

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
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2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY CODE	7. ADMINISTERED BY (If other than Item 6) CODE
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
		10A. MODIFICATION OF CONTRACT/ORDER NO.
		10B. DATED (SEE ITEM 11)

CODE	FACILITY CODE
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11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers is extended, is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

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

12. ACCOUNTING AND APPROPRIATION DATA (If required)

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

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

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

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

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

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

1. The specifications and drawings for Invitation No. DACW64-03-B-0003, Dredging, Jetty and Entrance channels in Galveston County, Texas, Galveston Harbor and Channel, Texas, advertised 31 October 2002, and for which bids are to be opened on 3 December 2002, are hereby modified as follows:

(a) Specifications.

(1) TITLE OF PROJECT. - The Title of this Project has been changed from "GALVESTON HARBOR AND CHANNEL, TEXAS, JETTY AND ENTRANCE CHANNELS IN GALVESTON COUNTY, TEXAS, DREDGING" to "GALVESTON HARBOR AND CHANNEL, TEXAS, JETTY AND ENTRANCE CHANNELS IN GALVESTON COUNTY, TEXAS AND CORPUS CHRISTI SHIP CHANNEL, TEXAS, ENTRANCE CHANNEL IN NUECES COUNTY, TEXAS, DREDGING." All references to the former Title on the Drawings and in the Project Manual shall now reflect this new Title.

(2) BIDDING SCHEDULE, Pages 00010-1 Through 00010-4. - The enclosed Bid Schedule, Pages 00010-1 through 00010-6 supersedes that issued with this Invitation.

(3) Page 00800-1, Paragraph 1(e). - Delete the Index of Drawings and substitute the following therefor:

"TITLE	FILE	DRAWING NO.
Galveston Harbor and Channel, Texas, Jetty and Entrance Channels in Galveston County, Texas and Corpus Christi Ship Channel, Texas, Entrance Channel in Nueces County, Texas, Dredging"	GALV 301-388 NUECES803-327	12 Sheets (See Index of Drawings)

(4) Page 00800-7, NOTE. - In the fifth line of the NOTE, delete "Northern" and substitute "Bay."

(5) Page 01100-1, Paragraph 1. - In the last line, after the sentence ending with the word "contract.", insert the following sentence: "The time for performance includes 7 calendar days for travel between Galveston and Corpus Christi."

(6) SECTION 02482, DREDGING. - The enclosed SECTION 02482 entitled DREDGING supersedes that issued with this Invitation.

(7) Page 02483-1, Subparagraph 1.3.1. - In the last line, delete "Sea Turtle Protection" and substitute "Sea Turtle Protection, Galveston" and "Sea Turtle Protection, Corpus Christi."

(8) Page 02483-1, Subparagraph 1.3.2. - At the end of this Subparagraph, delete the period and quotes and add: ", Galveston" and "Option No. 3, Sea Turtle Relocation Trawls (12 hours per day) Corpus Christi."

(9) Page 02483-1, Subparagraph 1.3.3. - At the end of this Subparagraph, delete the period and quotes and add: ", Galveston" and "Option No. 4, Sea Turtle Relocation Trawls (24 hours per day), Corpus Christi."

(b) Drawings.

(1) Sheets 1 of 6 Through 6 of 6 (FILE NO. NUECES 803-327). - The enclosed new Sheets 1 of 6 through 6 of 6 (FILE NO. NUECES 803-327) shall be added to and become part of this Invitation.

2. This Amendment shall be attached to and become a part of the Project Manual.

3 Encls:

1. Bd Sched
2. SECTION 02482
3. Shts 1 of 6 thru 6 of 6 (FILE NO. NUECES 803-327)

**GALVESTON HARBOR AND CHANNEL,
TEXAS, JETTY AND ENTRANCE
CHANNELS IN GALVESTON COUNTY,
TEXAS AND CORPUS CHRISTI SHIP
CHANNEL, TEXAS, ENTRANCE CHANNEL
IN NUECES COUNTY, TEXAS, DREDGING)**

**BIDDING SCHEDULE
(TO BE ATTACHED TO STANDARD FORM 1442)**

Item No.	Description	Estimated Quantity	Unit	Unit Price	Estimated Amount
<u>SCHEDULE NO. 1</u>					
0001	Mobilization and Demobilization, Galveston	1	L.S.	\$ _____	\$ _____
0002	Dredging, Galveston	2,406,000	C.Y.	\$ _____	\$ _____
0003	Monitor Surveys, Galveston	1	L.S.	\$ _____	\$ _____
0004	Sea Turtle Protection Galveston*	1	L.S.	\$ _____	\$ _____
0005	Mobilization and Demobilization, Corpus Christi	1	L.S.	\$ _____	\$ _____
0006	Dredging, Corpus Christi	1,153,000	C.Y.	\$ _____	\$ _____
0007	Monitor Surveys, Corpus Christi	1	L.S.	\$ _____	\$ _____
0008	Sea Turtle Protection Corpus Christi *	1	L.S.	\$ _____	\$ _____
TOTAL SCHEDULE NO. 1					\$ _____

*NOTE: This Bid Item Applies to Hopper Dredges Only.

00010-1

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0003)

INVITATION NO. DACW64-03-B-0003

BIDDING SCHEDULE (CONT'D)
(TO BE ATTACHED TO STANDARD FORM 1442)

Item No.	Description	Estimated Quantity	Unit	Unit Price	Estimated Amount
<u>OPTION NO. 1</u>					
0009	Option No. 1 Sea Turtle Relocation Trawls (12 hours per day), Galveston	120	Day	\$_____	\$_____
TOTAL OPTION NO. 1					\$_____
TOTAL SCHEDULE NO. 1 AND OPTION NO. 1					\$_____

INVITATION NO. DACW64-02-B-0003

BIDDING SCHEDULE (CONT'D)
(TO BE ATTACHED TO STANDARD FORM 1442)

Item No.	Description	Estimated Quantity	Unit	Unit Price	Estimated Amount
<u>OPTION NO. 2</u>					
0010	Option No. 2 Sea Turtle Relocation Trawls (24 hours per day), Galveston	120	Day	\$_____	\$_____
TOTAL OPTION NO. 2					\$_____
TOTAL SCHEDULE NO. 1 AND OPTIONS NOS. 1 AND 2					\$_____

**BIDDING SCHEDULE (CONT'D)
(TO BE ATTACHED TO STANDARD FORM 1442)**

Item No.	Description	Estimated Quantity	Unit	Unit Price	Estimated Amount
<u>OPTION NO. 3</u>					
0011	Option No. 3 Sea Turtle Relocation Trawls (12 hours per day), Corpus Christi	58	Day	\$_____	\$_____
TOTAL OPTION NO. 3					\$_____
TOTAL SCHEDULE NO. 1 AND OPTIONS NOS. 1, 2, & 3					\$_____

**BIDDING SCHEDULE (CONT'D)
(TO BE ATTACHED TO STANDARD FORM 1442)**

Item No.	Description	Estimated Quantity	Unit	Unit Price	Estimated Amount
<u>OPTION NO. 4</u>					
0010	Option No. 4 Sea Turtle Relocation Trawls (24 hours per day), Corpus Christi	58	Day	\$_____	\$_____
TOTAL OPTION NO. 4					\$_____
TOTAL SCHEDULE NO. 1 AND OPTIONS NOS. 1, 2, 3 & 4					\$_____

BIDDING SCHEDULE (Cont'd)
(TO BE ATTACHED TO STANDARD FORM 1442)

1. ARITHMETIC DISCREPANCIES (JAN 1997) (EFARS 52.214-5000).

(a) For the purpose of initial evaluation of bids, the following will be utilized in resolving arithmetic discrepancies found on the face of bidding schedule as submitted by the bidder:

- (1) Obviously misplaced decimal points will be corrected;
- (2) Discrepancy between unit price and extended price, the unit price will govern;
- (3) Apparent errors in extension of unit prices will be corrected;
- (4) Apparent errors in addition of lump-sum and extended prices will be corrected.

(b) For the purpose of bid evaluation, the Government will proceed on the assumption that the bidder intends his bid to be evaluated on the basis of the unit prices, the totals arrived at by resolution of arithmetic discrepancies as provided above and the bid will be so reflected on the abstract of bids.

(c) These correction procedures shall not be used to resolve any ambiguity concerning which bid is low.

2. MODIFICATIONS (CESWG). If a modification to a bid based on unit prices is submitted, which provides for a lump sum adjustment to the total estimated cost, the application of the lump sum adjustment of each unit price in the bid schedule must be stated. If it is not stated, the bidder agrees that the lump sum adjustment shall be applied on a pro rata basis to every unit price in the bid schedule.

3 EVALUATION OF OPTIONS (JUL 1990)(FAR 52.217-5). Except when it is determined in accordance with FAR 17.206(b) not to be in the Government's best interests, the government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the options.

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SITE WORK

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SECTION 02482 - DREDGING**PART 1 - GENERAL****1.1 SCOPE OF WORK.**

1.1.1 Work to be Done. The work in this Section consists of furnishing plant, labor, materials, and equipment and performing the work required by these specifications, schedules, and drawings forming parts thereof for dredging this project as follows:

Required Depth Below MLT (Feet)	Required Width (Feet)	From Station	To Station	Distance Between Stations (Feet)
GALVESTON JETTY AND ENTRANCE CHANNELS				
49	800	37+000	51+000	14,000
CORPUS CHRISTI ENTRANCE CHANNEL				
47	600	-38+03.46	-30+00	803.46
49	700	86+00	210+00	12,400

1.1.2 The varying bottom width(s) and lengths to be dredged are shown on the drawings referred to in the SPECIAL CONTRACT REQUIREMENTS, STANDARD CLAUSE entitled CONTRACT DRAWINGS AND SPECIFICATIONS. The Contractor shall remove sufficient material to provide the limiting side and end slopes specified in the Paragraph: OVERDEPTH, SIDE AND END SLOPES, below.

1.2 ORDER OF WORK. The Contractor shall perform the work in the Galveston Entrance Channel first, in any order desired, and then continue the work in the Corpus Christi Entrance Channel, in any order desired. Once the Contractor commences work in the Galveston Entrance Channel, the Contractor shall not leave the work from either Galveston or Corpus Christi for other work not covered by this contract without written consent from the Contracting Officer of the Chief of Engineers.

1.3 ARCHEOLOGICAL SITES AND SHIPWRECKS. If during the dredging and placement operations the Contractor encounters archeological sites or shipwrecks of a historical nature, work shall cease immediately pursuant to the CONTRACT CLAUSE entitled SUSPENSION OF WORK and the Contracting Officer shall be notified by the fastest available means. After investigation by the Contracting Officer, the Contractor shall be instructed on how to proceed and if a delay of more than 14 days is incurred or the work is changed, the contract will be modified accordingly.

1.4 LOCATION. The work is located in the Galveston Entrance Channel, in Galveston County, Texas between Galveston Island and Bolivar Peninsula. The Corpus Christi Entrance Channel is on the Central Texas Coast, located about 220 miles southwesterly from Galveston, Texas and about 10 miles northeasterly from Aransas Pass, Texas.

1.5 OBSTRUCTION OF CHANNEL. The Government will not undertake to keep the Channel free from vessels or other obstructions, except to the extent of the regulations, if any, as may be prescribed by the Secretary of the Army, in accordance with the provisions of Section 7 of the River and Harbor Act approved 8 August 1917. The Contractor shall conduct the work using a method that shall obstruct navigation as little as possible, and if the Contractor's plant does obstruct the Channel and makes the passage of vessels difficult or endangers them, the plant shall be promptly moved on the approach of a vessel to afford a practicable passage. Upon completion of the work, the Contractor shall promptly remove its plant, including ranges, buoys, piles, and other marks placed by the Contractor under this contract.

1.6 TEMPORARY REMOVAL OF AIDS TO NAVIGATION. The temporary removal or changes in locations of channel markers may be required to facilitate dredging operations. The Contractor shall notify the Contracting Officer at least 21 days prior to the date that the removal or change in location of channel markers will be required so the U.S. Coast Guard can perform the work and so navigation interests may be informed sufficiently in advance of the proposed removal or change in location.

1.7 NOTIFICATION PRIOR TO COMMENCEMENT OF DREDGING OPERATIONS. The Contractor shall notify the Area Engineer, at the Bay Area Office, in writing, at least 10 days prior to commencement of dredging operations, the location or locations at which a dredge or dredges will be placed on the work. This information is required in addition to the progress charts and schedules provided for in the CONTRACT CLAUSE entitled SCHEDULE FOR CONSTRUCTION CONTRACTS.

1.8 ENVIRONMENTAL CONTROL MEASURES. The Contractor shall comply with the requirements specified in the SECTION entitled ENVIRONMENTAL PROTECTION to prevent degradation of the human environment. The Contractor is also alerted to the requirements specified in the SECTION entitled PROTECTION OF SEA TURTLES.

1.9 UTILITIES ACROSS THE LIMITS OF DREDGING. No utilities are known to cross the limits of dredging.

1.10 WORK COVERED BY THE CONTRACT PRICE.

1.10.1 Mobilization and Demobilization. The contract lump sum price for "Mobilization and Demobilization, Galveston" and "Mobilization and Demobilization, Corpus Christi" shall include the costs in connection with mobilization and demobilization of the plant necessary to perform work under the various bid items. The contract price shall include transportation and other costs incidental to delivery of the plant and other equipment to the general work area in condition ready for operation and, after the completion of the work, for removal of the plant and equipment from the work sites.

1.10.2 Dredging. The contract price per cubic yard for "Dredging, Galveston" and "Dredging, Corpus Christi" shall include the cost of removal and placement of the material as specified in Paragraphs: CHARACTER OF MATERIALS and PLACEMENT OF EXCAVATED MATERIAL below. The contract price for dredging shall also include the costs for transporting and placing the material at the placement area.

1.10.3 Monitor Surveys. The contract lump sum price for "Monitor Surveys, Galveston" and "Monitor Surveys, Corpus Christi" shall include the costs necessary to produce the surveys.

1.11 CHARACTER OF MATERIALS.

1.11.1 Material. The material to be removed within the limits specified in the Paragraph SCOPE OF WORK, above, is composed of shoals that have accumulated over a period of time; however, some virgin material may be encountered in the prescribed depth, allowable overdepth, or side slope dredging. Bidders are expected to examine the work sites and the records of previous dredging, which are available in the Bay Area Office, and the Southern Area Office and after investigation decide for themselves the character of the materials.

1.12 MEASUREMENT.

1.12.1 Dredging. The total amount of material removed shall be measured by the cubic yard in-place. The measurements shall be made by computing the volume between the bottom surface shown by elevations, soundings, and fathometer soundings of the last survey made before-dredging and the bottom surface shown by the fathometer soundings of the survey made as soon as practicable after the entire work has been completed. The work is specified in each Section in the Paragraph: SECTIONS below, and is included within the limits of the overdepth and side and end slopes described in Subparagraph: Table of Allowable Overdepth, Side and End Slopes below, less deductions that may be required for misplaced material specified in the Paragraph: PLACEMENT OF EXCAVATED MATERIAL below.

1.12.2 Electronic Positioning. In using electronic positioning the Government will make a corrective adjustment, if applicable, in the volume computation process to compensate for the repeatability tolerance of the electronic positioning equipment, between "before-dredging" and "after-dredging" surveys. The amount of this adjustment

will be limited to a shift of plus or minus 3 meters on an azimuth from the baseline normal to the centerline of the cut, of the "after-dredging" survey with respect to the "before-dredging" survey. Adjustments made in "after-dredging" cross sections will also result in a similar adjustment to the "before-dredging" cross sections in the area not dredged. The horizontal control points shown are the control points the Government will use to perform electronic surveys on the waterway. The Government does not guarantee permanent access to these control points, therefore, it may be necessary for the Contractor to establish its own network of survey points from these survey points or from other U.S. Coast and Geodetic Survey (USCGS) monuments. Location and description of the horizontal control points that the Government plans to use to perform electronic surveys on the Galveston Harbor and Channel project is available at the Bay Area Office, Galveston Location. Location and description of the horizontal control points that the Government plans to use to perform electronic surveys on the Corpus Christi Ship Channel project are available at the Southern Area Office, 1920 North Chapparral, Corpus Christi, Texas 78401-1114. The Contractor shall be responsible for establishing its own reference line to conduct hydrographic surveys and dredging operations if electronic positioning equipment is not used.

1.12.3 Drawings. The drawings already prepared as specified in the SPECIAL CONTRACT REQUIREMENTS, STANDARD CLAUSE entitled CONTRACT DRAWINGS AND SPECIFICATIONS represent conditions existing as of the date of their preparation (average existing conditions). However, to reflect anticipated shoaling occurring between the dates of preparation of the drawings and the dates of the "before-dredging" sections, the estimated dredging quantities specified in the Bidding Schedule have been adjusted accordingly. The depths and elevations shown thereon will be verified and corrected by fathometer soundings taken by the Government before dredging. Determination of quantities removed and the deductions made there from to determine quantities by in-place measurement to be paid for in the area specified, after having once been made will not be reopened, except on evidence of collusion, fraud, or obvious error.

1.13 PAYMENT.

1.13.1 Mobilization and Demobilization. Payment for this item will be made pursuant to the conditions of the SPECIAL CONTRACT REQUIREMENTS, STANDARD CLAUSE entitled PAYMENT FOR MOBILIZATION AND DEMOBILIZATION.

1.13.2 Dredging. Payment will be made at the contract unit price per cubic yard for "Dredging, Galveston" and "Dredging, Corpus Christi." The unit price shall include the cost of removal of material as specified in the Paragraph: CHARACTER OF MATERIALS above, transportation to the Placement Areas, and placement into the Placement Areas.

1.13.3 Partial Payments. Monthly partial payments for "Dredging, Galveston" and "Dredging, Corpus Christi." will be based on approximate quantities determined by fathometer soundings or sweepings taken behind the dredge.

1.13.4 Monitor Surveys. Payment for monitoring surveys will be paid for at the contract lump sum price for "Monitor Surveys, Galveston" and Monitor Surveys, Corpus Christi," which will include the costs in connection therewith.

PART 2 - PRODUCTS

2.1 BRIDGE-TO-BRIDGE RADIOTELEPHONE EQUIPMENT. Dredge and self-propelled attendant floating plant shall be radiotelephone equipped to comply with the provisions of the Vessel Bridge-to-Bridge Radiotelephone Act (Public Law 92-63). This will require, as a minimum, the radiotelephone equipment capable of transmitting and receiving on 156.65 MHZ (Channel 13). Multi-channel equipment will also require 156.8 MHZ (Channel 16). Dredge tugs and tenders will be considered towing vessels within the meaning of the Act.

PART 3 - EXECUTION

3.1 ESTIMATED QUANTITIES.

3.1.1 Required Dredging Prism. The total estimated quantity of material necessary to be removed from the required dredging prism, exclusive of allowable overdepth, to complete the work specified in the Paragraph: SCOPE OF WORK above, is in cubic yards, in-place measurement, including anticipated shoaling occurring prior to the dates of the "before-dredging" sections as specified below:

GALVESTON ENTRANCE CHANNEL	1,626,000 Cubic Yards
CORPUS CHRISTI ENTRANCE CHANNEL	525,000 Cubic Yards

3.1.2 Overdepth. The maximum amount of allowable overdepth dredging is estimated to be in cubic yards, in-place measurement, including anticipated shoaling occurring prior to the dates of the "before-dredging" sections as specified below:

GALVESTON ENTRANCE CHANNEL	780,000 Cubic Yards
CORPUS CHRISTI ENTRANCE CHANNEL	628,000 Cubic Yards

3.1.3 Estimated Quantities. Within the limit of available funds, the Contractor shall be required to excavate the entire quantity of material necessary to complete the work specified in the Paragraph: SCOPE OF WORK above, be it more or less than the amounts above estimated. The work is to be done in accordance with this contract and at the contract price or prices, subject to the provisions of the NON-REGULATED SPECIAL CONTRACT REQUIREMENTS CLAUSE entitled VARIATIONS IN ESTIMATED QUANTITIES - DREDGING.

3.2 CONTRACTOR QUALITY CONTROL.

3.2.1 Quality Control System. The Contractor shall establish and maintain a Quality Control System for dredging operations to assure compliance with this contract requirements and record inspections and tests under this System.

3.3 SECTIONS. For the purpose of acceptance, the dredging work items on the Bidding Schedule are divided into Sections, as follows:

GALVESTON ENTRANCE CHANNEL						
Section No.	From Station	To Station	Length of Section (Feet)	(1)(2) Prescribed Depth (CY)	Allowable Overdepth (CY)	(2) Total Estimated (CY)
1	37+000	42+000	5,000	417,000	250,000	667,000
2	42+000	47+000	5,000	649,000	293,000	942,000
3	47+000	51+000	4,000	560,000	237,000	797,000
TOTAL			14,000	1,626,000	780,000	2,406,000
CORPUS CHRISTI ENTRANCE CHANNEL						
Section No.	From Station	To Station	Length of Section (Feet)	(1)(2) Prescribed Depth (CY)	Allowable Overdepth (CY)	(2) Total Estimated (CY)
1	210+00	150+00	6,000	176,000	306,000	482,000
2	150+00	86+00	6,400	306,000	298,000	604,000
3	-30+00	-38+03.46	803.46	43,000	24,000	67,000
TOTAL			13,203.46	525,000	628,000	1,153,000
<p>(1) The term “prescribed depth” is synonymous with the term “required depth” and “required dredging prism” used elsewhere in these specifications.</p> <p>(2) Includes anticipated shoaling.</p>						

3.4 PLACEMENT OF EXCAVATED MATERIAL.

3.4.1 General. The Contractor shall inspect the Placement Areas to ensure that using the Areas for placement operations will not place it in violation of the applicable Federal, State, or local statutes concerning fish and wildlife. Particular statutes, which the Contractor shall consider include but are not limited to the Federal Migratory Bird Treaty Act and the Endangered Species Act of 1973.

3.4.2 Excavated Material. The material excavated shall be transported and deposited in the Placement Areas shown. Except as otherwise noted, material shall not be deposited or allowed to flow into channels, a bayou or stream tributary to the Galveston Harbor and Channel or the Corpus Christi Ship Channel, an existing drainage outlet ditch, canal, water intake, or outlet facility, nor shall materials be allowed to flow onto improved areas including highways and roads in or adjacent to the Placement Areas. If a stream, bayou drainage outlet, ditch, canal, water intake or outlet facility becomes shoaled as a result of the dredging or placement operations, the Contractor shall promptly remove these shoals, and the material shall be placed in the Placement Area. Dragging or washing operations to remove the shoals will not be permitted. Holes dug on the banks for deadmen or anchorage shall be filled.

3.4.3 Placement Areas.

3.4.3.1 Placement Area No. 1, Galveston Entrance Channel. The Placement Area shall be prominently marked by the Contractor with conspicuous buoys at each corner. Material will be deposited within the limiting lines of the Placement Area. The dredged material shall be deposited over or beyond the crests of existing dumping grounds wherever they exist. The Contractor shall perform its operations using a method that will prevent the material from flowing back into the Channel. Material deposited beyond the limiting lines of discharge shall be removed by the Contractor at no additional cost to the Government. In addition, discharge of dredged material shall be made far enough within the discharge area limits to ensure that no material flows beyond the Placement Area limits shown. Shoaling that may occur outside the Placement Area limits shall be removed by the Contractor at its expense. The point of discharge shall be relocated as often as necessary to uniformly distribute the dredged material throughout the Placement Area. An accumulation of material that changes the elevation to exceed 1.0 foot along the Placement Area limits or 5.0 feet within the Placement Area is prohibited.

3.4.3.1 Placement Area No. 1, Corpus Christi Entrance Channel. The Placement Area shall be prominently marked by the Contractor with conspicuous buoys at each corner. Material will be deposited within the limiting lines of the Placement Area. The dredged material shall be deposited over or beyond the crests of existing dumping grounds wherever they exist. The Contractor shall perform its operations using a method that will prevent the material from flowing back into the Channel. Material deposited beyond the limiting lines of discharge shall be removed by the Contractor at no additional cost to the Government. In addition, discharge of dredged material shall be made far enough within the discharge area limits to ensure that no material flows beyond the Placement Area limits shown. Shoaling that may occur outside the Placement Area limits shall be removed by the Contractor at its expense. The point of discharge shall be relocated as often as necessary to uniformly distribute the dredged material throughout the Placement Area. An accumulation of material that changes the elevation to exceed 1.0 foot along the Placement Area limits or 5.0 feet within the Placement Area is prohibited.

3.4.4 Unauthorized Placement of Material.

3.4.4.1 Misplaced Excavated Material. Excavated material that is deposited other than in places designated or approved will not be paid for and the Contractor may be required to remove the misplaced excavated material and deposit it where directed without cost to the Government.

3.4.4.2 Debris Disposal. During the progress of the work, the Contractor shall not deposit worn out discharge pipe, wire rope, scrap metal, timbers, other rubbish or obstructive material in the Placement Area or along the banks of the navigable waters. This material, together with scrap, rope, wire cable, piles, pipe, or other obstructive material, which may be encountered during the dredging operations, shall be disposed of by the Contractor at approved locations.

3.4.5 Alternate Placement Area(s) Proposed by Contractor after Award of Contract.

3.4.5.1 Alternate Placement Area(s). If, after award of the contract, a placement area(s) other than that specified herein is proposed, its acceptance will be subject to approval. The Contractor shall furnish written permission from the owners for the use of the substitute placement area(s) and written permission from the owners of the properties involved in obtaining access to the substitute placement area(s). The Contractor shall coordinate the use of the substitute placement area(s) with Federal, State, and local fish and wildlife, conservation and pollution control agencies and shall submit, with its proposal, documentation that demonstrates compliance with the applicable laws and regulations pertinent to designation and coordination of dredged material placement area(s). The Galveston District shall be consulted for specific requirements. Expenses incurred in connection with providing and making available another placement area(s) shall be borne by the Contractor. Materials deposited thereon and operations in connection therewith shall be at the Contractor's risk.

3.4.5.2 Data Submittal. The award of the modification will be subject to the approval of the proposed Contractor-furnished placement area(s) and unless the foregoing required data are furnished with the Contractor's request, the modification for the use of the proposed substitute placement area(s) will not be considered.

3.4.6 Monitor Surveys. To evaluate the impact of the placement of dredged material on the marine environment, the Contractor shall perform hydrographic surveys of the Placement Area both before and after completion of dredged material placement operations. The surveys are to consist of transects perpendicular to the channel taken on 1,000-foot intervals and extending 1,000 feet beyond the Placement Area limits. Plots shall be made of these surveys showing the change in elevation between the "before" and the "after" placement surveys. In addition, profiles shall be obtained along the Placement Area limit boundary. Surveys shall be submitted in ASCII XYZ format on 3.5 inch disks promptly upon completion and shall be approved.

3.5 OVERDEPTH, SIDE AND END SLOPES.

3.5.1 Overdepth. To cover inaccuracies of the dredging process, material actually removed from within the specific areas to be dredged to depths as specified in the Subparagraph: Table of Allowable Overdepth, Side and End Slopes below, will be estimated and paid for at the contract price or prices.

3.5.2 Side and End Slopes. Material actually removed from within approved limits, to provide for final side and end slopes as specified in the Paragraph: OVERDEPTH, SIDE AND END SLOPES above, but not in excess of the amounts originally above these limiting side and end slopes will be estimated and paid for, whether dredged in original position or by dredging space below the pay slope plane at the bottom of the slope for upslope material capable of falling into the cut. In computing the limiting amount of side and end slopes dredging, net dimensions, without allowance for overdepth, will be used.

3.5.3 Excessive Dredging. Material taken from beyond the limits as extended in the Subparagraphs: Overdepth, and Side and End Slopes, above, will be deducted from the total amount dredged as excessive overdepth dredging or excessive side or end slope dredging, for which payment will not be made. Nothing herein shall be construed to prevent payment for the removal of shoals performed in accordance with the applicable provisions of either the NON-REGULATED SPECIAL CONTRACT REQUIREMENTS entitled FINAL EXAMINATION AND ACCEPTANCE or SHOALING.

3.5.4 Table of Allowable Overdepth, Side and End Slopes.

From Station	To Station	Allowable Overdepth (Feet Below Required Depth)	Final				Above Plane (Feet Below MLT)
			Side Slope		End Slope		
			Grade		Grade		
			Vertical	Horizontal	Vertical	Horizontal	
GALVESTON ENTRANCE CHANNEL							
37+000	--	--	--	--	1	5	49
37+000	51+000	2	1	5	--	--	49
51+000	--	--	--	--	1	5	49
CORPUS CHRISTI ENTRANCE CHANNEL							
-38+03.46	---	---	---	---	1	3	47
-38+03.46	-30+00	2	1	3	---	---	47
-30+00	---	---	---	---	1	3	47
86+00	---	---	---	---	1	10	49
86+00	210+00	2	1	10	---	---	49
210+00	---	---	---	---	1	10	49

3.6 REPORTING REQUIREMENTS. The Contractor shall prepare and maintain a daily Dredging Report using the Galveston District's automated Contractor's Daily Report database. This database replaces SWG Form 89 (ENG Form 27A). The program will be provided to the Contractor using 3.5-inch diskettes at the pre-construction conference. Instructions and demonstration on the installation and use of this software will also be provided at the pre-construction conference. The Contractor will need an IBM compatible with a minimum of a 486/66 processor with 8 Mb of RAM running Microsoft Windows 3.11 or Microsoft Windows 95, Y2K compliant. Hard drive space needed to install the program and accommodate the data will be approximately 15 Mb. Printing will be best accomplished with either a LaserJet or Inkjet Printer on 8.5-by 11-inch paper in the portrait mode. Modem settings will be automatically handled at the point of transmission, but the Contractor is required to know what serial communications (COM) port it used for the modem (for example: COM1, COM2, or COM3). A telephone number for transmitting the data by modem to the District server will also be provided at the pre-construction conference. The Contractor will however have the option of submitting the data either by diskette or by modem. If the Contractor elects to submit the data by modem, the data shall be submitted on a daily basis. If the Contractor elects to submit the reports by diskette, the data will still be submitted on a daily basis when possible. Coordination on delays shall be made with the Area Engineer or its designated representative. The Contractor will be required to print and sign reports and submit the original hard copies to the Area Engineer to verify authentication. Monthly reports will be generated by the District Office using the reporting features of the database. If technical problems arise, the point-of-contact for this matter will be Tim Baumer at (409) 766-3874.

3.7 HOUSTON-GALVESTON VESSEL TRAFFIC SERVICE AREA. The Contractor shall comply with the following requirements while operating within the Houston-Galveston Vessel Traffic Service (VTS) area.

3.7.1 General. When a dredge or floating plant is to be operated within the Houston-Galveston VTS Area the master shall furnish the Vessel Traffic Center the following report at least 30 minutes prior to beginning operations:

- (1) Location of intended operation.
- (2) Description of intended operation including Channel obstructions.
- (3) Configuration of pipelines, if any, crossing the Channel.
- (4) Termination point of pipelines, if any, crossing the Channel.
- (5) Time required to re-open the Channel or move for vessel traffic.
- (6) Operating impairments, including VHF-FM radios.
- (7) Any request for considerations from passing traffic. for example.: Slowbell from ships, 15 minute advance notice to move out of Channel

3.7.2 Report Changes. The master of a dredge or floating plant shall immediately notify the VTS of changes to the above report and at the completion of operations.

3.7.3 Vessel Traffic Service Location. The Houston-Galveston VTS Area consists of the navigable Channels between the Galveston Entrance Channel Buoy 1 and the Houston Turning Basin, Galveston Channel, Texas City Channel, Bayport Channel, the Gulf Intracoastal Waterway, and Galveston-Freeport Cutoff from mile 346 to mile 352.

3.7.4 Communications with the Vessel Traffic Center, call sign "HOUSTON TRAFFIC," shall be accomplished via VHF-FM Channel 12 when operating from Galveston to Exxon Baytown or on Channel 11 when operating from Exxon Baytown. The Traffic Center guards Channels 05A, 11, 12, and 13 on a 24-hour basis. When a dredge or floating plant first enters the VTS Area, either under its own power or via tow, check in with the VTS on Channel 05A to activate the vessel in the System.

3.7.5 Operations. The master of a dredge or floating plant shall be aware of and comply with the provisions of the Order Relating to Lightering and Bunkering Operations and Multiple Vessel Moorings as per the Captain of the Port policy and shall notify the Houston-Galveston VTS when refueling operations are to be conducted.

3.7.6 Channel Obstruction Requests. Requests for Channel obstructions, to include submerged pipeline crossings, shall be made in accordance with Captain of the Port policy and are available online at the Houston-Galveston VTS website: http://www.uscg.mil/d8/vts/houston-galveston/cust_service/cust.main.htm.

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