

# **A** ANDREW CONSULTING ENGINEERS, P.C.

## **C E** STRUCTURAL, MARINE & FORENSIC ENGINEERING AND PROJECT MANAGEMENT

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July 13, 2022

ADDENDUM NO. 1

CONTRACT DOCUMENTS FOR:

New Hanover County RFB 22-0622  
River Road Park Pier Replacement  
Wilmington, NC  
ACE Project No. 20057

### ATTENTION ALL BIDDERS

The following items shall take precedence over drawings and specifications of the above named project, and shall become part of the contract documents. Any original item in the specifications or indicated on the drawings not herein specifically amended, voided, or suspended shall remain in effect.

#### I. ALL CONTRACTORS:

- A. The bidding date REMAINS THE SAME: The bid date and time is 3:00 P.M. EST, Tuesday, July 26, 2022.

#### II. ADDITIONAL INFORMATION:

- A. PILE INSTALLATION: The geotechnical engineer does not recommend the use of a vibratory hammer as discussed in their report. They recommend that the piles be driven with a hammer as discussed in the geotechnical report and that a WEAP analysis be performed on the hammer to confirm that the design load capacities are achieved.
- B. We have attached copies of the project FEMA approval and the CAMA permit.

ACKNOWLEDGEMENT: I acknowledge receipt of Addendum No. 1 and include it with the Contract Documents.

Bidder: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

END OF ADDENDUM NO. 1



## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project PA-04-NC-4568-PW-00245

Title: 162975 - Parks, Recreational Facilities, River Road Par

## Extraordinary Circumstance Code

## Description

## Selected ?

No Extraordinary Circumstances were selected

## ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/  
Executive Order

## Status

## Description

## Comment

Clean Air Act (CAA)

Completed

Project will not result in permanent air emissions - Review concluded

Coastal Barrier Resources Act (CBRA)

Completed

Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded

Clean Water Act (CWA)

Completed

Project would affect waters, including wetlands, of the U.S.

CWA: Project may affect waters of the US and permits may be required. See condition. - jmcdon11 - 11/30/2021 13:56:53 GMT

Completed

Project may require Section 404/401 or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits - Review concluded

Coastal Zone Management Act (CZMA)

Completed

Project is located in a coastal zone area and/or affects the coastal zone

CZMA: Work is restoration to pre-disaster condition. FEMA deems this work consistent with the NC Coastal Zone Management Program. See attachment - jmcdon11 - 08/20/2021 18:03:37 GMT

Completed

State administering agency does not require consistency review - Review concluded

Executive Order 11988 - Floodplains

Completed

Located in floodplain or effects on floodplain/flood levels

EO 11988: The project is located within an AE Zone per New Hanover County Flood Insurance Rate Map (FIRM) panel 3720312300L, dated 08/28/2018. See attached 8-step. See condition. - jmcdon11 - 08/20/2021 17:51:35 GMT

Completed

Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment

Completed

8 Step Process Complete - documentation attached - Review concluded

Executive Order 11990 - Wetlands

Completed

Located in wetlands or effects on wetlands

EO 11990: Project is located in wetlands per review of USFWS National Wetlands Inventory (NWI) mapper, accessed 08/11/2021. See attached 8-step. See condition. - jmcdon11 - 08/20/2021 17:55:23 GMT

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Project PA-04-NC-4568-PW-00245

Title: 162975 - Parks, Recreational Facilities, River Road Par

Environmental Law/ Executive Order	Status	Description	Comment
	Completed	Possible adverse effect associated with constructing in or near wetland	
	Completed	8 Step Process Complete - documentation attached - Review concluded	
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	ESA: Per [USFWS/ NMFS] consultation letter dated 8/25/2021 and 11/24/2021. See attached correspondence. - jmcDon11 - 11/30/2021 13:49:03 GMT ESA: See Conditions - jmcDon11 - 11/30/2021 14:06:27 GMT
	Completed	May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence attached) - Review concluded	
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date and # in comments) - Review concluded	NHPA: Per the executed Programmatic Agreement among NC SHPO, NCEM and FEMA, dated September 30, 2020, the SOW meets the following Programmatic Allowance(s) (Appendix B of the Programmatic Agreement): Tier II.A.3 per SOI Qualified JoAnna McDonald, Ph.D. - jmcDon11 - 08/20/2021 18:00:34 GMT

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Project PA-04-NC-4568-PW-00245

Title: 162975 - Parks, Recreational Facilities, River Road Par

Environmental Law/ Executive Order	Status	Description	Comment
OTHER (enter specifics in comments)	Completed	Review concluded	CAMA: No consultation is required; project does not meet the three (3) criteria provided by NC Division of Coastal Management. See Attachment - jmcdon11 - 08/20/2021 18:12:47 GMT****Disregard Previous Comment****CAMA: See Condition - jmcdon11 - 11/30/2021 15:30:46 GMT
Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)	Completed	Review concluded	RCRA: See Condition - jmcdon11 - 08/20/2021 18:14:09 GMT
State Hazardous Materials and Solid Waste Laws	Completed	Review concluded	SHM&SW: See condition. - jmcdon11 - 08/20/2021 18:14:24 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

Special Conditions required on implementation of Projects:

EO 11988 Condition: All new construction associated with the project must be protected to the 100-year (1% annual chance) flood elevation. Applicant must submit documentation to the State and FEMA documenting compliance with this condition. The applicant must document coordination with the local floodplain administrator before work begins. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: Executive Order 11988 - Floodplains

Monitoring Required: No

EO 11988 Condition: Per 44 CFR Part 9.12(f), after posting the final public notice, FEMA shall, without good cause shown, wait at least 15 days before obligating the project. Final public notice posted on 8/18/2021.

Source of condition: Executive Order 11988 - Floodplains

Monitoring Required: No

EO 11990 Condition: Construction activities and equipment storage are not to be in or impact any adjacent wetlands. All materials and equipment should be staged outside of the wetland on paved or previously disturbed areas.

Source of condition: Executive Order 11990 - Wetlands

Monitoring Required: No

CWA Condition: The applicant is responsible for coordinating with and obtaining any required Section 404 permit(s) from the United States Army Corps of Engineers (USACE) and 401 permit(s) from the responsible state or tribal agency prior to initiating work. The applicant shall comply with all conditions and pre-construction notification requirements of the required permit(s), including any applicable regional conditions. All coordination pertaining to these activities or compliance with applicable permits must be documented and maintained in the applicant's permanent files. Copies must be forwarded to the Recipient (state or tribal EMA) and FEMA as part of the permanent project file. Failure to comply with this requirement may jeopardize receipt of federal funds.

Source of condition: Clean Water Act (CWA)

Monitoring Required: No

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ESA Condition: All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing listed species and all marine mammals. To determine which protected species and critical habitat may be found in the transit area, please review the relevant marine mammal and ESA-listed species at Find A Species (<https://www.fisheries.noaa.gov/find-species>) and the consultation documents that have been completed for the project.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

ESA Condition: Re-initiation of consultation is required and shall be requested by the action agency or by NMFS where discretionary Federal involvement or control over the action has been retained or is authorized by law and: (a) take occurs; (b) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered in this consultation; (c) the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not previously considered in this consultation; or (d) if a new species is listed or critical habitat designated that may be affected by the action.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

ESA Condition: Figure 3: Post- disaster, site inspection photos of the River Road Park Pier.

For construction work that is generally stationary (e.g., barge-mounted equipment dredging a berth or section of river, or shore-based equipment extending into the water):

o Operations of moving equipment shall cease if a protected species is observed within 150 feet of operations.

o Activities shall not resume until the protected species has departed the project area of its own volition (e.g., species was observed departing or 20 minutes have passed since the animal was last seen in the area).

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

ESA Condition: The following measures should be taken when they are consistent with safe navigation to avoid causing injury or death of a protected species:

o Operate at the minimum safe speed when transiting and maintain a vigilant watch for protected species to avoid striking them. Even with a vigilant watch, most marine protected species are extremely difficult to see from a boat or ship, and you cannot rely on detecting them visually and then taking evasive action. The most effective way to avoid vessel strikes is to travel at a slow, safe speed. Whenever possible, assign a designated individual to observe for protected species and limit vessel operation to only daylight hours.

o Follow deep-water routes (e.g., marked channels) whenever possible.

o Operate at "Idle/No Wake" speeds in the following circumstances:  $\zeta$  While in any project construction areas;  $\zeta$  While in water depths where the draft of the vessel provides less than four feet of clearance from the bottom, or  $\zeta$  In all depths after a protected species has been observed in and has recently departed the area.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

ESA Condition: When protected species is sighted, attempt to maintain a distance of 150 feet or greater between the animal and the vessel. Reduce speed and avoid abrupt changes in direction until the animal(s) has left the area.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

ESA Condition: Any interaction with a protected species shall be reported immediately to NOAA Fisheries SERO PRD and the local authorized stranding/rescue organization.

o To report to NOAA Fisheries SERO PRD, send an email to [takereport.nmfsser@noaa.gov](mailto:takereport.nmfsser@noaa.gov). Please include the species involved, the circumstances of the interaction, the fate and disposition of the species involved, photos (if available), and contact information for the person who can provide additional details if requested. Please include the project's Environmental Consultation Organizer (ECO) number and project title in the subject line of the email reports. These can be obtained from FEMA by emailing [FEMA-R4EHP@fema.dhs.gov](mailto:FEMA-R4EHP@fema.dhs.gov).

o To report the interaction to the local stranding/rescue organization, please see the following website for the most up to date information for reporting sick, injured, or dead protected species:  $\zeta$  <https://www.fisheries.noaa.gov/report> or  $\zeta$  for sturgeon call the North Carolina Division of Marine Fisheries at 252-241-5119.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

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ESA Condition: Use of hard-top surfaces for delivery and storage most of the construction material and equipment shall be used.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: The applicant will post signage, asking anglers to not dispose of fish carcasses, debris, or remains in the water.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: Trash receptacles with lids and fishing line recycling bins will be installed prior to opening the structure for public use.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: The applicant should conduct in-water and out-of-water pier debris cleanup on an annual basis.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: For all project in-water activities, work operations must be completed during daylight.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: In-water project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: The applicant or applicant representative will be required to obtain all applicable Federal, state, and local permits and will comply with conditions set forth in each. These requirements include all State of North Carolina and USACE permits. Failure to obtain permits or comply with these conditions may jeopardize the applicant's receipt of FEMA funding.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: Fishing line bins will be placed along the structure to prevent fishing lines from being disposed of in the ocean or on the beaches, where sea turtles may be entangled. Receptacles will be clearly marked and will be emptied regularly to ensure they do not overflow and that fishing lines are disposed of properly.

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

ESA Condition: Prior to opening the structures for public use, educational signs must be posted in visible locations (at least at the entrance to and terminal end of the structures), alerting users of listed species in the area. Sign designs and installation methods are provided at the following website: <https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>.

The following signs will be posted:

- o The 'Report a Sturgeon' sign
- o The "Protect Wild Dolphins" sign

Source of condition: Endangered Species Act (ESA) Monitoring Required: No

CAMA Condition: CAMA permit or correspondence with NC Division of Coastal Management seeking determination of permit requirement must be provided.

Source of condition: OTHER (enter specifics in comments) Monitoring Required: No

Source of condition: OTHER (enter specifics in comments) Monitoring Required: No

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RCRA Condition: Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)

Monitoring Required: No

SHM&SW Condition: The applicant shall ensure that all debris is separated and disposed of in a manner consistent with NCDEQ, disposal at permitted facilities guidelines or at a disposal site or landfill authorized by NCDEQ. The applicant is responsible for ensuring contracted removal of debris also follows these guidelines. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: State Hazardous Materials and Solid Waste Laws

Monitoring Required: No

**Standard Conditions:**

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.





CAMA  DREDGE & FILL  
**GENERAL PERMIT**

**NO 86043**

A B C **D**

Previous permit \_\_\_\_\_

Date previous permit issued \_\_\_\_\_

New  Modification  Complete Reissue  Partial Reissue

As authorized by the State of North Carolina, Department of Environmental Quality and the Coastal Resources Commission in an area of environmental concern pursuant to:

15A NCAC 07H.1200  Rules attached.  General Permit Rules available at the following link: [www.deq.nc.gov/CAMARules](http://www.deq.nc.gov/CAMARules)

Applicant Name New Hanover County  
 Address 230 Government Center Dr.  
 City Wilmington State NC ZIP 28403  
 Phone # (\_\_\_\_) \_\_\_\_\_  
 Email \_\_\_\_\_

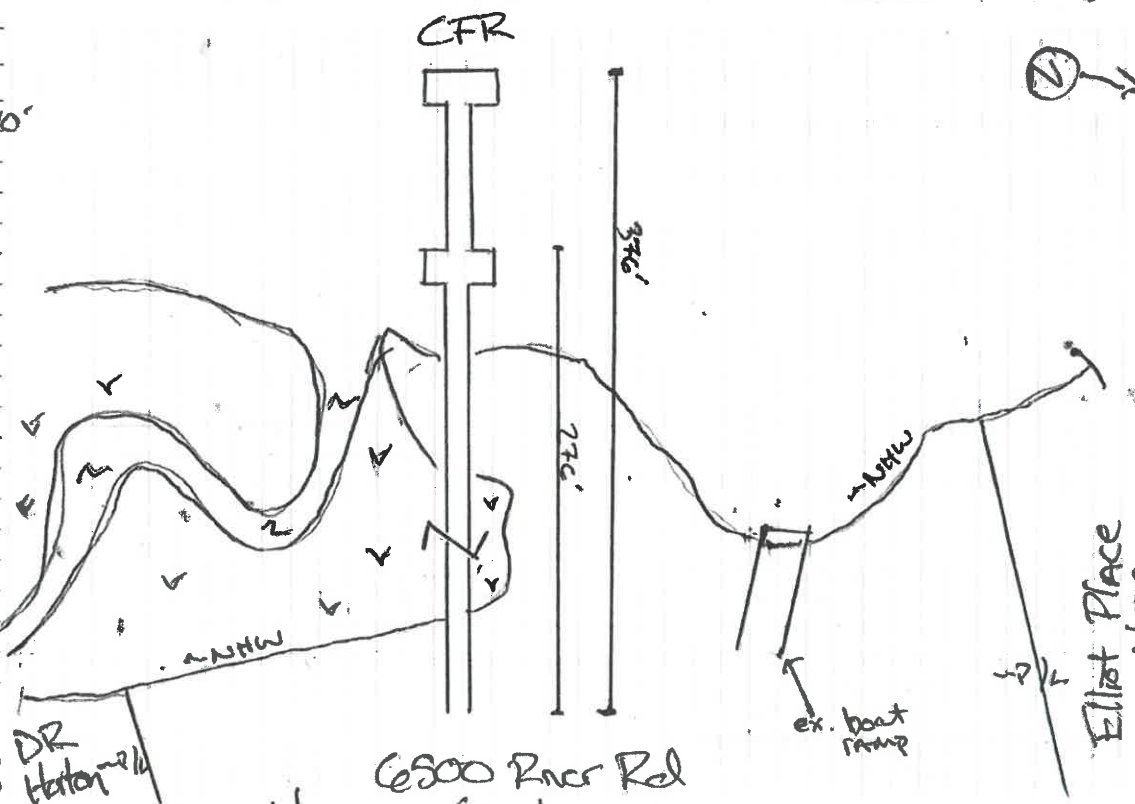
Authorized Agent S:ME  
 Project Location (County): New Hanover  
 Street Address/State Road/Lot #(s) 6500 River Rd  
 Subdivision \_\_\_\_\_  
 City Wilmington ZIP 28412

Affected  CW  EW  PTA  ES  PTS  
 AEC(s):  OEA  IHA  UW  SPIMA  PWS  
 ORW: yes  no  PNA:  no  yes

Adj. Wtr. Body CFR (man/unk)  
 Closest Maj. Wtr. Body CFR

Type of Project/ Activity Rebuild fixed pier at River Road Park (Scale: NTS)

Shoreline Length 300'+  
 Access Length 145' x 6'  
 Pier (dock) length 231' x 6'  
 Fixed Platform(s) 20' x 10', 20' x 10'  
 Floating Platform(s) \_\_\_\_\_  
 Finger pier(s) \_\_\_\_\_  
 Total Platform area 340 SF  
 Groin length/# \_\_\_\_\_  
 Bulkhead/ Riprap length \_\_\_\_\_  
 Avg distance offshore \_\_\_\_\_  
 Breakwater/Sill \_\_\_\_\_  
 Max distance/ length \_\_\_\_\_  
 Basin, channel \_\_\_\_\_  
 Cubic yards \_\_\_\_\_  
 Boat ramp \_\_\_\_\_  
 Boathouse/ Boatlift \_\_\_\_\_  
 Beach Bulldozing \_\_\_\_\_  
 Other \_\_\_\_\_



SAV observed: yes  no   
 Moratorium: n/a yes  no   
 Site Photos: yes  no   
 Riparian Waiver Attached: yes  no

A building permit/zoning permit may be required by: New Hanover County  
 Permit Conditions All local, state, federal regulations apply.

- TAR/PAM/NEUSE/BUFFER (circle one)
- See note on back regarding River Basin rules
- See additional notes/conditions on back

I AM AWARE OF STATUTES, CRC RULES AND CONDITIONS THAT APPLY TO THIS PROJECT AND REVIEWED COMPLIANCE STATEMENT. (Please Initial) mc

Willard Walter Cole III  
 Agent or Applicant PRINTED Name  
Willard Walter Cole III  
 Signature \*\*Please read compliance statement on back of permit\*\*  
\$200  
 Application Fee(s)  
303482  
 Check #/Money Order

Bryan Hall  
 Permit Officer's PRINTED Name  
[Signature]  
 Signature  
5/17/22  
 Issuing Date  
9/17/22  
 Expiration Date

6/30/22

# NH County River Road Park Pier - Pre Con Mtg

<u>NAME</u>	<u>COMPANY</u>	<u>EMAIL</u>
Neal Andrew	ACE, PC	neal@andrewengineers.com
BEN CHONTOS	INTERCOASTAL MARINE	ben@imofnc.com
Andy Johnson	NHC Parks	
Mary SKINNER	LOGAN MARINE	mary@loganmarine.com