**ATTACHMENT A**

**DESCRIPTION OF SERVICE AND SCOPE OF WORK**

**2019**

The State of Nebraska Department of Transportation (NDOT) is requesting bids for the purpose of the removal and disposal of existing Right of Way (ROW) fencing and installation of new fencing and posts along Interstate 80 for District 6 as described below and in accordance with the 2017 Nebraska Standard Specifications for Highway Construction available at <https://dot.nebraska.gov/media/10343/2017-specbook.pdf> or

<https://dotstore.nebraska.gov/Storefront/construction_pdf/2017_Spec_Book.pdf> and under the direction of the NDOT.

* 1. SCOPE OF WORK

The Contractor shall be responsible for providing all labor, equipment, fuel, and insurance, to properly remove and dispose of existing ROW fencing and install new fencing and posts at a bid price per linear foot for the fencing project along the State’s interstate system as specified in this document (Attachment A). NDOT shall provide the fencing materials for this project.

The location of the fencing project for removing and installing new fencing and posts is specified under subsection C of this document. It’s recommended, but not required, that prospective bidders view the area. The fencing project as specified must be completed within the “Proposed Start Date of Work and the Proposed Completion Date of the Work” and no later than the end date as specified on the Short Form Bid Proposal and Contract Form.

* 1. REQUIREMENTS

Requirements include, but are not limited to, the items described below:

1. In accordance with the requirements specified under the 2017 Nebraska Standard Specifications for Highway Construction, Section 910-Right of Way and Barbed Wire Fence, all work performed for fencing projects shall follow the lines, grades, plan dimension, material requirements and tolerances shown in the plans or indicated in the specifications with the following revisions as listed below.
2. **Subsection 910.01** **is hereby void and superseded by the following:**

1. ***The Department shall furnish all (woven wire) fencing materials except for the concrete mixture to build and install the right of way woven wire fence, and any other appurtenances as shown in No. 710-R4 Fence Detail.* *The Contractor shall furnish the concrete mixture.***

1. **Subsection 910.02: 1. Table 910.01 does not apply and is void.**
2. **Subsection 910.02: 2.a. through 2.c shall apply.**
3. **Subsection 910.03, paragraph 3.c. (1), (2), (3) are hereby void and superseded by the following: *All posts shall be set in pre-bored holes and not driven.***
4. ***Subsection 910.03, paragraph 5 regarding padlocks does not apply and is void***

***Except as indicated above the remaining Subsection 910.03 shall apply.***

1. **Subsection 910.04, paragraphs 1, 2, and 3:** **Method of Measurement are void and superseded by the following:**

***The quantity of “Right of Way Fence” is measured at the bottom of the fence fabric from center to center of posts in linear feet (meters).***

1. **Subsection 910.05, paragraphs 1, and 2:** **Basis of Payment (Pay Items), are void and superseded by the following:**
	* + 1. ***Pay Item***

***Right of Way Fence: 5 Woven Wire Fence per linear foot (LF)***

1. NDOT will be responsible for contacting adjacent livestock owners. NDOT will provide notice to the Contractor when to proceed with work. Privately owned fence shall not be removed by the Contractor.
2. Contractor(s) shall be responsible for obtaining all required permits (see subsection N. of the General Terms and Conditions of the Nebraska Department of Transportation Short Form Bid Proposal and Contract form; N. Permits, Regulations, Laws) and in contacting the Diggers Hot Line to submit a locator request when and where needed as determined by the Contractor.
3. All work performed by the Contractor shall be directed and approved by the NDOT Project Oversight/Coordinator (as identified under section C.5). The type of fence may not be changed unless otherwise directed by the Department.
4. The Contractor shall not stage, store, waste, or stockpile materials and equipment in undisturbed locations, or in known/potential wetlands or known/potential streams that exhibit a clear bank or channel.
5. **Fencing Materials:** NDOT shall furnish all the new fencing materials including posts, wiring, staples, braces, corners, and any other needed appurtenances.
6. Fencing shall be installed to maintain the integrity of the original fence and shall include all wires, pull posts, gate posts, corner posts and appurtenances to structures and fence terminals as originally constructed.
7. The Contractor shall be responsible for the site preparation and constructed as specified under the 2017 Nebraska Standard Specifications for Highway Construction, Section 910-Right of Way and Barbed Wire Fence and as specified in this bid request (DOT F19-610-F).
8. The discarded fencing and fencing debris shall become the property of the Contractor and shall be removed from the site and disposed of in a legal manner.
9. NDOT does not anticipate the need of tree or brush removal, but in the event there is a tree or brush that causes an obstacle for the work to be conducted, the Contractor shall notify the NDOT Project Oversight/Coordinator immediately and NDOT will be responsible for removal.
10. Right-of-way fencing is erected on the public right-of way with the center of the posts one (1) foot from the right-of-way line. Statute 34-112.01 allows necessary reasonable access onto the adjacent property to construct, maintain, or repair division fencing.
	1. WORK PLAN
11. District 6 NDOT Project Oversight/Coordinator as identified below will be the contact personnel. Work shall be conducted during daylight hours; Monday through Friday excluding weekends and State Holidays unless prior approval is given by NDOT. The fencing project must be completed within the noted designated timeframe.
12. **Fencing Material Pick-Up Locations:** The Contractor shall be responsible for picking up the new/replacement fencing materials from the designated district yards listed below and transporting the materials to the work site. Office hours are between the hours of 7:00 AM – 3:30 PM MDT, Monday through Friday, excluding State Holidays.

Lexington Yard Gothenburg Yard

2812 plum Creek PKWY 123 Lake Ave.

Lexington, NE Gothenburg, NE

1. The Contractor shall be responsible for any fencing materials left at the job site unattended. Upon completion of the fencing project, the Contractor shall notify the NDOT Project Oversight/Coordinator and return any unused replacement fencing materials to the District yard that it was picked up from.
2. **Fencing Project (work area):** The fencing project is located between Mile Marker 200 and Mile Marker 257 on Interstate 80, in Dawson and Lincoln County. The fencing segments for replacement within the above mentioned location and parameters shall be determined and directed by the NDOT Project Oversight/Coordinator.
3. **NDOT Project Oversight/Coordinator is**:

610 Area Maintenance Superintendent

 Carlos Campa

2812 Plum Creek Pkwy

PO Box 113

Lexington, NE 68850-0113

Cell: 308 325-2250

Fax: 308-324-5989

Email: carlos.campa@nebraska.gov

1. **Response and Completion Time:** The Contractor is not to proceed with the work until notified by NDOT. Contractor must be able to respond and begin work within fourteen (14) days after notification of the requested service or as agreed upon between the Contractor and the NDOT Project Oversight/Coordinator. Prior to commencement of work, the NDOT Project Oversight/Coordinator and the Contractor will review the expected accomplishments as specified in this document. The Contractor is required to give 48 hour notice to NDOT prior to beginning work. No more than one (1) mile of fence shall be removed at any given time and must be replaced with new fencing immediately and completed within a minimum of one (1) week and prior to moving onto the next fencing segment.

 **D. EQUIPMENT**

All of the Contractors equipment must be in good working condition, suitable and safe for the work that is to be performed. The Contractor shall furnish all fuel, oil, and grease for said equipment or operation. All labor and repairs necessary for repairing the equipment will be at the Contractor’s expense.

Contractor shall be required to follow NDOT Traffic Control Requirements for Operations on Highways and Streets as specified under the 2017 Standard Specifications for Highway Construction available at: <https://dot.nebraska.gov/media/10343/2017-specbook.pdf> or <https://dotstore.nebraska.gov/Storefront/construction_pdf/2017_Spec_Book.pdf>.

When equipment is not in use, it shall be parked or stored off the pavement or shoulder of the highway, in an inconspicuous location, no less than 30 feet from the edge of the pavement. The equipment shall be parked or stored so that it will not cause sight distance problems for the traveling public. The Contractor is responsible for any equipment left unattended on the Right of Way.

* 1. TRAFFIC CONTROL

Traffic control shall be the responsibility of the Contractor. If traffic control is needed, it shall be set up as specified in the Federal Highway Administration Publication titled the “Manual on Uniform Traffic Control Devices” at: <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. Additionally, the Contractor shall be required to adhere to the NDOT Traffic Control Requirements for Operations on Highways and Streets as specified under the 2017 Standard Specifications for Highway Construction, available at <https://dot.nebraska.gov/media/10343/2017-specbook.pdf> or <https://dotstore.nebraska.gov/Storefront/construction_pdf/2017_Spec_Book.pdf>.

* 1. DAMAGE TO HIGHWAY PROPERTY & PRESERVATION OF TREES

The Contractor shall carry out operations in such a manner as to not damage existing ground areas, trees or shrubs outside the fixed obstacle clearance zone, signs, delineator posts, mailboxes and posts, or other roadside features**. Trees outside the fixed obstacle clear zone are an asset to the roadside corridor and shall be protected from immediate and long-term damage from vehicles, equipment or materials too close to the trees. Throughout the duration of the contract, no materials, vehicles or equipment shall be allowed to be stored or parked with 25 feet of existing trees 4” in diameter or larger, whether standing alone or in groups.** In the event damage should occur to any of the above-mentioned features, regardless if it is State or private property, the Contractor shall replace or repair the damaged areas or items at no cost to the NDOT. In the event highway traffic control and/or warning signs are damaged beyond repair, the Contractor shall notify NDOT immediately so that replacement of the damaged sign(s) can be made. The cost of such repair and/or replacement of damaged State property shall be deducted from any payment due the Contractor. The cost of repair and/or replacement of damaged private property shall be the responsibility of the Contractor and the property owner, with no involvement of the Department of Transportation.

* 1. ADVERSE WEATHER CONDITIONS

The Contractor will be expected to proceed with work in inclement weather conditions, as long as the weather does not pose a danger to either the workers or the traveling public.

* 1. ESTIMATED QUANTITY

The estimated linear feet listed on the Short Form Bid Proposal are not guaranteed and may increase or decrease. It shall be clearly understood by all parties that the estimated quantities shown are given for the purpose of securing a unit price bid.

* 1. CONTRACTOR LIABILITY

The Contractor shall assume full liability for hazards to traffic and the public that may be created by removing and installing ROW fencing and save harmless the Nebraska Department of Transportation.

* 1. DELIVERABLES

The Contractor(s) shall provide the service of removing and disposing existing ROW fencing and the installing new fencing and posts along the State’s interstate system for District 6 as described in this document and in accordance with the 2017 Nebraska Standard Specifications for Highway Construction available at: <https://dot.nebraska.gov/media/10343/2017-specbook.pdf> or <https://dotstore.nebraska.gov/Storefront/construction_pdf/2017_Spec_Book.pdf>.

* 1. PROPOSAL PRICING
		+ 1. Bid price shall be per linear foot for the fencing project and shall include the cost for removal and disposal of existing fencing and posts; site preparation including the concrete foundation, backfill, and electrical grounds; labor; equipment; mobilization fees; transportation of fencing materials from the designated district yard to the work site; the return of any unused replacement materials back to the district yard and the installation of new fencing and posts in accordance with the requirements and specifications of this Bid Proposal Request. **Bid price shall remain fixed for the duration of the contract period**. NDOT shall furnish the new fencing materials to match the existing fencing including posts, wiring, staples, braces, corners and any other needed appurtenances.
	2. PAYMENT SCHEDULE

Upon the approval and discretion of the NDOT Project Oversight/Coordinator, the Contractor‘s invoice may be submitted on a monthly basis to the NDOT Project Oversight/Coordinator upon completion of removing existing fencing and disposing the discarded fencing and the installation of new fencing within the invoice billing period.

NDOT will render payment after receiving and certifying that invoicing is correct and the removal, disposal and installation of fencing have been made at the designated location(s). No invoice will be approved unless the associated deliverables have been approved.