



Wisconsin Department of Transportation

STH 130, STH 23 – Lone Rock

(Wisconsin River Crossing, B-25-192, B-52-279)

Richland County, Design-Build Project

State Design/Construction IDs: 5770-01-02/71

Supplemental Information: RFP Question and Response Log #2

March 31, 2022

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The following questions and responses are provided in response to an inquiry received regarding the above project.

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Document (ITP, Book 1, Book 2, Book 3, RID)	Section(s) / Exhibit(s)	Functional Group / Discipline	Question (From DB Team)	Final Response
Book 2	Section 4.2.4.2 and Table 4-1	Environmental	Please confirm that the Government Agencies will accept permit applications before completing Final Design (e.g., submitting permit applications at a 60% design level). If not, please clarify what level of design is required for the submittal of permits.	<p>Design-Build is new to Wisconsin ACOE and WisDNR. The agencies want to avoid changes in design and staging of construction after a permit has been approved. If information that is required for the TCGP, 401 Water Quality Certification, and 404 permit can be presented with sufficient detail at 60% design, the agencies would review and comment or approve the permits as appropriate.</p> <p>ACOE has completed the public notice for the initial 404 permit application based on the preliminary RID design, so once the 401, TCGP information, hydraulics with causeways, and final wetland impacts are presented, the permit can be submitted for approval.</p>
Book 2	Section 4.2.5	Environmental	Section 4.2.5 states, "The Design-Builder must coordinate these activities through the Department and not directly with other State, Tribal or Federal agencies." If the Design-Builder cannot coordinate with agencies directly, please confirm that the Department will facilitate early discussions with agencies. For example, please ensure that the Department will facilitate a kick-off meeting with WDNR before NTP 2, given the importance of approving various permits to begin construction?	<p>We have a Cooperative Agreement and a specific MOA with DNR pertaining to the presentation, review, and comment on design or documentation (10 working days to respond). WisDOT will facilitate any coordination when requested.</p>
Book 2	Table 4-1	Environmental	Table 4-1, 404 Permit, states, "will apply for permit upon completion of TCGP/Section 401 Water Quality Certification." Does this mean the 401 Water Quality Certification Complete Information and TCGP Complete Information must be complete for WisDOT to apply for the 404 permit? If so, please clarify if these can be applied for and obtained before Final Design. There could be schedule implications if the 404 Permit is not applied for until after Final Design.	<p>Design-Build is new to Wisconsin ACOE and WisDNR. The agencies want to avoid changes in design and staging of construction after a permit has been approved. If information that is required for the TCGP, 401 Water Quality Certification, and 404 permit can be presented with sufficient detail at 60% design, the agencies would review and comment or approve the permits as appropriate.</p> <p>ACOE has completed the public notice for the initial 404 permit application based on the preliminary RID design, so once the 401, TCGP information, hydraulics with causeways, and final wetland impacts are presented, the permit can be submitted for approval.</p>

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Book 2	Table 4-1	Environmental	<p>If additional impacts are not proposed from what has been submitted in the permit, please clarify how long it will take to obtain the 404 Permit from the USACE after providing the 401 Water Quality Certification Complete Information and TCGP Complete Information. This information is necessary to understand when the permit will be acquired and when construction may begin.</p>	<p>USACE will require the Design-Builder to update the Department's 404 permit application based on the final design impacts to document no changes, increases, or decreases of individual wetland impacts and/or total wetland impacts for the Project. The Design-Builder can resubmit the 404 permit after 60% design if the required information is complete with sufficient detail to be considered final. If there are no changes or no increase to wetland impacts from the Department's 404 permit application, the estimated time for USACE review is 60 calendar days.</p>
Book 1 and 2	Book 2, Section 4.2.5; and Book 1, Sections 13.3.1.2, 13.3.1.1, and 13.2.2	Environmental	<p>Section 4.2.5 states, "In the event that amendments to project permits are required due to Project design changes, changes in the existing environment, changes in laws, rules, and/or codes or for any other reason, immediately notify." It also states, "Prepare amendment applications under the direction of the WisDOT Project Manager and REC." We acknowledge that the Design-Builder is responsible for project design changes. However, the Design-Builder has no control over changes in laws, rules, and/or codes or changes in the existing environment that occur after the bid and its responsibility for these would be atypical of standard industry practice. Although we have no concerns with preparing permit amendments, Book 1 Sections 13.3.1.2 and 13.3.1.1 do not appear to provide schedule or cost relief in the event this occurs. Additionally, Book 1, Section 13.2.2 only seems to address a decrease in Contract Price for Changes in Law. Please remove these requirements from Book 2, Section 4.2.5, or provide cost and schedule relief under Book 1.</p>	<p>This item will be addressed by a future addendum.</p> <p>13.3.1.2 specifically does allow for cost increases for these reasons. Sections 13.1.1.1 and 13.2.3 will be revised to allow the Department the ability to issue a Change Order as a result of a change in governmental rule which would allow a request for cost or schedule changes.</p>
Book 1 and 2	Book 2, Section 4.3.1.1; and Book 1, Sections 13.3.1.2, 13.3.1.1, and 13.2.2	Environmental	<p>Section 4.3.1.1 states the Design-Builder will complete the environmental re-evaluation and is responsible for the necessary information and required public involvement associated with a re-evaluation in the case of Changes in Project scope, design of the Project or funding, changes to the existing environment, changes to applicable laws, rules and codes. We acknowledge that the Design-Builder is responsible for its project design changes. However, the Design-Builder has no control over changes in laws, rules, and/or codes or changes in the existing environment that occur after the bid and responsibility for these would be atypical of standard industry practice. Environmental Approvals for changes at no fault of the Design-Builder should not be their responsibility. Book 1 Sections 13.3.1.2 and 13.3.1.1 do not appear to provide schedule or cost relief in the event this occurs. Additionally, Book 1, Section 13.2.2 only seems to address a decrease in Contract Price for Changes in Law. Please remove these requirements from Book 2, Section 4.2.5, or provide cost and schedule relief under Book 1.</p>	<p>This item will be addressed by a future addendum.</p> <p>13.3.1.2 specifically does allow for cost increases for these reasons. Sections 13.1.1.1 and 13.2.3 will be revised to allow the Department the ability to issue a Change Order as a result of a change in governmental rule which would allow a request for cost or schedule changes.</p>

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Book 2	Exhibit 4-A	Environmental	Please provide Exhibit 4-A (Permit Application Wetland Impacts) in electronic format (CAD or GIS), as it is only in PDF currently. Please include as an Exhibit to Book 2. Design-Builders must be able to rely upon this line work due to its importance, and tracing the limits from the PDF has the potential to result in errors that may impact cost and schedule.	<p>Wetland impact boundary will be posted to the RID.</p> <p>Wetland delineation is provided in base map file.</p>
Book 1 and 2	Book 2, Section 4.4.2.16; and Book 1, Section 13.3.1.2 and 13.3.1.1	Environmental	Book 1, Section 13.3.1.2 provides cost relief for unique wildlife by stating, “The discovery at, near, or on the Site of any paleontological, cultural, or biological resources or any species presently or in the future listed as threatened or endangered under the federal or state endangered species act, provided that the existence of such resources was not disclosed in the RFP documents.” Section 4.4.2.17 states, Threatened and endangered species and critical habitat are present in the Project area. Does this statement in itself constitute a Disclosure per Book 1, Section 13.3.1.2? Furthermore, if the RFP identifies the potential for species being present in Book 2, Section 4.4.2.16, does it constitute a Disclosure per Book 1, Section 13.3.1.2? For example, if a Red-shouldered Hawk nest is found near the site during WisDOT’s survey and adds restrictions to the Design-Builder’s work, please confirm that the Design-Builder is eligible for relief under Book 1, Section 13.3.1.2. In addition, this Section appears only to provide cost relief and does not appear to provide schedule relief. Please also provide schedule relief in Section 13.3.1.1.	<p>Book 2, Section 4.4.2.17 provides the disclosure of the potential T&E species and outlines the dates which must be adhered to and what work restrictions might apply. Relief would only be given via a change order for T&E species not disclosed.</p>
Book 2	Section 4.4.2.17	Environmental	Please move the Habitat Disturbance Restriction Table in the Reference Information Documents to the Contract Documents so it can be relied upon.	<p>All the requirements are in Book 2. The table was provided as a summary for information only but Book 2 has precedence.</p>
Book 2	Table 4-1	Environmental	Please confirm that the only obligation the Design-Builder has with Richland County, Iowa County, and Sauk County is coordination and that they do not have approval authority or permitting authority for floodwater and backwater analysis and impacts.	<p>Project is covered by DOT/DNR cooperative agreement, therefore DOT is exempt from local zoning permits. However, DOT must receive concurrence from DNR for any regulated floodplain impacts. DNR requires notification to the Counties as they regulate the floodplain.</p>
Book 2	Exhibit 4-B	Environmental	Please provide the boundary representing the Area of Potential Effect (APE) in electronic format (CAD or GIS), as it is only in PDF currently.	<p>File to be posted to the RID.</p>
Book 2	Section 4.4.2.17.3 and Table 4-2	Environmental	Please provide Mussel Survey areas (from Mussel Survey Report) in electronic format (CAD or GIS), as it is only in PDF currently. Please include as an Exhibit to Book 2. Design-Builders must be able to rely upon this line work for future mussel surveys and tracing the survey areas from the PDF has the potential to result in survey area errors that may cause delays.	<p>File to be posted to the RID.</p>

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Book 2	Section 4.4.2.11 and Section 18.3.1.4	Environmental	Book 2, Section 4.4.2.11 states, "Provide a new access point for recreational access to the Wisconsin River on Long Island." Furthermore, this section refers to Book 2, Section 11 for details. There are no details regarding this access in Book 2, Section 11. Book 2, Section 18.3.1.4 states, "Long Island access may be closed with Department and WDNR approval when traffic is switched to the new STH 130 bridges until the new Long Island access road is opened." Please clarify if a new access is required. If an access is required, please clarify the environmental requirements and who is responsible for meeting them. Additionally, please clarify the design and construction requirements associated with the access.	This item will be addressed in an Addendum. No access beyond the TLE to the Wisconsin River is required. A gravel driveway and parking area within the TLE on Long Island is required. Book 2, Section 4.4.2.11, will be revised accordingly.
Book 2	Section 10.3.4	Materials	Book 2, Section 10.3.4 states that the bottom of the drainage layer must daylight a minimum of 1 foot above the bottom of the ditch. However, there does not appear to be any requirements that limit the roadway profile, pavement section, or ditch sections in relation to flood elevations and appropriate freeboard requirements. Please clarify if there are any minimum elevation requirements for the portions of the project not on bridge structure.	This item will be addressed in an addendum. The minimum profile elevation between structures B-25-0192 and B-52-0279 shall be 706.0 feet.
RID	RID	Drainage	The Hydraulic Sizing Report included in the Drainage folder of the RID refers to "field surveyed bathymetry" that was used to update the HEC-RAS model. Please provide the surveyed bathymetry data.	File to be posted to the RID.
Book 2	Section 12.3.3.2	Drainage	Book 2, Section 12.3.3.2 lists grass swales and filter strips as suitable Stormwater Control Practices. Section 5.4.1 of the Facilities Design Manual 10-35 gives guidance for water quality calculations for grass swales and includes a link to a .zip file with several calculation spreadsheets. However, the spreadsheets for grass swale and filter strip water quality calculations do not appear to be included. Can WisDOT provide these spreadsheets?	File to be posted to the RID.
Book 2	Section 12	Drainage	Please clarify what coordination has occurred with floodplain regulators regarding a CLOMR/LOMR for the project and what are the contract requirements for completing this process.	The initial concept as modeled by BOS resulted in a water surface increase between the existing and proposed roadway alignments. A rise in backwater relative to existing condition must be contained within WisDOT right of way. No coordination has occurred at this point. Any project impacts (rise/decrease/no rise) must be communicated to DNR and local zoning authorities. CLOMR/LOMR not part of the contract.
Book 2	Section 13.3.2.5.9	Structures	Book 2, Section 13.3.2.5.9 states to comply with Book 2, Section 15 for bridge barrier details. Book 2, Section 15.3.2.1 states to install 42-inch-high parapet walls on the new bridges, whereas Book 2, Exhibits 15-A and 15-B depict the use of a Slope Face Parapet 'LF' Modified. Could WisDOT please clarify the intent of which barrier should be used in the design and construction of the new bridges?	This item will be addressed in an Addendum. A 42" single sloped barrier will be used on these bridges with the rustications on the back face, as shown in exhibits 15-A and 15-B.

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Book 2	Section 18.3.1.5.2	Maintenance of Traffic	Book 2, Section 18.3.1.5.2 states, "Maintain all local and private access to STH 130 and STH 133 for the duration of the project." It does not appear any improvements are planned as part of the project for the driveway/access on the west side of STH 130 across from Brace Memorial Park. Please clarify what, if any, project requirements are associated with this driveway/access.	Grading will be required at this access and will be replaced in-kind. The extent of the grading will be dependent on the final designed alignment. Access must be maintained during this work.
Book 1	Section 13.2.3	PM	This section entitles the Department to decrease the Contract Price for changes in Governmental Rules that reduce the cost of the Work. Please add reciprocal language that grants relief to the Design-Builder for delays or increased costs due to changes in law.	This item will be addressed by a future addendum. Sections 13.1.1.1 and 13.2.3 will be revised to allow the Department the ability to issue a Change Order as a result of a change in governmental rule which would allow a request for cost or schedule changes.
Book 2	Section 4.4.2.17.3	Environmental	This section states that if "in-stream" construction commences prior to September 19, 2022 no resurvey of the area impacted by the proposed alignment is necessary. What extent of "in-stream" work qualifies as commencing construction.	This item will be addressed with the issuance of a future Addendum. The September 19, 2022, date referenced in Book 2, Section 4.4.2.17.3 is one year from the last completed survey. The Department will conduct another survey in mid-2022 and relocate any mussels by September 2022, weather permitting. Another survey by the Design-Builder will need to be conducted within 1-year from the 2022 relocation date unless "in-stream" work commences prior to the 2023 expiration date. Placement or removal of material from a channel that would disturb the channel bottom would be considered in-stream work for the respective channel. Each channel will be considered independent of each other regarding in-stream work.

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Book 2 and RID	Book 2 Section 1.1.3, Exhibit 1-A, Section 11.4.2.1, FDM 11-15 Attachment 1.9, Section 11.4.2.5, Section 11.4.2.7, Table 11-1, Exhibit 11-A, FDM 11-15-1.2, Attachment 1.1, FDM 11-25-1.3, Detail 9A1-13a; RID Section 18.3.1.1	Roadway, Drainage, Traffic	<p>Shoulder width discrepancies between the various locations cited, discrepancy with functional classification and design vehicle: Exhibit 1-A right turn lane is called out as 3' (2' paved and 1' gravel) FDM Std Detail Dwg 9A1 (type B1 & B2 Intersection) shows 3' shoulder (2' paved and 1' gravel) adjacent to the right turn lane and far side taper. Section 11.4.2.1 indicates a 30 Ft clear zone but FDM 11-15 Attachment 1.9 indicates 32' to 40' for 1V:4H foreslopes Section 11.4.2.7 prescribes locations of Retaining Walls and Moment Slabs/Concrete Barriers and Exhibit 11-A shows 6' paved shoulder adjacent to Right Turn Lane with a Moment Slab and the 6' shoulder measured to Concrete Barrier. Table 11-1 indicates Design Class A1 (Arterials) but FDM 11-15-1.2 & Attachment 1.1 indicates Design Class should be C3 (Collectors). Table 11-1 indicates SU as the Design Vehicle but 18.3.1.1 indicates WB-65 as both highways are designated long truck routes. RID Prelim Plan Typical Sections show the shoulder as a 6' paved shoulder adjacent to the right turn lane with moment slab and barrier. RID CAD files show 2' paved shoulder adjacent to the right turn lane (26' total width from CL) RID cross sections show 6' shoulders adjacent to the right turn lane.</p>	<p>This item will be addressed with the issuance of Addendum #1. Exhibit 1-A and Exhibit 11-A will be revised to indicate the full shoulder widths and the paved shoulder widths in the areas questioned (intersection proposed right turn lane and roadside barrier locations). Design vehicle will be revised to WB-65 in Table 11-1 for both STH 133 and STH 130 and Design Class will be revised to C3 for both facilities in these tables as well. Clear zone will be revised to 32-feet in Book 2, Section 11.4.2.1 and in the proposed typical sections shown in Exhibit 11-A.</p>
Book 2	Section 4.4.2.14.0	Environmental	Please verify status of the Section 404 Individual Permit Application.	<p>Public notification has been issued. WisDOT has applied for permit based on preliminary RID plan.</p> <p>USACE will require the Design-Builder to update the Department's 404 permit application based on the final design impacts. The Design-Builder can resubmit the 404 permit after 60% design if the required information is complete with sufficient detail to be considered final. 404 permit approval is contingent on 401 permit approval.</p>
Book 2	Section 4	Environmental	Please confirm that an additional mussel survey/relocation will be required prior to demolition of the existing bridges.	<p>Yes, a mussel survey is required prior to existing bridge demolition for any impacts to the streambed.</p>