

ADDENDUM NO. 2

TO: ALL BIDDERS
PROJECT: ITB PW 22-19 – STEELE ROAD OVER PENNY CREEK
BRIDGE REPLACEMENT
BID TIME AND DATE: 3:00 PM LOCAL TIME, APRIL 17, 2019 **(UPDATED)**
MANDATORY PRE-BID: 9:30 AM LOCAL TIME, MARCH 28, 2019 (NO CHANGE)

April 5, 2019

The following items are hereby incorporated into the project manual, procurement documents, contract documents, plans and specifications:

ITEM NO. 1 – SECTION 00020 ADVERTISEMENT FOR BIDS

The date to receive bids has been revised. The revised date and time is:

3:00 PM Local Time, April 17, 2019:

ITEM NO. 2 – SECTION 00100 INSTRUCTIONS TO BIDDERS

Section 17.03 is revised to show the correct room number in the address as follows:

101 East James Lee Blvd, Ste. 282

ITEM NO. 3 – SECTION 00800 SUPPLEMENTAL CONDITIONS

Attachment D of Section 00800 is amended to include the following:

LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC –LAWS TO BE OBSERVED - COMPLIANCE WITH FEDERAL ENDANGERED SPECIES ACT AND OTHER WILDLIFE REGULATIONS (INDIGO SNAKE).
(REV 5-25-17) (FA 6-13-17) (7-19)

SUBARTICLE 7-1.4 is expanded by the following:

7-1.4.1 Additional Requirements for Eastern Indigo Snake (*Drymarchon corais couperi*): The Department has determined that eastern indigo snake habitat exists in the project limits. Implement the Standard Protection Measures for the Eastern Indigo Snake published by the US Fish and Wildlife Service which are available at:
http://www.fws.gov/northflorida/IndigoSnakes/20130812_Eastern_indigo_snake_Standard_Protection_Measures.htm.

ITEM NO. 4 – QUESTIONS RECEIVED AT PRE-BID MEETING AND LATER

The following questions were posed during the Pre-Bid meeting or received later:

Question 1 - *Is there an acquisition period prior to construction commencement?*

Answer: No, there will not be a specific acquisition period prior to issuing the construction commencement. The acquisition period has been built into the days of construction stated in the contract.

Question 2 - *Who will review the shop drawings?*

Answer: The Engineer of Record (EOR) will review shop drawings.

Question 3 - *What is the turnaround time on the shop drawing approval process?*

Answer: Shop drawings will be reviewed and approved in accordance with Section 5, FDOT Division 1 Specifications for Road and Bridge Construction, January 2019.

Question 4 – *Are Certified Payrolls required on this project?*

Answer: Yes, Certified Payroll are required.

Question 5 - *Will a job board be required?*

Answer: Yes, a job board is required.

Question 6 - *Will the pile load testing be completed by the CEI?*

Answer: The CEI will attach PDAs.

Question 7 - *Will there be quality control on the concrete?*

Answer: Yes, in accordance with FDOT Standard Specifications Division 2 and 3.

Question 8 - *This article (Instructions to Bidders, Page 00100-1, Article 3.02) states that subcontractor performing the roadway construction associated with this project shall be pre-qualified with FDOT in the Work Classes: Drainage, Flexible Pavement and Grading. Typically, FDOT does not require the subcontractor to be pre-qualified to become approved to work on a project under the prime. If the proposed subcontractor has successfully performed work on FDOT projects in the past as a subcontractor, could they work on this project if proof can be provided of this fact?*

Answer: No, subcontractors and/or contractor shall be qualified to perform work in the areas of Drainage, Flexible Pavement, and Grading as required in the project manual.

Question 9 - Will resolution of conflicts between QC and QA test results be resolved through the state?

Answer: Yes, FDOT will review QC and QA results and will participate in resolution.

END OF QUESTIONS

ITEM No. 5 – FDEP Permit

Comply with the requirements of 62-330.443, *General Permit to the Florida Department of Transportation, Counties, and Municipalities for Minor Bridge Alteration, Placement, Removal, Maintenance and Operation*, contained in the attached letter from FDEP to FDOT, File No. 46-0338338-003-EG, Okaloosa County, and consisting of 13 pages.

RECEIPT OF THIS ADDENDUM SHALL BE ACKNOWLEDGED BY WRITING THIS ADDENDUM NUMBER AND DATE IN THE SPACE PROVIDED ON DOCUMENT 00410-9, 'ADDENDUM ACKNOWLEDGEMENT - ATTACHMENT A.'

/s/ Roy Petrey
Roy Petrey, P.E.
Project Manager



Florida Department of Environmental Protection

Northwest District
160 W Government Street, Suite 308
Pensacola, Florida 32502-5740

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

April 1, 2016

Florida Department of Transportation
% Colby Cleveland, District 3 Permits Coordinator
1074 Highway 90
Chipley, Florida 32428
Colby.Cleveland@dot.state.fl.us

File No. 46-0338338-003-EG, Okaloosa County
Easement No.: Pending

Dear Mr. Cleveland:

On March 24, 2016, we received your notice of intent to use a General Permit (GP), pursuant to Rule 62-330.443, Florida Administrative Code (F.A.C.), to replace a structurally deficient public vehicular bridge in Penny Creek, Class III Waters of the State, Unclassified Shellfish Harvesting Area, with a total wetland impact of 0.284 acres. The project is located at the Steele Road Bridge (FDOT Bridge No. 574013) in Baker, Florida 32531, Section 14, Township 03 North, Range 25 West, in Okaloosa County; Latitude 30°46'14" North, Longitude 86°42'57" West.

Your notice of intent to use a general permit has been reviewed by Department staff for three types of authorization: (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization. The authority for review and the outcomes of the reviews are listed below. Please read each section carefully.

Your project did not qualify for the federal authorization, therefore additional authorization must be obtained prior to commencement of the proposed activity. This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

1. Regulatory Review – Approved

Based on the forms, drawings, and documents submitted with your notice, it appears that the project meets the requirements for the General Permit under Rule 62-330.443, F.A.C. Any

activities performed under a general permit are subject to general conditions required in Rule 62-330.405, F.A.C. (attached) and the specific conditions of Rule 62-330.443, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.

Please be advised that the construction phase of the GP must be completed within five (5) years from the date the notice to use the GP was received by the Department. If you wish to continue this GP beyond the expiration date, you must notify the Department at least thirty (30) days before its expiration.

Authority for review – Part IV of Chapter 373, Florida Statutes (F.S.), Title 62, F.A.C., and in accordance with the operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C.

2. Proprietary Review – Pending

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapter 253, F.S. and Chapter 18-21, F.A.C.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity requires a public easement; you must make application to the Department for such authorization.

Based on the information submitted, we have begun processing your application to use sovereign submerged lands. A temporary Letter of Consent is hereby granted pursuant to subparagraph 18-21.005(1)(c)(14), F.A.C. Please contact Savanna Harrison at the letterhead address, at (850) 595-0566, or at Savanna.Harrison@dep.state.fl.us for additional information.

Please be advised that any use of sovereign submerged lands without specific prior authorization from the Board of Trustees will be considered a violation of Chapter 253, F.S. and may subject the affected upland riparian property owners to legal action as well as potential fines for the unauthorized use of sovereign land.

Authority for review – Chapter 253, F.S., Chapter 18-21, F.A.C., and Section 62-330.075, F.A.C., as required.

3. Federal Review – SPGP Not Approved

Your proposed activity as outlined on your notice and attached drawings **does not qualify** for federal authorization pursuant to the State Programmatic General Permit (SPGP) IV-RI, and a **SEPARATE permit** or authorization **may be required** from the U.S. Army Corps of Engineers (Corps). A copy of your permit application has been forwarded to the Corps for their review.

The Corps will issue their authorization directly to you or contact you if additional information is needed. If you have not heard from the Corps within 30 days from the date your application was received at the local FDEP Office, contact the Corps at the Pensacola Regulatory Field Office at (850) 439-3474 for status and further information. **Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.**

Authority for review – an agreement with the Corps entitled “Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit,” Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this general permit. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department’s final action may be different from the position taken by it in this notice.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency’s file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner’s representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner’s substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency’s proposed action;

- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 or at Agency_Clerk@dep.state.fl.us. A copy of the petition shall also be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission

under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

Judicial Review

Any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Escambia County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Savanna Harrison at the letterhead address, at (850) 595-0566, or at Savanna.Harrison@dep.state.fl.us.

Sincerely,



Savanna Lynn Harrison
Environmental Specialist
Submerged Lands & Environmental
Resources Program

Enclosures:

Rule 62-330.443, F.A.C., 2 pages

General Conditions for All General Permits, Rule 62-330.405, F.A.C., 3 pages

General Consent Conditions for Use of Sovereignty Submerged Lands, 2 pages

Project Drawings, 2 pages

Copies furnished to:

Clif Payne, U.S. Army Corps of Engineers, Edward.P.Sarfert@usace.army.mil

Shayne Hayes, U.S. Army Corps of Engineers, Terry.S.Hayes@usace.army.mil

Doug Skurski, JMT Engineering, DSkurski@jmt.com

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this determination, including all copies, was mailed/emailed before the close of business on April 1, 2016 to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Rebecca Hunter

April 1, 2016

Clerk

Date

62-330.443 General Permit to the Florida Department of Transportation, Counties, and Municipalities for Minor Bridge Alteration, Placement, Replacement, Removal, Maintenance, and Operation.

(1) A general permit is granted to the Florida Department of Transportation, counties and municipalities to conduct the activities described below:

(a) The alteration, placement, replacement, removal, modification, or maintenance of bridges and approaches where the combined total of dredging and filling, both temporary and permanent, in wetlands and other surface waters does not exceed 0.50 acre. Placement of bridges shall occur only as part of existing maintained roadways; and

(b) Channel clearing and shaping, not to exceed a combined total of 0.5 acre of dredging and filling in wetlands and other surface waters, to facilitate maximum hydraulic efficiency of the structures detailed in paragraph (a) above, where the spoil material is used on an upland portion of the project or is deposited on a self-contained, upland spoil site. Escape of spoil material or water from the spoil deposition area into wetlands or other surface waters is prohibited.

(2) This general permit shall be subject to the following specific conditions:

(a) No dredging of access or work channels is authorized by this general permit;

(b) Temporary fill roads shall not be constructed waterward of mean high water or ordinary high water;

(c) All fill placed in wetlands, other than fill on which a bridge or approach is constructed, shall be regraded to the original wetland elevations and revegetated with native wetland species endemic to adjoining, undisturbed wetlands, within seven days of completion of construction. Within "clear zones," revegetation shall be with native herbaceous species endemic to adjoining, undisturbed wetlands. During the five-year period following the initial planting or restoration of the site, these areas shall be maintained to ensure planted or naturally recruited native wetland species are surviving and growing, and that the areal coverage of exotic and invasive species constitutes less than 10% areal coverage;

(d) Hydraulic openings of bridges shall be sufficient to prevent downstream scour, increased downstream water velocities, and increased flood elevations on the property of others;

(e) Minimum horizontal and vertical navigational clearances on bridges over navigable waters of the United States shall be established in accordance with procedures outlined in Chapter 2 the U.S. Coast Guard Bridge Administration Manual, COMDTINST M16590.5C, (March 26, 2004), incorporated by reference herein

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-03150>), a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and in no circumstance shall placement or replacement of a bridge result in a reduction of horizontal and vertical navigational clearances;

(f) Replacement or modification of a bridge that includes changes in the configuration of the bridge and fill areas due to changes in materials, construction techniques, or meeting current construction codes or safety standards are authorized under this permit. Any connecting road expansion or alteration associated with such replacement or modification must be authorized by a separate general or individual permit under Chapter 62-330, F.A.C., as applicable, before the start of construction; and

(g) This general permit does not authorize replacement or modification of bridges or approaches that involve the construction of additional lanes, except that any single-lane bridge may be widened to two travel lanes, provided the bridge widening does not exceed that reasonably necessary to match the existing travel lane alignment of a two-lane road.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.419, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.443, Amended 10-1-13.

62-330.405 General Conditions for All General Permits

The following general permit conditions are binding upon the permittee and are enforceable under Chapter 373, F.S. These conditions do not apply to the general permit in Section 403.814(12), F.S.

(1) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit and may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

(2) This general permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit.

(3) This general permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the general permit.

(4) The general permit does not relieve the permittee from liability and penalties when the permitted activity causes harm or injury to: human health or welfare; animal, plant or aquatic life; or property. It does not allow the permittee to cause pollution that violates state water quality standards.

(5) Section 253.77, F.S., provides that a person may not commence any excavation, construction, or other activity involving the use of state-owned or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required consent, lease, easement, or other form of authorization authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on state-owned lands.

(6) The authorization to conduct activities under a general permit may be modified, suspended or revoked in accordance with Chapter 120, F.S., and Section 373.429, F.S.

(7) This permit shall not be transferred to a third party except pursuant to Rule 62-330.340, F.A.C. The permittee transferring the general permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to sale, conveyance, or other transfer of ownership or control of the permitted project, activity, or the real property at which the permitted project or activity is located.

(8) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to ensure conformity with the plans and specifications approved by the permit.

(9) The permittee shall maintain any permitted project or activity in accordance with the plans submitted to the Agency and authorized in this general permit.

(10) A permittee's right to conduct a specific activity under this general permit is authorized for a duration of five years.

(11) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be implemented and maintained immediately prior to, during, and

after construction as needed to stabilize all disturbed areas, including other measures specified in the permit to prevent adverse impacts to the water resources and adjacent lands. Erosion and sediment control measures shall be installed and maintained in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), available at www.dep.state.fl.us/water/wetlands/docs/erp/FLerosionSedimentManual_6_07.pdf, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), available at www.dep.state.fl.us/water/nonpoint/docs/erosion/erosion-inspectors-manual.pdf.

(12) Unless otherwise specified in the general permit, temporary vehicular access within wetlands during construction shall be performed using vehicles generating minimum ground pressure to minimize rutting and other environmental impacts. Within forested wetlands, the permittee shall choose alignments that minimize the destruction of mature wetland trees to the greatest extent practicable. When needed to prevent rutting or soil compaction, access vehicles shall be operated on wooden, composite, metal, or other non-earthen construction mats. In all cases, access in wetlands shall comply with the following:

(a) Access within forested wetlands shall not include the cutting or clearing of any native wetland tree having a diameter 4 inches or greater at breast height;

(b) The maximum width of the construction access area shall be limited to 15 feet;

(c) All mats shall be removed within 72 hours after the work commences; and

(d) Areas disturbed for access shall be restored to natural grades immediately after the maintenance or repair is completed.

(13) Barges or other work vessels used to conduct in-water activities shall be operated in a manner that prevents unauthorized dredging, water quality violations, and damage to submerged aquatic communities.

(14) The construction, alteration, or use of the authorized project shall not adversely impede navigation or create a navigational hazard in the water body.

(15) Except where specifically authorized in a general permit, activities must not:

(a) Impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands;

(b) Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to Section 373.042, F.S., or a Works of the District established pursuant to Section 373.086, F.S.; or

(16) If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If

unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

(17) The activity must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable District special basin and geographic area criteria.

(18) The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:

(a) All vessels associated with the project shall operate at “Idle Speed/No Wake” at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

(b) All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.

(c) All in-water activities, including vessel operation, must be shut down if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All on-site project personnel are responsible for observing water-related activities for the presence of listed species.

(d) Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1 (888) 404-3922 and ImperiledSpecies@myFWC.com.

(e) Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at imperiledspecies@myfwc.com with details of the event within 24 hours following detection of the spill or frac-out.

(19) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any activity authorized by the general permit.

(20) The permittee shall immediately notify the Agency in writing of any submitted information that is discovered to be inaccurate.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.044, 373.118(1), 373.129, 373.136, 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.422, 373.423, 373.429, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.215, Amended 10-1-13.

**GENERAL CONSENT CONDITIONS FOR
USE OF SOVEREIGNTY SUBMERGED LANDS**

Any use of sovereignty submerged lands is subject to the following general conditions are binding upon the applicant and are enforceable under Chapter 253, F.S.

1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.
2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.
3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended, or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.
4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.
5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened, or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
10. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

11. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

12. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

13. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

Steele Road over Penny Creek Bridge Replacement
BID NO.: ITB 22-19

MANDATORY PRE-BID: Thursday March 28, 2019 at 9:30 AM CST
 BID OPENING: April 10, 2019 at 3:00 PM CST

PRE-BID ATTENDANCE REGISTER

NO.	COMPANY	ADDRESS	PHONE NO.	EMAIL	PRINT NAME
1	F + W	947 CR 18 Ozark, AL	334-299-3502	ewells@fandwconst.com	Eben Wells
2	Scott Bridge Co.	2641 Interstate drive ^{operating} _{AL}	334-749-5015	rhayley@scottbridge.com	Reede Hayley
3	Ryles Const.	741 Baker Fla	850-5031093	Kyles Grogan@rrms.gca.com	Billy Vaughan
4	H.G. HARDERS & SONS, INC.	5521 EAST HWY 98 PANAMA CITY, FL 32404	850-871-4669	jharders@hgharders.com	JACOB HARDERS
5	Vecellio & Grogan, Inc	1200 Elbow Way Winter Garden FL	407-280-4658	Ken.Moore@vecelligrogan.com	Kenneth Moore
6	NOVA ENGINEERING	17612 ASDLEY DR 32784 PCB FL 32417	850-866-1866	wcantrell@usanova.com	Will Cantrell
7	MURPHY BRIDGE WILSON CORP.	1627 C.R. 1149 TROY, AL.	(334) 566-0750	JJWILSON@TROYCABLE.NET	JAY WILSON
8	Gum Creek Farms, Inc.	1097 Hwy 83 N, DFS FL	850-892-0291	perrygefbell@yahoo.com	Perry Bell + Keaton McDonald
9	NORTH FLORIDA CONSTRUCTION	P.O. BOX 129 INC. CLARKSVILLE, FL 32430	850-674-5730	jamie@northfloridaconst.com	Jamie Miller
10	Trinity Highway	1963 W McNab Rd Pompano Beach FL	954-825-1250	glenn.baldauf@trin.net	Glenn Baldauf



Steele Road over Penny Creek Bridge Replacement
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NO.	COMPANY	ADDRESS	PHONE NO.	EMAIL	PRINT NAME
11	Anderson Columbia Co Inc.	1301-C W. Hwy. 90 Holt, FL 32564	850- 537-9074	Bobby Braun @ andersoncolumbia.com	BOBBY BRAUN
12	Tierra Inc.	1300 W Man street Pensacola, FL 32502	850 462-8774	mmccoy @ tierracag.com	Matthew McCoy
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