or Agent: GREG STOEWER
Address: 211 CITY HALL, DULUTH, MN 55802
Email address: gstoewer@duluthmn.gov
Telephone Number: 218-730-5800

Purpose of Proposed Work: FLOOD REPAIR - REPLACEMENT OF GABION WALL
Description of Proposed Work: (include project dimensions, and attach maps and diagrams as needed)
REMOVAL OF EXIST. PEDESTRIAN BRIDGE AND GABION WALL. REPLACEMENT WITH RIP-RAP REINFORCED SLOPE. PLEASE SEE ATTACHED PLANS AND MEMORANDUM.

Name of Waterbody (if applicable) PWI ID No.
MERRIT CREEK

Location of Project: NE ¼; SE ¼; Section 6, Township 49W, Range 14W; County: ST. LOUIS
PIN number from Property Tax statement: 010-3400-02590
Address of Project site, if different than above: 718 N 29th AVE W

UTM Location: N 46° 45' 20.94"; E 92° 09' 17.41"
(Please include a map or airphoto showing the location of the project)

Signature of Applicant (By signing, I certify that the information submitted is true and correct to the best of my knowledge)

Date: June 25, '13

Verification – to be completed by the DNR Staff, as required in the General Permit

The DNR Official listed below has reviewed the above proposed work and has determined that it meets the conditions set forth in the General Permit and is authorized under that permit, subject to the conditions listed below:

Extra Conditions and/or comments (if any):

Verification Signature: I hereby verify that the above described project qualifies under the General Permit

Title of Authorized DNR Signatory: (must be as required on attached General Permit)

Date:

Email, Fax, or mail this form to the appropriate DNR staff person, so that it is received by them at least 5 days prior to when the work is scheduled to start. NOT VALID UNTIL SIGNED BY THE DNR.

Enclosure: Copy of General Permit
c: DNR Ecological and Water Resources, Regional Office
Area Conservation Officer
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 a part hereof by reference, PERMISSION IS HEREBY GRANTED to the applicant to perform the work as authorized below:

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<tr>
<th>Public Water</th>
<th>County</th>
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<td>All Public Waters</td>
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<table>
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<tr>
<th>Name of Permittee</th>
<th>Telephone Number (Include Area Code)</th>
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<tr>
<td>Governmental Subdivisions and the General Public</td>
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<th>Address (No. &amp; Street, RFD, Box No., City, State, Zip Code)</th>
<th>Property Described As</th>
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<tr>
<td>Various</td>
<td>Various. The permittee must own, control, or have permission to access and use all lands on which the repair or replacement is located.</td>
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Authorized Work:
Upon notice to and approval by the DNR Ecological and Water Resources Area Hydrologist, replacement or repair of damaged bridges, culverts, shore protection measures, structures, stream channels, or other facilities in areas that have been declared a disaster by the Federal Government, or when localized conditions exist and the DNR Ecological and Water Resources Director or Regional Manager authorizes the use of this permit. Fill authorized by this permit is allowed subject to Conditions 14 and 15 and all other requirements of this permit. Work may not commence unless or until the Notice and Verification Form (Attachment A) is completed and signed by the Area Hydrologist.

<table>
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<th>Purpose of Permit:</th>
<th>Expiration Date of Permit</th>
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<tbody>
<tr>
<td>Repair of structures and facilities damaged by flooding</td>
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This permit is granted subject to the following CONDITIONS:

1. 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. This permit does not release the permittee of any permit requirement of the St. Paul district, U.S. Army Corps of Engineers, Army Corps of Engineers Centre, 190 Fifth Street East, St. Paul, MN 55101-1638.

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

3. The permittee will notify the Area Hydrologist at least five days in advance of the commencement of the work authorized hereunder and notify him/her of its completion within five days. The Notice of Permit issued by the Commissioner will be kept securely posted in a conspicuous place at the site of operations.

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

5. The permittee will 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.

6. 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 of this permit, unless otherwise provided in the conditions.
7. Construction work authorized under this permit will be completed on or before the date specified above. The permittee may request an extension of the time to complete the project, stating the reason thereof, upon written request to the Commissioner of Natural Resources.

8. In all cases where the permittee by performing the work authorized by this permit will 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, will obtain the written consent of all persons, agencies, or authorities concerned, and will acquire all property, rights, and interests needed for the work.

9. This permit is permissive only. No liability will 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 will 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.

11. Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee will 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.

12. Applicable Projects. This permit applies only to those bridges, culverts, roadways, structures, shore protection devices, stream channels, other facilities, infrastructures and associated fill damaged by flooding, and the repair or replacement of the damaged structure or roadway with the same kind, size and dimension of structure or roadway. Variation of the same kind of replacement requirement may be authorized by DNR Division of Ecological and Water Resources provided that the proposed change would have minimal impact upon public waters. No project may be included in this general permit which would do any of the following: seek approval for unauthorized construction already started or completed, channelize or realign a stream, work in or impact a designated trout stream, enlarge drainage ditches, block, divert, or appropriate stream water, alter a water level control, convert a bridge crossing to a culvert crossing, or excavate fill from public waters without consultation and approval of DNR Division of Ecological and Water Resources. Projects not qualifying for this general permit must be submitted as separate, individual permit application.

13. Erosion and Sediment Control. Erosion control methods, to the extent practicable, will be designed for site characteristics in accordance with "The Minnesota Stormwater Manual", MPCA, November 2005, and as revised in future. An erosion control fence running parallel to the contours will also be constructed next to the water body prior to initiation of construction and will be maintained in a properly working manner throughout the construction period. Such fence will be removed from the site as soon as adequate vegetation has been re-established. All disturbed areas exposed to flowing water both above and below the Ordinary High Water Level (OHW) will be sodded, seeded, or rimpapped as needed to prevent erosion and sedimentation. Rock riprap will be clean, natural field stone, and will be toe-in two feet below grade around the inlets and outlets of culverts. When no work will be done for 10 days or more on any portion of a project having exposed soils that could deliver silt or sediment to a lake or stream, the exposed soil will be mulched. The mulch can be incorporated into the soil or removed when work resumes or just prior to final grading. Where sod or seed is used to stabilize areas above the OHW, seeding and mulching, or sodding and staking will be conducted within five working days after grading and leveling are completed.

14. Placement of Fill. Any fill placed to repair roadways, bridge approaches, side slopes, structures, shore protection devices, other facilities, infrastructure and associated fill damaged by flooding, etc., will match the former site cross-section and profile, unless approved by DNR Division of Ecological and Water Resources, prior to construction. Side slope cross-sections may be reduced in area provided adequate erosion control and bank stabilization methods are employed according to Condition No. 13 of this permit.

15. Cofferdams, access roads, fill, excavation or temporary channel diversions below OHW and dewatering. The need for any coffer dam, access road, placement of fill or temporary work platforms, excavation of fill washed into public waters, temporary channel diversions, or temporary dewatering in excess of 10,000 gallons per day or 1,000,000 gallons per year, to aid in construction of any project below the OHW of public waters must be approved by the DNR Division of Ecological and Water Resources prior to installation, placement, construction, or pumping. All such work will be temporary, and will be removed upon completion of the construction authorized by this permit.
16. **Invasive Species.** 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 state waters known to contain aquatic invasive species that are designated as infested waters shall be inspected and adequately decontaminated prior to being transported. A list of designated infested waters can be found at:

Basic measures to prevent the spread of aquatic invasive species are:
- Before transporting equipment from a work site, inspect all equipment that had been in contact with the water and remove all visible aquatic remnants [plants, seeds, mud, soil, and animats]. Power washing followed by drying (7 days) is an acceptable method to ensure killing and removal of invasive species.
- Before transporting equipment from a work site, drain all water from equipment where water may be trapped, such as tanks, pumps, hoses, silt curtain, and water-retaining components of boats and barges.
- After spraying and draining, dry equipment that has been in infested waters for a minimum of 7 days before reuse.

17. **Navigation maintained.** Permittee is responsible for maintaining existing navigation to meet public needs for use of and access to public waters.

18. **Flow and gradient maintained.** No change in the existing flowline or gradient of any watercourse or channel will occur unless specifically authorized by the DNR Division of Ecological and Waters Resources prior to construction.

19. **Notify LGU if work is above OHW.** The permittee will contract the responsible local governmental unit if any grading or filling is to be conducted landward of the ordinary high water level.

c: Cities
   Counties
   SWCDs
   USCOE
   DNR Conservation Officers
   DNR Fisheries
   DNR Wildlife
   DNR Central Office Permits Unit
   Watershed Districts

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<td>Julie Ekman</td>
<td>Water &amp; Aquatic Plant Management Permit Programs Supervisor</td>
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Version 09/29/04

This information is available in an alternative format upon request.
RIGHT-OF-ENTRY (ROE) ON PRIVATE PROPERTY

Right of Entry

I certify that I am the owner of the property described above. I grant, freely and without coercion, the right of access and entry to said property to the United States Government, including but not limited to the US Army Corps of Engineers and the Federal Emergency Management Agency (FEMA), the State of Minnesota, the County of St. Louis, and City of Duluth and each of their agencies, agents, contractors, and subcontractors, for the purpose of repairing erosion damage from a flood on June 20, 2012 which was declared a Presidential Disaster known as Declaration 4069.

Hold Harmless

I understand that this permit is not an obligation upon the government to perform or pay for debris removal from the above referenced storm. I agree to indemnify and hold harmless the United States Government, the US Army Corps of Engineers, FEMA, the State of Minnesota, and City of Duluth and any of their agencies, agents, contractors, and subcontractors, for damages of any type whatsoever, either to the above-described property or to persons situated thereon. I release, discharge, and waive any action, either legal or equitable, that might arise by reason of any action of the above entities.

By signing this document, (I/we) certify that (I/we) (am/are) the owner of this property and/or that (I/we) (am/are) authorized to sign this right of entry.

For the consideration and purposes set forth herein, I hereby acknowledge this agreement by my dated signature below.

Signed this __________ day of February, 2013:

(All owners must sign)

Print Name: ___________________________  Print Name: ___________________________

Signature: ___________________________  Signature: ___________________________

Mailing Address (if different from municipal address listed above): ___________________________

Current Telephone Number(s): 218 624 4176
RIGHT-OF-ENTRY (ROE) ON PRIVATE PROPERTY

Right of Entry

I certify that I am the owner of the property described above. I grant, freely and without coercion, the right of access and entry to said property to the United States Government, including but not limited to the US Army Corps of Engineers and the Federal Emergency Management Agency (FEMA), the State of Minnesota, the County of St. Louis, and City of Duluth and each of their agencies, agents, contractors, and subcontractors, for the purpose of repairing erosion damage from a flood on June 20, 2012 which was declared a Presidential Disaster known as Declaration 4069.

Hold Harmless

I understand that this permit is not an obligation upon the government to perform or pay for debris removal from the above referenced storm. I agree to indemnify and hold harmless the United States Government, the US Army Corps of Engineers, FEMA, the State of Minnesota, and City of Duluth and any of their agencies, agents, contractors, and subcontractors, for damages of any type whatsoever, either to the above-described property or to persons situated thereon. I release, discharge, and waive any action, either legal or equitable, that might arise by reason of any action of the above entities.

By signing this document, (I/we) certify that (I/we) (am/are) the owner of this property and/or that (I/we) (am/are) authorized to sign this right of entry.

For the consideration and purposes set forth herein, I hereby acknowledge this agreement by my dated signature below.

Signed this 1st day of February, 2013:

(All owners must sign)

Print Name:                            Print Name:  
Paul Krieg                             Patricia Krieg

Signature:                            Signature:  
Paul Krieg                             Patricia Krieg

Mailing Address (if different from municipal address listed above): N/A

Current Telephone Number(s): 624-4769
TYPICAL BANK REPAIR SECTION

NOTES:
1. ROOT-RAP ALSO KNOWN AS COMPOST-GROUTING. SEE SPECIAL PROVISIONS.

GEOTEXTILE ANCHOR TRENCH

NOTES:
1. ANCHOR TRENCH TO RUN ALONG ENTIRE BANK, TYPICAL OF BOTH SIDES.
2. TRENCH SHALL BE A MINIMUM OF TWO FEET IN DEPTH FROM THE TOP OF BANK.

TYPICAL CONCRETE ANCHOR DETAIL

NOTES:
1. SEE SPECIFICATIONS FOR CONCRETE MIX SELECTION.

PERFORATED DRAIN DETAIL

NOTES:
1. SWEEP OF 4" PERFORATED DRAIN BLANK, BE BETWEEN 6" BLANK AND 1" BLANK FROM THE BOTTOM OF THE SURROUNDING GRAVEL.

SCALE: NONE