Engineering Department

Q17-05
REQUEST FOR QUOTE
REMOVAL OF THE DOWNTOWN ELEVATED BRIDGE
(over the Milwaukee River, between Service Drive and Veterans Avenue)

Quote Issuance Date: February 17, 2017
Proposal Due Date: February 27, 2017

The City of West Bend (City) is requesting proposals to remove an existing elevated pedestrian bridge over the Milwaukee River in the Downtown area.

Quotes will be received until 10:00 a.m. on Monday, February 27, 2017 at: West Bend City Hall
1115 South Main Street
West Bend, WI 53095
Attention: Stephanie Justmann
City Clerk

Sealed proposals shall be clearly labeled: Q17-05: Removal of the Downtown Elevated Bridge.

Please direct comments or questions regarding this RFQ to: City of West Bend
Engineering Department
1115 South Main Street
West Bend, WI 53095
City Engineer: Max Marechal
cityeng@ci.west-bend.wi.us

All questions should be submitted via email no later than 4:00 PM on Thursday, February 23, 2017. Answers will be posted as questions are received. Please visit the City’s website (www.ci.west-bend.wi.us) to receive up-to-date information regarding this RFQ, including answers to all questions received. It is the responsibility of the Contractor to check the website for new questions and answers prior to submitting a proposal. The names of contractors submitting questions will not be disclosed. Personal visits and phone calls will not be allowed.
SPECIAL PROVISIONS

QUOTE Q17-05

REMOVAL OF THE DOWNTOWN ELEVATED BRIDGE

All work under this Contract shall be completed in accordance with the current version of the “Standard Specifications for Public Works Construction in the City of West Bend, Wisconsin”, as adopted by the Board of Public Works on December 17, 2012, and referred to as “City Standard Specifications”, and the following special provisions.

GENERAL

Laws, Regulations, and Ordinances
In accordance with Section 105 of the City’s Standard Specifications, the Contractor shall at all times observe and comply with all federal, state, and local laws, regulations, and ordinances which are in effect or which may be placed in effect during the contract period, which may affect the conduct of the work and the hiring of labor. This shall include, but is not limited to, those regarding confined spaces specified by the United States Department of Labor's Occupational Safety and Health Administration (OSHA).

Location
The bridge structure to be removed is located over the Milwaukee River between Service Drive and Veterans Avenue, approximately 900 feet south of Washington Street (STH “33”) in the West Bend Downtown area.

Scope of Work
Specific work under this quote will consist of removing the existing structure over the Milwaukee River in large sections and conforming to the contractor’s approved structure removal and clean-up plan (see scheduling and staging paragraph below within this section, as well as the STRUCTURE REMOVAL section).

Bid Items
In addition to the specific inclusions listed elsewhere in these Special Provisions and in the City Standard Specifications, the unit prices bid for all bid items shall include all equipment, material, labor, tools, supervision, supplies, and all other incidentals necessary to complete the work.

Incidental Work
Work items shown on the plans or described in the specifications which are not in the Bid Proposal shall be considered incidental to the overall cost of construction and no additional payments will be made to the Contractor.

Beginning Work
Work on this project may not begin until all contract documents are fully executed; all erosion control and traffic control devices have been installed, inspected and approved by the Engineer; a preconstruction meeting has been held; and a notice to proceed has been issued.
Completion Dates
Once construction has begun, it will be necessary to maintain an adequate work force and equipment so as to provide timely and steady work progress, without interruption, throughout the project until completion. The project shall not remain idle or without significant work progress for more than three consecutive calendar days.

The anticipated contract award date is **March 06, 2017**, and a preconstruction meeting could be held the week of March 13th which could allow work to start as early as the week of March 20th. Based on this timeframe, we would expect the following:

- **Substantial Completion:** **Friday, April 28, 2017**
- **Final Completion:** **Friday, May 05, 2017**

Substantial completion includes all items associated with the project with the exception of punch list items. The project shall be completed in its entirety and ready for final payment by the final completion date.

Should the Contract be awarded after the anticipated date of award, the Engineer will factor the delay in the Notice of Award and the Contractor will be allowed the same number of calendar days from the above anticipated award date to the time of completion, to finish this work under this quote.

Scheduling and Staging
The Contractor shall develop and submit to the Engineer, at or before the preconstruction meeting, a detailed schedule and staging plan for the entire project. The schedule and staging plan shall be completed in sufficient detail to show, at a minimum, the schedule for each of the following work activities: erosion control, traffic control, remove structure, dismantle structure, and restoration.

The Contractor shall submit to the Engineer at the preconstruction meeting, an area for staging construction activities. Staging will be allowed within the right-of-way of Veterans Avenue and will be subject to the approval of the Engineer.

Haul routes shall be submitted to the Engineer at the Preconstruction Meeting. Trucking will be allowed only on streets that have prior approval of the Engineer.

Permitting
All necessary permits, except dewatering, have been obtained by the City. By way of this provision, all conditions set forth in permits shall be the responsibility of the Contractor. Copies of said conditions are available within this document. If necessary, the Contractor shall obtain a dewatering permit from the Department of Natural Resources. The address for obtaining a dewatering permit is shown below. The Contractor shall be solely responsible for determining if a dewatering permit is required.

- Wisconsin Dept. of Natural Resources Private Water Supply Section
- P.O. Box 7921 Madison, WI 53707

Working with Others
The Contractor is responsible for contacting Digger’s Hotline for markings and for coordination with all entities who may have facilities in the area.
**Private Property Rights**
No work shall be performed on private property and no equipment or materials shall be stored upon private property at any time unless the Contractor provides written permission from the property owner and provides documentation from the owner to the City Engineer prior to said work being performed.

**Noise Ordinance**
The City of West Bend’s noise ordinance is in effect from 10:00 pm until 6:00 am. The Contractor shall not work during this period without prior authorization from the City Engineer.

**TRAFFIC CONTROL AND ACCESS**

**General**
All traffic control shall be performed in accordance with the plans, the Manual on Uniform Traffic Control Devices (MUTCD), the City’s Standard Specifications, and these Special Provisions.

All traffic control shall conform to the MUTCD and shall be in place prior to the beginning of the work requiring the installation of the traffic control devices.

The Contractor shall proceed in such a manner as to interfere with traffic as little as possible. The Contractor may restrict travel to one lane of traffic on the sections of the street where utility installation is actively taking place. In accordance with the MUTCD, the Contractor shall provide dedicated flagmen to direct traffic and proper warning signs on streets where travel will be restricted to one lane. The Contractor shall maintain one lane of traffic in both directions at all other times on these streets.

The Contractor shall provide adequate signage and flaggers to safely direct all traffic around the work zone. The Contractor shall provide advance warning signs that state “ROAD WORK AHEAD” in advance of the project area in both directions of travel.

The Contractor shall make available at all times sufficient experienced personnel to promptly install, remove, and reinstall the required traffic control devices to route traffic in order to perform the operations.

During the life of this contract, the Contractor shall provide 24 hour a day availability of equipment and forces to promptly restore barricades, lights, and other traffic control devices that are damaged or disturbed. In no case shall any barricade, light or other traffic control device be out of service for more than two hours.

The City reserves the right to require additional traffic control at no expense to the City. All traffic control signs shall be diamond grade and covered or removed when not applicable. The Contractor shall be solely responsible for making certain all traffic control signage remains free from snow and all other debris during the life of this contract.

No work shall be performed on any section of access restricted roadways without the Engineer reviewing and approving the installed traffic control devices prior to commencing work. No operation shall proceed until all traffic control devices for said work are fully installed and properly located.

All costs associated with maintenance and service of traffic control, including, but not limited to, all items listed above, shall be included in the Bid.
Price for Remove Bridge Structure.

Access
The Contractor must maintain access to businesses and residents throughout the project area at all times. Restrictions to free flow of traffic along the project will be permitted only as described in Section 903 of the City Standard Specifications and as allowed as part of the approved traffic control plan. **Should any portion of the work require temporarily closing a street or road,** the temporary road closure must be approved by the Engineer. Unless a temporary road closure is approved by the Engineer, the Contractor shall maintain at least one lane of traffic at all times, and two lanes of traffic during non-working hours.

Abutting/adjoining property owners must be provided access to their property at all times, including when streets are temporarily closed to traffic. Whenever construction requires the temporary closing of access to a property, the Contractor shall notify the property owner at least 48 hours prior to the need to prohibit access. The Contractor shall allow the property owner to remove any vehicles located on the property prior to closing access. The Contractor shall then expedite the work requiring the loss of access and restore access as soon as possible. The Contractor shall further place and maintain material to allow safe ingress and egress until the access can be fully restored.

Should a temporary road closure be approved by the Engineer, it is the responsibility of the Contractor to give prior notification to adjoining residents and businesses, the local Street Department or Township, the local Fire Department, County Highway Department, and the Department of Transportation as per the policies of the respective agencies.

All signs, barricades, warning devices, flagmen, etc., must be provided and maintained by the Contractor. The City of West Bend Department of Public Works is willing to gratuitously lend some barricades to the Contractor for traffic control on this project. However, the Contractor shall provide the labor to install and/or move the barricades as necessary to complete the project.

All access requirements will be strictly enforced during the course of construction. Be prepared to provide immediate access for fire, police, ambulance and other emergency vehicles without regard to damage to any of the work in progress. Include all costs of measures needed for access in the Bid Price for Remove Bridge Structure.

Street Signage
Remove and store all street and traffic signs in the construction area as required or directed by the City of West Bend’s representative.

The Contractor shall remove all traffic control signs, street name signs, etc., and their associated posts for all existing signs that may be damaged by or conflict with the construction operations. To help prevent accidental damage to the sign plates, the Contractor shall remove all sign plates from such signs before removing the posts. All STOP signs that are removed must be replaced by the Contractor with temporary Contractor-furnished STOP signs to maintain an orderly flow of traffic. The existing STOP signs shall not be removed until after the temporary STOP signs have been installed by the Contractor. All sign plates and posts removed by the Contractor shall be delivered by the Contractor to the City’s Department of Public Works at 251 Municipal Drive.

All sign plates and supports removed by the Contractor will be reinstalled or replaced by the City. The Contractor shall contact Mark Palmer of the Public Works Department at 335-5079 or (262) 483-4181, to discuss requirements for reinstalling signs.
The Contractor is responsible for determining which signs and poles require removal, storage and reinstallation.

All costs associated with the removal and delivery of existing signs and poles to the Department of Public Works will not be paid for separately but will be considered incidental to the bid price for Remove Bridge Structure.

**Payment**
All costs associated with Traffic Control and Access shall be included in the bid price for Remove Bridge Structure.

---

**EROSION AND SEDIMENT CONTROL**

**General**
Implement erosion control mitigation procedures as specified herein. No work shall begin until the erosion control devices have been installed within the project area and have been inspected and approved by the Engineer.

All erosion control measures shall conform to the Wisconsin Department of Natural Resources Construction Site Erosion and Sediment Control Technical Standards, latest edition, and the Wisconsin Construction Site Best Management Practices Handbook (Best Practices Handbook) for those items not included in the technical standards.

The Engineer reserves the right to order additional erosion control measures. Include all costs for the implementation of erosion control mitigation procedures in the contract lump sum unit price for bid item Furnish and Install Erosion and Sediment Control.

The Contractor shall maintain erosion control measures to protect the project site and prevent sediment pollution of adjacent watercourses and properties. Install erosion control measures prior to start of construction and maintain them until final completion of work. Remove and dispose of sediment deposits behind erosion control measures when deposits reach approximately one half the volume capacity of each erosion control measure. Erosion control devices, which have become damaged and can no longer function properly shall be replaced or repaired immediately. All erosion control measures installed are to be removed by the Contractor upon completion of the work or after seeding becomes established, as applicable. Seed and mulch disturbed areas where erosion control devices have been removed.

All costs associated with the restoration of disturbed areas caused by the installation of erosion control measures shall be included in the lump sum bid price for bid item Furnish and Install Erosion and Sediment Control.

The Contractor shall be responsible for any discharge from the site due to lack of maintenance or other causes. The Contractor shall immediately clean up any material discharged from the site and make repairs or restore the area.

**Ordered Work**
The Contractor agrees all additional work ordered by the Engineer, including, but not limited to, checking erosion control devices, installing additional erosion control devices, dust control, and cleaning up and repairing damaged areas, shall be completed within 12 hours of verbal or written notification. The
Contractor agrees that the City reserves the right to hire an independent party to perform all work ordered by the Engineer and payment to the independent party shall be subtracted from payments due the Contractor. Furthermore, the Contractor agrees and fully accepts that this notice is the only notification he will receive in regards to this matter.

Dust Control / Street Sweeping
Minimize dust dispersion from the removal and demolition operations, until the work is accepted, by applying water or other engineer-approved dust control materials as specified or as directed by the engineer.

The Contractor shall sweep adjacent roadways daily, if necessary, of any soil, gravel, or other materials washed or tracked onto the road by his equipment. The Contractor shall note dust control shall be a top priority, and will be closely scrutinized by the City.

All costs associated with dust control measures shall be included in the lump sum bid price for bid item Furnish and Install Erosion and Sediment Control.

Tracking Pad
The Contractor shall construct a stabilized construction entrance, tracking pad, at the locations determined at the preconstruction meeting and prior to the start of any work on this project. The Contractor shall construct the tracking pad in accordance with Section 802.4 of the City's Standard Specifications.

Include all cost associated with installing tracking pads in the lump sum bid price for bid item Furnish and Install Erosion and Sediment Control.

Inspection and Maintenance
The Contractor shall perform periodic inspections and maintenance of all erosion control devices during work on this project to insure the intended purpose of the devices are being accomplished. The Contractor shall verify that all erosion control devices are in working condition at the end of each working day. The Contractor shall inspect all erosion control devices for integrity weekly and after every rainfall event of 0.5 inches or greater. Any damaged erosion control devices found during periodic inspections or inspections after rainfall events shall be repaired or replaced by the Contractor immediately.

Weekly and Rain Event Erosion Control Reports shall be filled out by the contractor as stated above. The reports shall be kept on site and made available for immediate review upon request of a representative of the Wisconsin DNR or the Engineer.

All costs associated with maintaining the erosion control devices, as described above, shall be included in the bid price for bid item Furnish and Install Erosion and Sediment Control.

STRUCTURE REMOVAL

General
Remove the existing structure over the Milwaukee River in large sections and conforming to the contractor’s approved structure removal and clean-up plan. During superstructure removal, prevent all large pieces and minimize the number of small pieces from entering the waterway or wetland. Remove all reinforcing steel, all concrete, and all other debris that fall into the waterway or wetland.
If stockpiling spoil material, place it on an upland site an adequate distance from the waterway, wetland, or any open water created by excavation. Install silt fence between the spoil pile and the waterway, wetland, or excavation site.

The west end of the structure shall be removed maintaining the structural integrity of the remaining structure between the existing buildings and the new opening on the east side of the remaining structure shall be closed by furnishing and installing insulated steel plates approved by the Engineer. Minimize damage to the roofing material. Provide and install 3/8 inch closure plates to seal the end of the tubular chord members.
All steel shall be removed at the east end of the structure to the top of the concrete “pier” footings. All steel shall be ground flush with the top of the concrete.

Illustrations showing the limits of removal are provided below as well as in the attached EXHIBIT A.

The Contractor will need to specify to the Engineer if he needs to block a portion of Veterans Avenue to lay down the structure and proceed with taking it apart. The City is willing to accommodate closure of Veterans Avenue for a few days during this operation, but dismantlement work needs to be prompt and with sustained effort to minimize the road closure window.

All costs associated with removing and dismantling the structure including, but not limited to all work as described above, shall be included in the bid price for Remove Bridge Structure.
RESTORATION

General
Prior to completion of the project, the Contractor shall restore all areas disturbed due to the project activities in accordance with Section 700 of the City's Standard Specifications.

Topsoil, Seed, Fertilizer, Mulch, and Water
The Contractor shall strip all existing topsoil and properly and legally dispose of it off site, and restore disturbed grass areas with six inches of screened topsoil, seed, fertilizer, mulch, and water, as specified in Section 703 of the City Standard Specifications. Type L seed mixture shall be used for all restoration on this project, as specified in Section 702.2 of the City's Standard Specifications.

Water
The Contractor shall water all restored areas in accordance with Section 703.20 of the City's Standard Specifications. No watering will be permitted prior to the Contractor obtaining a meter from Water Utility. The Contractor shall, in addition to the initial watering, continue to water the area for a minimum of four weeks if sufficient rainfall is not received.

The Water Utility will permit the use of hydrant connections. However, the Contractor is responsible for making arrangements to obtain a water meter and abide by all Water Utility requirements. The Contractor shall be responsible for all deposits, fees and/or costs associated with the water used for the duration of the project.

Payment
All costs associated with Restoration shall be included in the bid price for Remove Bridge Structure.
## BID PROPOSAL

### QUOTE: 17-05

<table>
<thead>
<tr>
<th>Item#</th>
<th>Bid Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Furnish and Install Erosion and Sediment Control</td>
<td>1</td>
<td>LS</td>
<td>$_________</td>
<td>$_________</td>
</tr>
<tr>
<td>2</td>
<td>Remove Bridge Structure</td>
<td>1</td>
<td>LS</td>
<td>$_________</td>
<td>$_________</td>
</tr>
</tbody>
</table>

Total Bid $_________

The Bidder, its agents, officers, or employees have not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this bid proposal.

FROM:  
(CONTRACTOR)

BY:  
(SIGNATURE)

(NAME & TITLE)

ADDRESS: ___________________________________

________________________

TELEPHONE: ________________________

DATE: ________________________
NORTH ELEVATION OF EXISTING BRIDGE AND VESTIBULE

SOUTH ELEVATION OF EXISTING BRIDGE EXIT STAIR

UNDERSIDE WEST END

UNDERSIDE WEST END

KEYED NOTES

1. PRIOR TO BRIDGE DEMOLITION, SALVAGE METAL WALL PANEL AND STACK IN CORRIDOR APPROXIMATELY 30 FEET TO THE WEST.
2. REMOVE BRIDGE TO THESE LOCATIONS, MAINTAIN STRUCTURAL INTEGRITY TO THE WEST; MINIMIZE DAMAGE TO ROOFING MATERIALS.

3. PROVIDE 36" CLOSURE PLATE AND SEAL WELD TO OPEN ENDS OF TRUSS CHORDS.
4. PROVIDE TEMPORARY CLOSURE OF THE OPENING AFTER THE BRIDGE IS REMOVED.

STATION 12+62.89 STRUCTURE REMOVAL PRIOR TO BRIDGE DEMOLITION SALVAGE METAL WALL PANEL AND STACK IN CORRIDOR APPROXIMATELY 30 FEET TO THE WEST.

CUT LOCATION OF FLOOR BEAM TO REMAIN
CUT LOCATION OF HORIZONTAL BRACE
BRACKET TO REMAIN
BRACE TO REMAIN
COLUMN TO REMAIN
COLUMN TO REMAIN
September 21, 2015

City of West Bend
Max Marechal
1115 S. Main St
West Bend, WI 53095

Dear Mr. Marechal:

The Department of Natural Resources has completed its review of your application for a permit to construct a bridge over the Milwaukee River, in the City of West Bend, Washington County. You will be pleased to know your application is approved with a few limitations.

I am attaching a copy of your permit, which lists the conditions that must be followed. A copy of the permit must be posted for reference at the project site. Please read your permit conditions carefully so that you are fully aware of what is expected of you.

Please note you are required to submit photographs of the completed project within 7 days after you've finished construction. This helps both of us to document the completion of the project and compliance with the permit conditions.

Your next step will be to notify me of the date on which you plan to start construction and again after your project is complete.

If you have any questions about your permit, please call me at (920) 893-8531 or email Kathleen.Kramasz@wisconsin.gov.

Sincerely,

Kathi Kramasz
Water Management Specialist

cc: Anthony Jernigan, U.S. Army Corps of Engineers
GRAEF
Max Marechal, City of West Bend, is hereby granted under Section 30.123(8), Wisconsin Statutes, a permit to construct a bridge over the Milwaukee River, in the City of West Bend, Washington County, also described as in the NE1/4 of the NE1/4 of Section 14, Township 11 North, Range 19 East, subject to the following conditions:

PERMIT

1. You must notify Kathi Kramasz at phone (920) 893-8531 or email Kathleen.Kramasz@wisconsin.gov before starting construction and again not more than 5 days after the project is complete.

2. You must complete the project as described on or before 09/21/2018. If you will not complete the project by this date, you must submit a written request for an extension prior to expiration of the initial time limit specified in the permit. Your request must identify the requested extension date. The Department shall extend the time limit for an individual permit or contract for no longer than an additional 5 years if you request the extension before the initial time limit expires. You may not begin or continue construction after the original permit expiration date unless the Department extends the permit in writing or grants a new permit.

3. This permit does not authorize any work other than what you specifically describe in your application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department.

4. Before you start your project, you must first obtain any permit or approval that may be required for your project by local zoning ordinances and by the U.S. Army Corps of Engineers. You are responsible for contacting these local and federal authorities to determine if they require permits or approvals for your project. These local and federal authorities are responsible for determining if your project complies with their requirements.

5. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the project's construction, operation, maintenance or permit compliance.

6. The Department may modify or revoke this permit for good cause, including if the project is not completed according to the terms of the permit or if the Department determines the activity is detrimental to the public interest.

7. You must post a copy of this permit at a conspicuous location on the project site, visible from the waterway, for at least five days prior to construction, and remaining at least five days after construction. You must also have a copy of the permit and approved plan available at the project site at all times until the project is complete.

8. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit.

9. You must submit a series of photographs to the Department, within one week of completing work on the site. The photographs must be taken from different vantage points and depict all work authorized by this permit.
10. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section 30.292, Wis. Stats., for any violations of Chapter 30, Wisconsin Statutes, or this permit.

11. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters. Erosion control measures (such as silt fence and straw bales) must meet or exceed the technical standards of ch. NR 151, Wis. Adm. Code. The technical standards are found at: http://dnr.wi.gov/topic/stormwater/standards/const_standards.html.

12. All equipment used for the project including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps shall be de-contaminated for invasive and exotic viruses and species prior to use and after use.

   The following steps must be taken every time you move your equipment to avoid transporting invasive and exotic viruses and species. To the extent practicable, equipment and gear used on infested waters shall not be used on other non-infested waters.

   1. **Inspect and remove** aquatic plants, animals, and mud from your equipment.
   2. **Drain all water** from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps.
   3. **Dispose** of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.
   4. **Wash your equipment** with hot (>140° F) and/or high pressure water,
      - OR -
      Allow your equipment to **dry thoroughly for 5 days**.

13. Heavy equipment must not be used below the ordinary high water mark during construction or for maintenance.

14. Maintenance activities may not result in the discharge or deposition of materials (for example paint, sand or abrasives, metal or chemicals) into the waterway.

15. The bridge shall be maintained in good repair by the Owner and must be periodically inspected to remove debris.

16. You are not authorized to place any fill on the lake or stream bed, or cause any other alteration of the waterway, which might require a Department of Natural Resources permit.

17. You assume all responsibility and liability for a direct or indirect damage caused or resulting from the presence of the bridge/culvert and hold the State of Wisconsin, and its employees, harmless.

18. Your bridge must provide a minimum of 6 feet of navigational clearance above the ordinary high water mark as shown on the plans.

19. This project must be completed in accordance with the City floodplain ordinance and NR 116, Wis. Adm. Code.
FINDINGS OF FACT

1. Max Marechal, City of West Bend has filed an application for a permit to construct a bridge over Milwaukee River, in the City of West Bend, Washington County, also described as NE1/4-NE1/4 S14, T11N, R19E.

2. The project will include the removal of an existing bridge and placement of a new public walkway bridge.

3. The Department has completed an investigation of the project site and has evaluated the project as described in the application and plans.

4. Milwaukee River is a navigable water.

5. The proposed project, if constructed in accordance with this permit will not adversely affect water quality, will not increase water pollution in surface waters and will not cause environmental pollution as defined in s. 283.01(6m), Wis. Stats.

6. The proposed project will not impact wetlands if constructed in accordance with this permit.

7. The Department of Natural Resources has determined that the agency’s review of the proposed project constitutes an equivalent analysis action under s. NR 150.20(2), Wis. Adm. Code. The Department has considered the impacts on the human environment, alternatives to the proposed projects and has provided opportunities for public disclosure and comment. The Department has completed all procedural requirements of s. 1.11(2)(c), Wis. Stats., and NR 150, Wis. Adm. Code for this project.

8. The Department of Natural Resources has completed all procedural requirements and the project as permitted will comply with all applicable requirements of sections 30.123(8), Wisconsin Statutes and Chapters NR 102, 103, of the Wisconsin Administrative Code.

The applicant was responsible for fulfilling the procedural requirements for publication of notices under s. 30.208(5)(c)1m., Stats., and was responsible for publication of the notice of pending application under s.30.208(3)(a), Stats. or the notice of public informational hearing under s.30.208(3)(c), Stats., or both. S. 30.208(3)(e), Stats., provides that if no public hearing is held, the Department must issue its decision within 30 days of the 30-day public comment period, and if a public hearing is held, the Department must issue its decision within 20 days after the 10-day period for public comment after the public hearing. S. 30.208(5)(bm), Stats., requires the Department to consider the date on which the department publishes a notice on its web site as the date of notice.

9. The bridge will not materially obstruct navigation because it will have at least a 6’ clearance above the OHWM and will not materially reduce the flood flow capacity of a stream because a floodplain analysis has been done and approved.

CONCLUSIONS OF LAW

1. The Department has authority under the above indicated Statutes and Administrative Codes, to issue a permit for the construction and maintenance of this project.
NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing of any individual permit decision pursuant to section 30.209, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI, 53707-7921. The petition shall be in writing, shall be dated and signed by the petitioner, and shall include as an attachment a copy of the decision for which administrative review is sought. If you are not the applicant, you must simultaneously provide a copy of the petition to the applicant. If you wish to request a stay of the project, you must provide information, as outlined below, to show that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment. If you are not the permit applicant, you must provide a copy of the petition to the permit applicant at the same time that you serve the petition on the Department.

The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30 day period for filing a petition for judicial review.

A request for contested case hearing must meet the requirements of section 30.209, Wis. Stats., and sections NR 2.03, 2.05, and 310.18, Wis. Admin. Code, and if the petitioner is not the applicant the petition must include the following information:

1. A description of the objection that is sufficiently specific to allow the department to determine which provisions of this section may be violated if the proposed permit or contract is allowed to proceed.
2. A description of the facts supporting the petition that is sufficiently specific to determine how the petitioner believes the project, as proposed, may result in a violation of Chapter 30, Wis. Stats.;
3. A commitment by the petitioner to appear at the administrative hearing and present information supporting the petitioner’s objection.

If the petition contains a request for a stay of the project, the petition must also include information showing that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment.

Dated at Plymouth Service Center, Wisconsin on 09/21/2015.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By _________________________________
Kathi Kramasz
Water Management Specialist