

Animas River Diversion
BID # 2018-631

Addendum #1
October 11, 2017



NOTICE TO BIDDERS

The following corrections, revisions, additions, and/or information for the above referenced project and shall be incorporated into the Plans, Specifications, and/or Contract Documents for the project as described below. The corrections, revisions, additions, and/or information shall henceforth be regarded as an integral part of the project, carrying the same weight and force as original sections of the plans, specifications, and/or contract documents.

Ensure that you indicate receipt of this Addendum on your Bid.

Bid Form Submittal: Campaign Contribution Disclosure Form attached must be completed and included with bid submittal.

USACE Permit Attached

Pre-Bid Conference Questions:

Q: Is the rip-rap enclosed with gabions or wire enclosed?

A: The rip-rap is to be enclosed with gabions meeting the requirements of NM APWA 610 with any combination of Size Code D, E, or F.

Q: Does the rip-rap need to meet the angularity requirements of NM APWA?

A: The rip-rap should meet the requirements of NM APWA 109 Type L with the exception that the stone does not need to be angular.

End Addendum #1

Issued 10/11/2017
Kathy Lamb
Finance Director

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to Chapter 81, Laws of 2006, any prospective contractor seeking to enter into a contract with any state agency or local public body must file this form with that state agency or local public body. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Contract” means any agreement for the procurement of items of tangible personal property, services, professional services, or construction.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Person” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“Prospective contractor” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS MADE TO:

Mayor Sally Burbridge, Mayor Pro-Tem Sherri Sipe, Commissioner Katee McClure, Commissioner Austin Randall, Commissioner Sheri Rogers

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

Signature

Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (position)

DEPARTMENT OF THE ARMY PERMIT

Permittee: City of Aztec

Permit No. SPA-2012-00546

Issuing Office Albuquerque District, U.S. Army Corps of Engineers

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: To discharge approximately 0.8 cubic yards of dredged and fill material into waters of the U.S. during construction of the City of Aztec's water intake structure. The project involves permanent and temporary impacts within the ordinary high water mark (OHWM) of the Animas River, a water of the U.S., with a total of approximately 0.6 acres (ac) of permanent impacts. Impacts include approximately 0.5 ac for the new push up dam; approximately 0.1 ac for the wire tied rip-rap blankets; and temporary impacts of 0.2 ac associated with the removal of the existing berm. The project will be constructed in accordance with the attached drawings, entitled, "City of Aztec Animas River Diversion, in the Animas River, San Juan County, New Mexico, Application by the City of Aztec, Application No. SPA-2012-00546," sheets 1 through 8, dated April 26, 2016.

Project Location: Latitude 36.838, Longitude -107.992; City of Aztec, San Juan County, New Mexico; Animas River.

Permit Conditions: In accordance with attached Sheets 1 to 6 and New Mexico Environment Department Section 401 Water Quality Certification pages 1 through 2, dated July 6, 2016.

General Conditions:

1. The time limit for completing the work authorized ends on February 15, 2021. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance

with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. In order to prevent unauthorized impacts to waters of the U.S., prior to the commencement of construction, the permittee shall install a barrier (i.e., flagging, temporary fencing, jersey barriers, etc) around areas to be avoided and protected, such as wetlands and riparian areas, in accordance with the proposed project plans submitted with the permit application dated May 10, 2016. The permittee shall submit photo documentation of all barrier installation to the Corps Albuquerque District Office within 30 days of such installation.

2. The permittee shall implement erosion control measures for all temporarily disturbed areas, including access and staging areas, to prevent upland erosion into waters of the U.S. prior to commencement of ground-disturbing activities and these measures must be properly maintained by the permittee until temporarily disturbed areas are stabilized.

3. All temporarily impacted areas located adjacent to waters of the U.S. shall be restored by the permittee to pre-construction conditions, including original contours, vegetation composition and density (excluding invasive species), and drainage patterns. The permittee shall submit photos to the Corps Albuquerque District Office that document the success of restoration efforts within 90 days after restoration is complete. For restoration of temporary impacts that require longer term monitoring, such as revegetation, annual monitoring reports must be submitted to the Corps

Albuquerque District Office by December 31st of each year, beginning in 2017, for a period of 3 years. These reports must include photos that accurately reflect the current condition of restored areas, any potential problem areas, and remedies and a timetable for correction if it is anticipated that projected goals may not be met.

Further Information:

1. **Congressional Authorities:** You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. **Limits of this authorization.**

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. **Limits of Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



William L Watson, PE ~ Aztec City Engineer

October 6, 2016

(Date)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



(FOR THE DISTRICT ENGINEER)

Chris Wrbas
Project Manager

10-13-16

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFERREE)

(DATE)

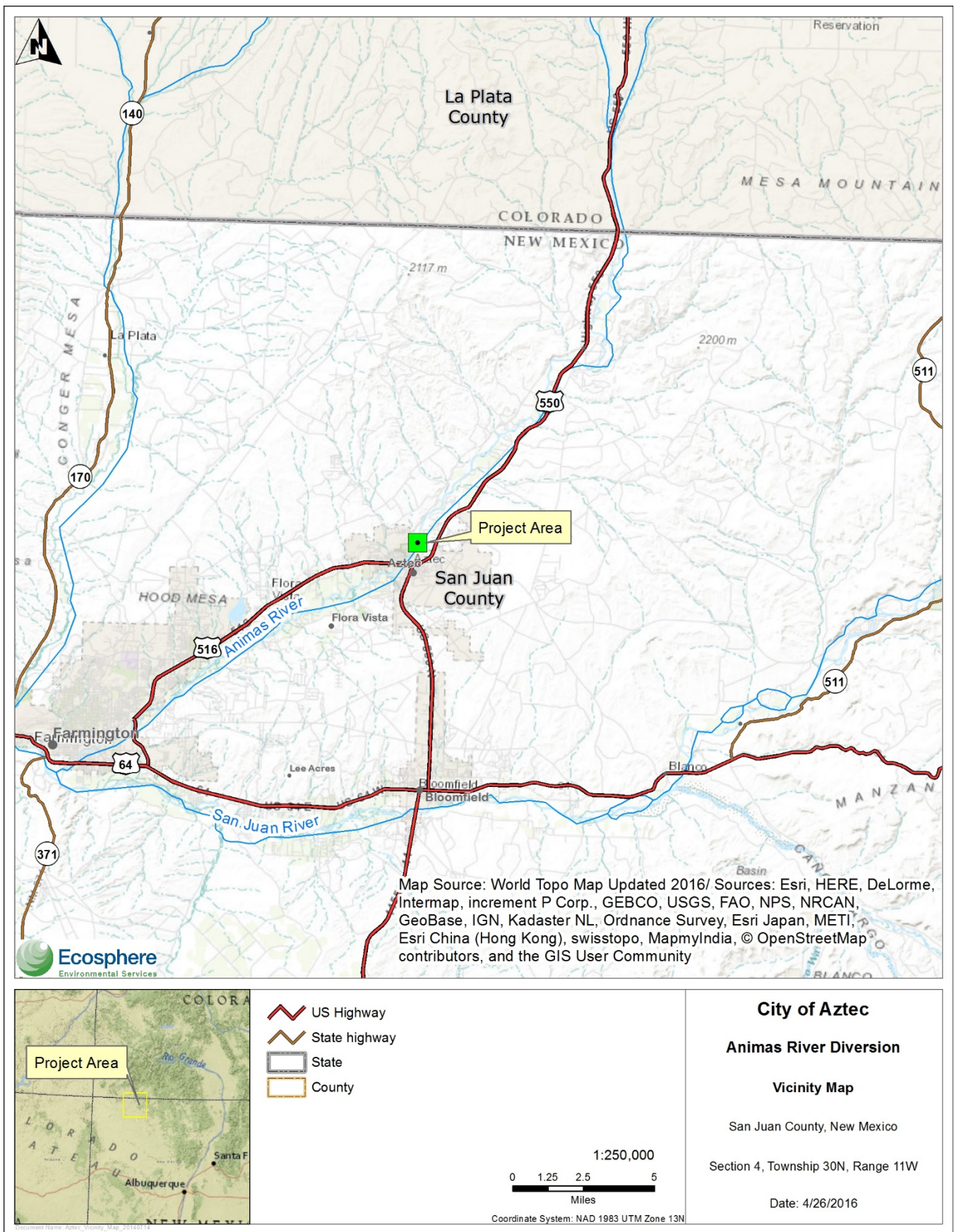


Figure 1. Vicinity Map

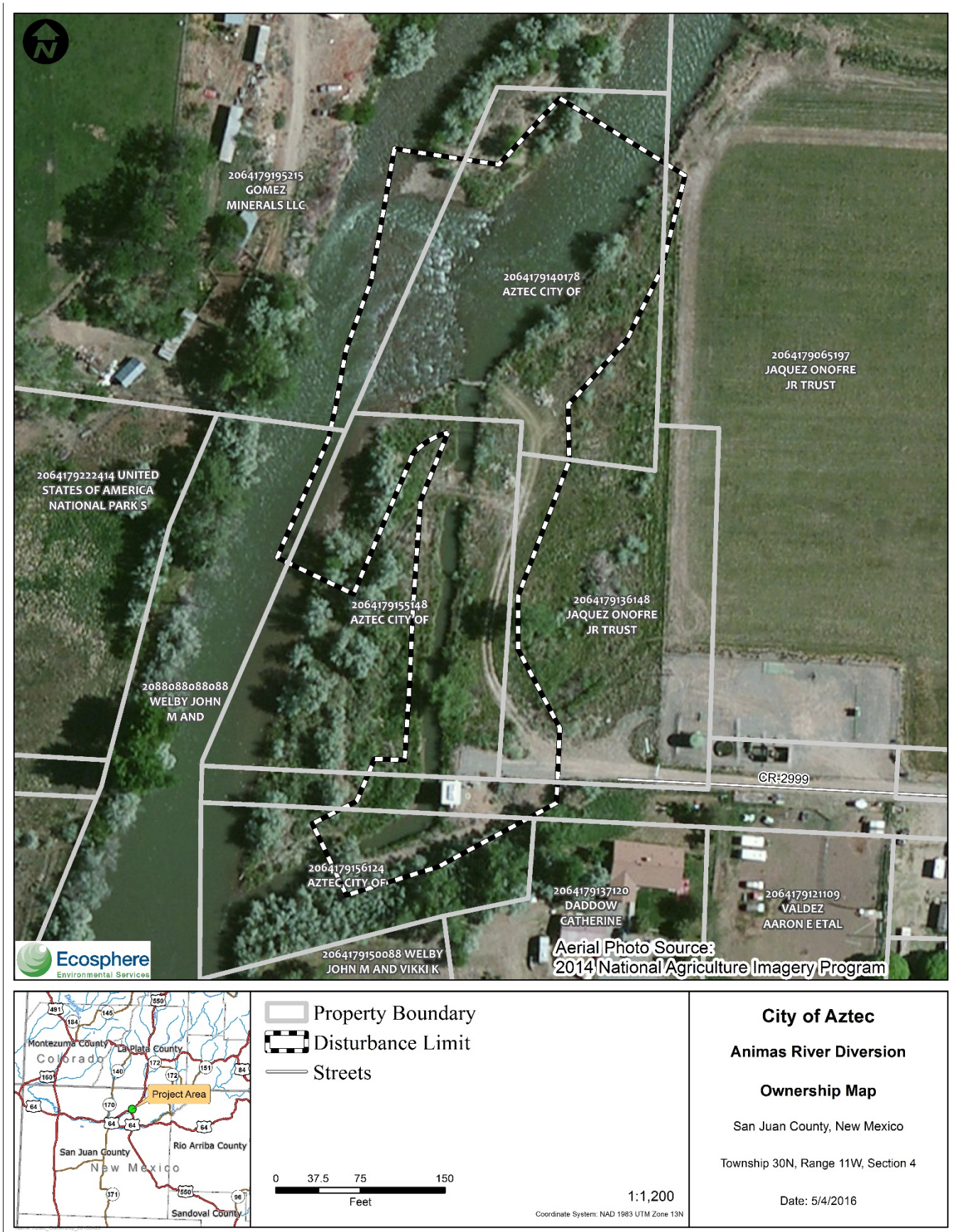
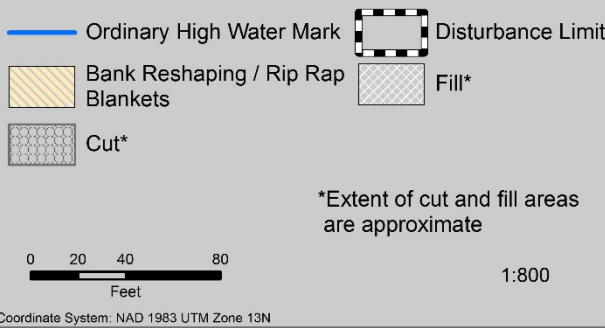
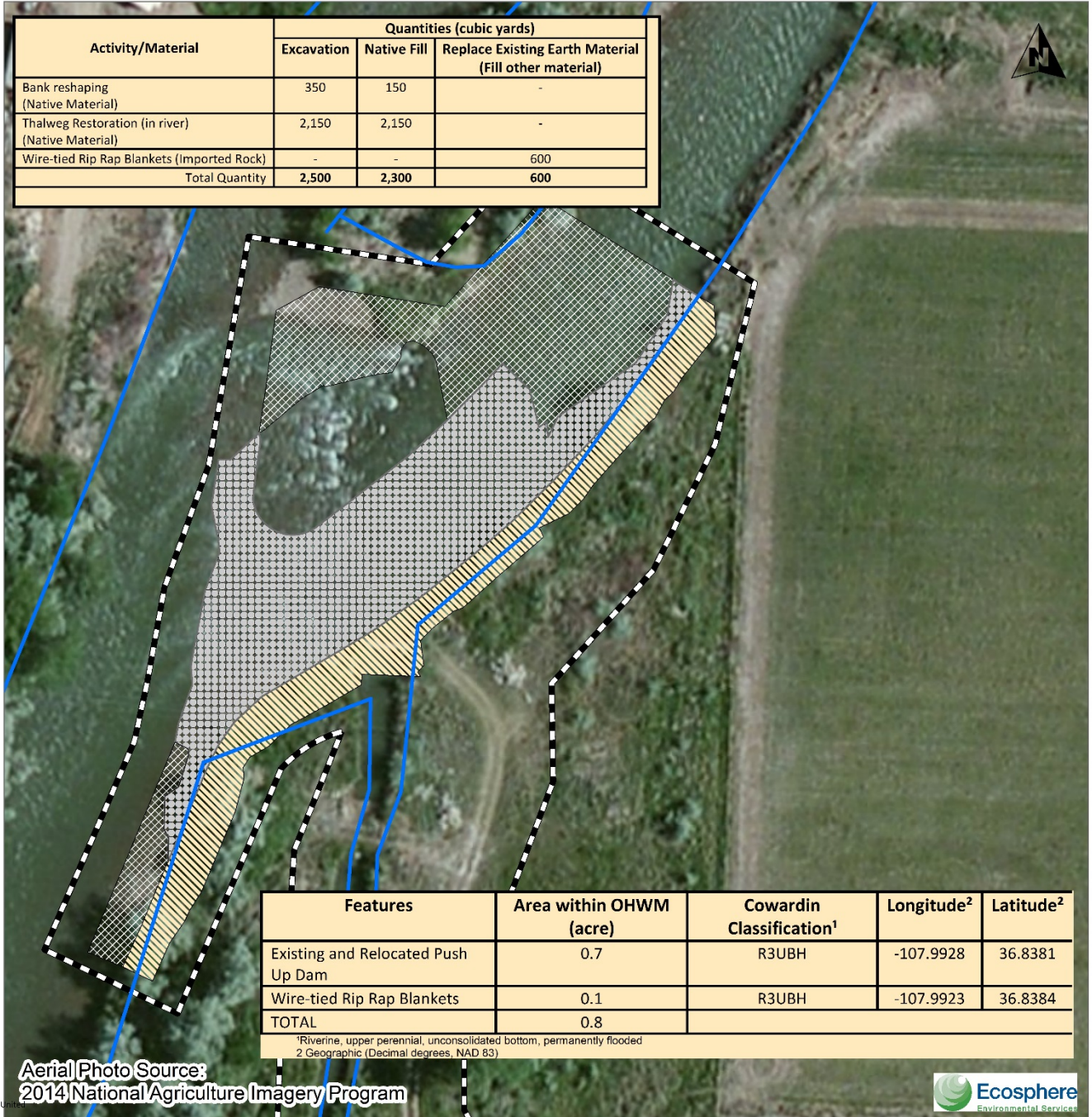


Figure 2. Land Ownership in Project Area



City of Aztec

Animas River Diversion

Project Area Map

San Juan County, New Mexico

Section 4, Township 30N, Range 11W

Date: 5/4/2016

Figure 3. Project Area Map

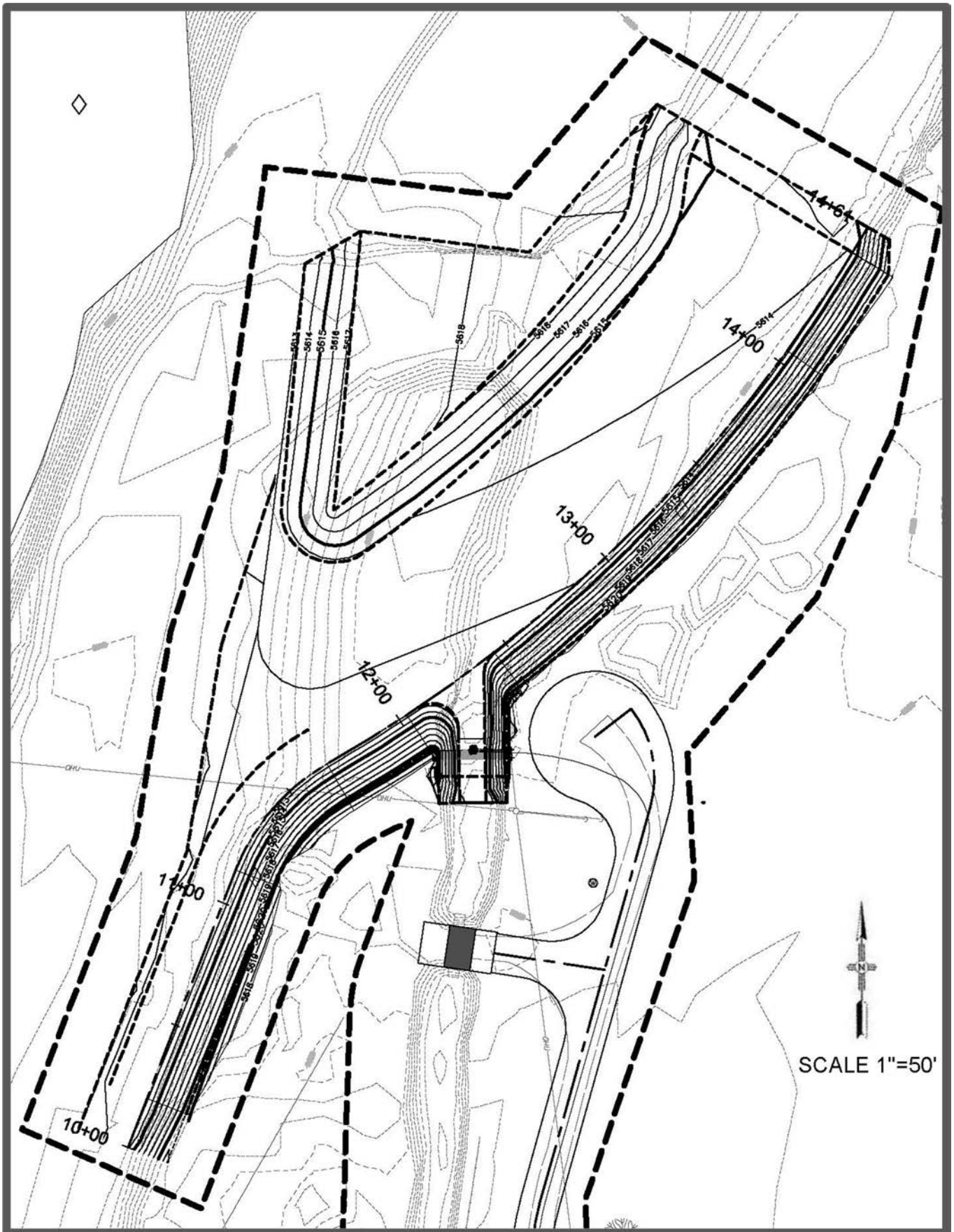


Figure 4. Location of Elevation Cross Sections

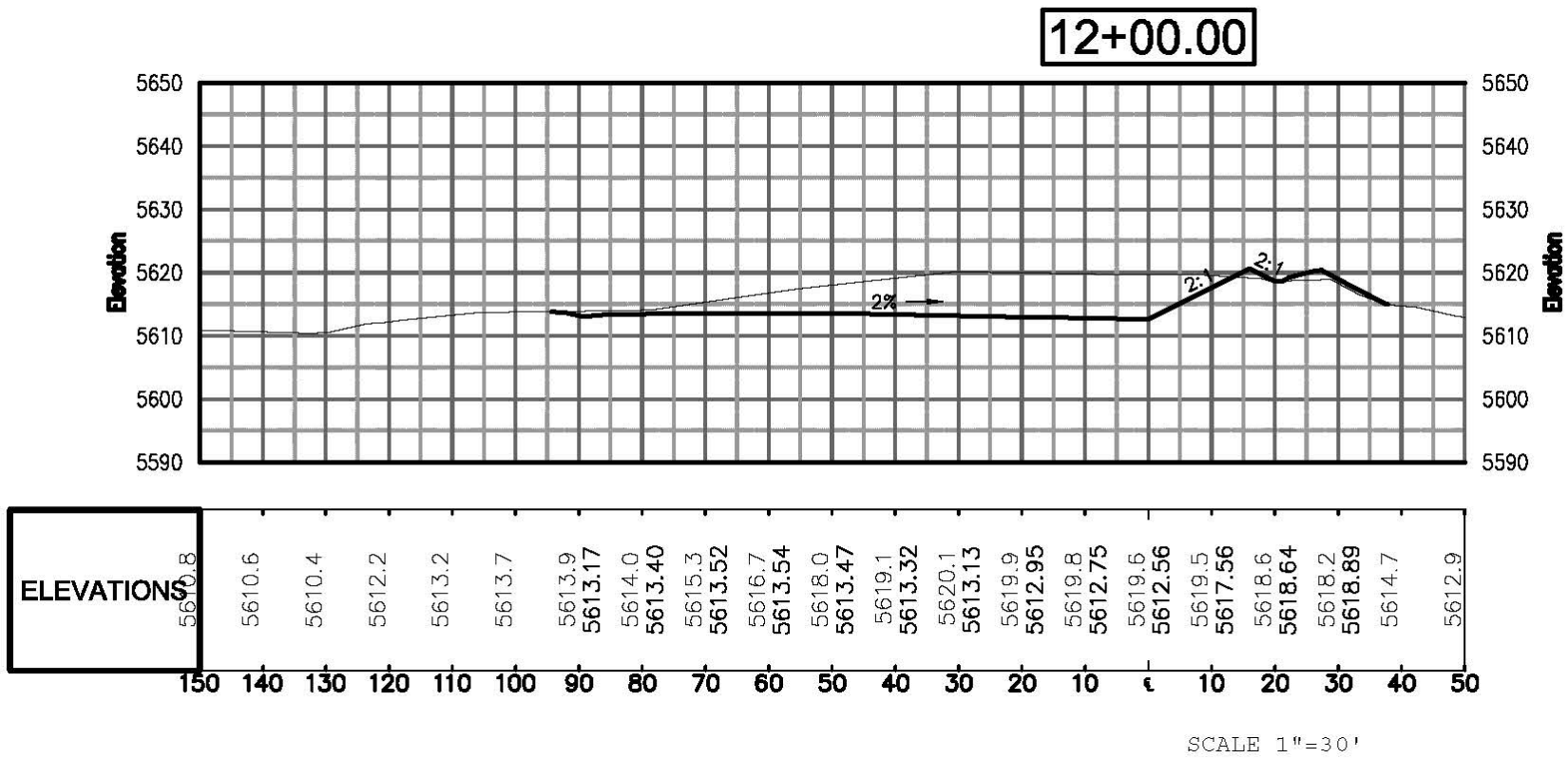


Figure 5. Cross-section of elevations pre-construction (light grey) and post-construction (black) at Station 12+00

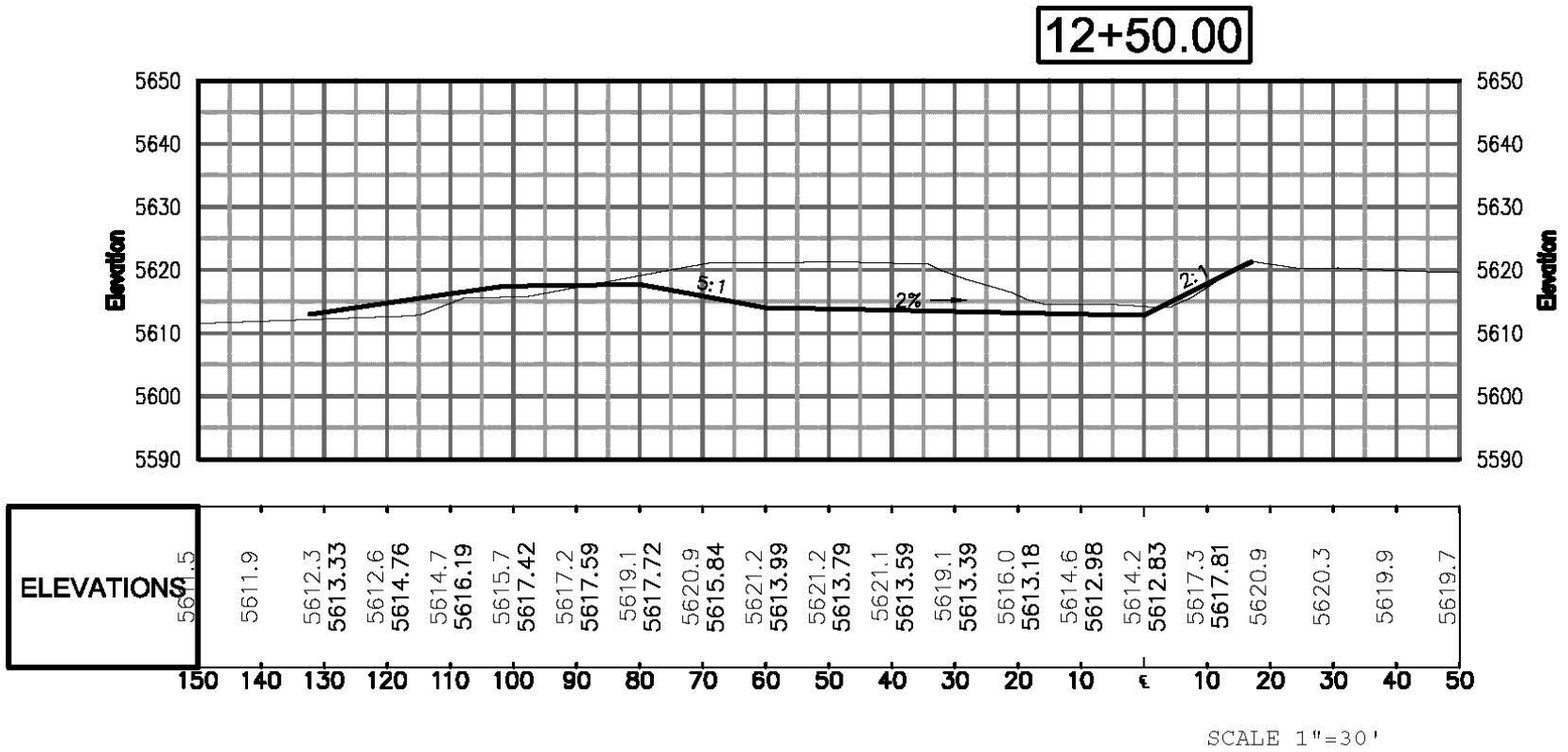


Figure 6. Cross-section of elevations pre-construction (light grey) and post-construction (black) at Station 12+50

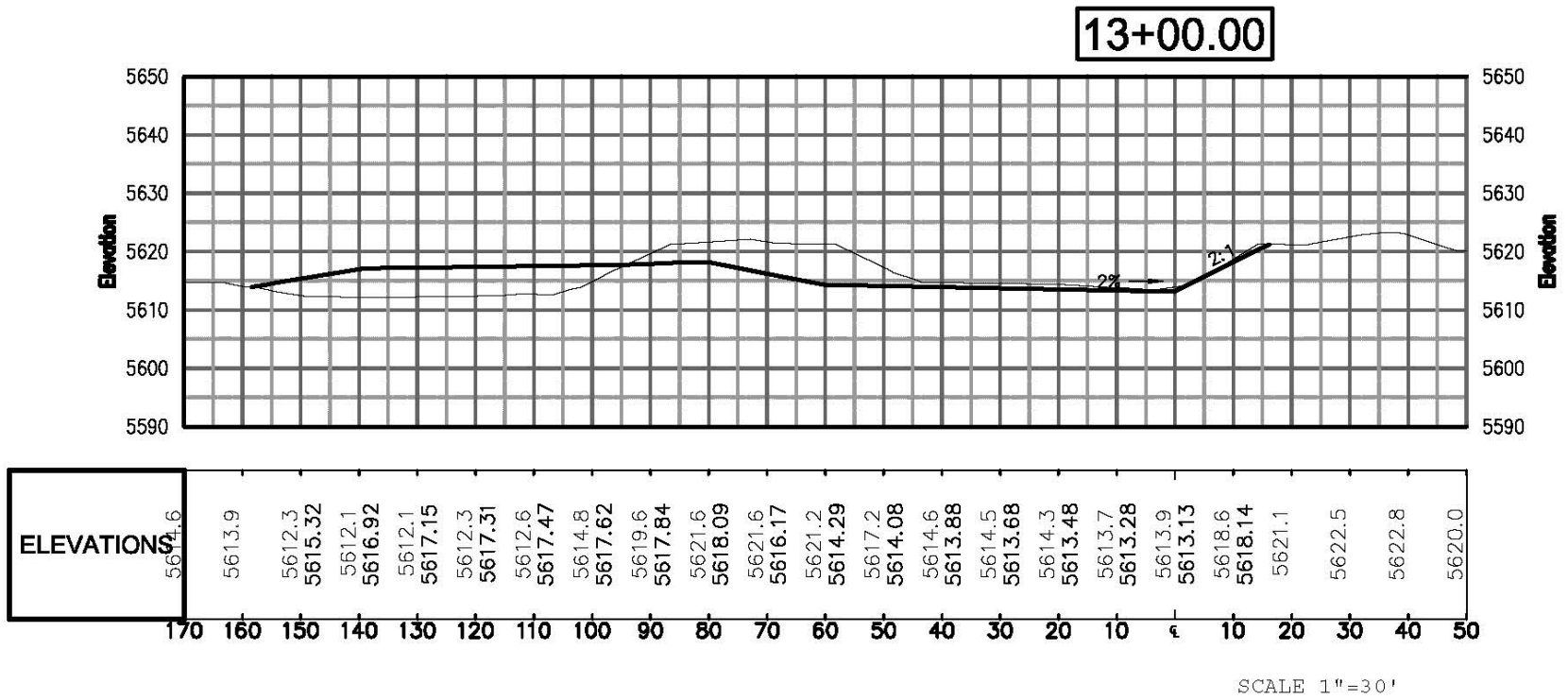


Figure 7. Cross-section of elevations pre-construction (light grey) and post-construction (black) at Station 12+50

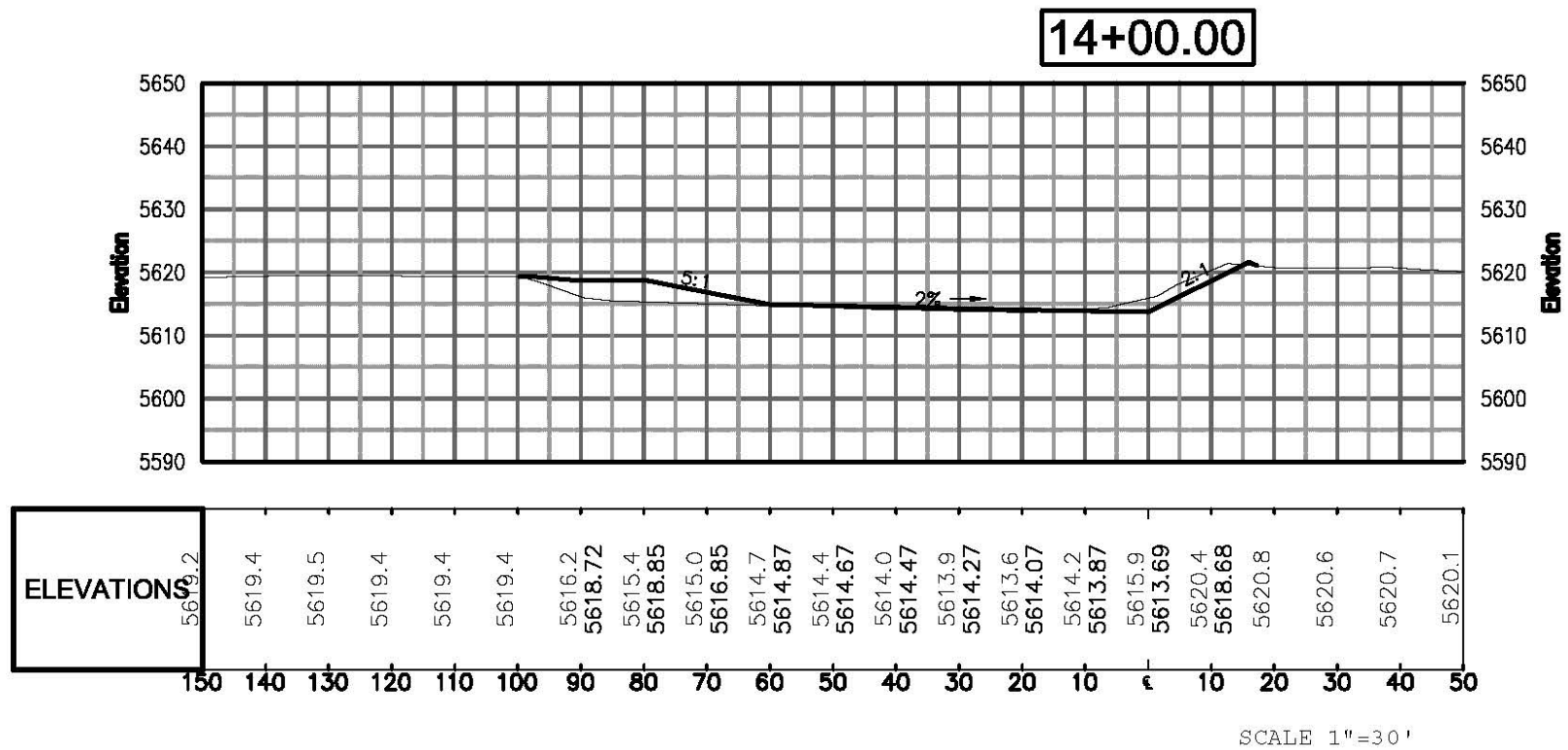


Figure 8. Cross-section of elevations pre-construction (light grey) and post-construction (black) at Station 12+50