



Illinois Department of Natural Resources

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JB Pritzker, Governor
Colleen Callahan, Director

June 6, 2022

SUBJECT: Fidelity No 11 McElvain Mine Group Reclamation Project
AML-GPeE-2109
Perry County
Contract No. M2109
Item No. 1LR – June 17, 2022 Letting
Addendum 2

NOTICE TO PROSPECTIVE BIDDERS:

Attached is an addendum to the Special Provisions. This addendum adds Section 250: SEEDING to the Special Provisions.

Sincerely,

A handwritten signature in blue ink that reads "Janet Uglum".

Janet Uglum, P.E.
Project Manager
Abandoned Mined Lands Reclamation Division
Office of Mines and Minerals

SECTION 250: SEEDING - (revise the following articles as indicated)

Article 250.02 Materials (revise Article 1081.04 as indicated)

- (a) Sampling and Testing. Each lot of seed, or seed mixture, except Prairie Forbs, furnished shall be tested by a State Department of Agriculture (including other states), or by land grant college or university agricultural sections, or by a Registered Seed Technologist. The seed sample shall be sent directly from the dealer to the place of testing. The cost of this testing shall be included in the unit bid price.

All seeds shall comply with the requirements of the U.S. Department of Agriculture Consumer and Marketing Service, Rules and Regulations under the Federal Seed Act of August 9, 1939, issued March 1940, reprinted with amendments April 1968, or any current revisions.

Acceptance of seeds furnished under this Specification will be based on receipt and approval of a certification covering tests from each lot of seed. Certification shall consist of test reports showing the required test results of lots corresponding to the shipment and signed by the responsible personnel of a State seed laboratory or college or university seed testing section or a Registered Seed Technologist. A Registered Seed Technologist shall verify his/her signature with his/her Society of Commercial Technologists' seal.

The sample must be tested within 30 days of scheduled seeding. Test reports shall provide or include the following information at a minimum:

- (1) Name of Seed Dealer
- (2) Kind and Variety of Seed
- (3) Date of Test
- (4) Lab Number
- (5) Weight Examined by Grams
- (6) Lot Number
- (7) Pure Seed Crop by Name
- (8) Purity Percentage Analysis
- (9) Germination Percentage Analysis
- (10) Hard Seed Percentage Analysis
- (11) Other Crop Names and Percentages
- (12) Common Weed Names & Percentages
- (13) Percentage of Total Inert Matter
- (14) Noxious Weeds and Percentages (if any)

A ten-percent tolerance will be allowed for each specified pure live seed species in the total seed mixture. If test results indicate insufficient pure live seed of any species, additional pure live seed of the same species shall be added prior to seeding, to correct deficiencies to within the ten percent tolerance allowable.

If test results indicate the presence of an Illinois noxious weed, or the seed mixture is found

unacceptable by reason of any other defect that in the judgment of the Engineer cannot be corrected, the Contractor shall obtain a new supply of the specified seed mixture. Any areas seeded with an unacceptable seed mixture shall be destroyed, by preparing a new seed bed and reseeding. No additional compensation will be allowed for correcting deficiencies to within the allowable tolerance, for obtaining a new seed supply if required, or for reseeding.

Seeds may be sampled at destination on a random basis and tested for comparison with certification and compliance with the Specifications. If deviations are found, the results will be reviewed to determine whether the material is acceptable for use. Major deviations may result in a requirement that each lot of material from the source in question be sampled, tested and approved by the Illinois Department of Agriculture before further use.

Article 250.03 Equipment (revise Article 250.03(e), and add Article 250.03(i) and (j))

(e) Broadcast Seeders (change to)

(e) Spinning Disk Seeders. (revise Article 1101.08(e) to the following)

When spinning disk seeders are used, the individual seeds comprising the seeding mixture need not be sown separately. A spike-toothed or tine-toothed harrow, approved by the Engineer, must be either be pulled behind the spinning disk seeder by the same equipment in one operation, or pulled by other equipment over all seeded areas on the same day.

(i) Harrows - Spike Toothed and Tine Toothed. (add as Article 1101.08(i))

Spike and tine toothed harrows shall be commercially manufactured harrows designed for light tillage necessary to cover grass and legume seed after these seeds have been broadcast with spinning disk seeders, truck mounted air flow fertilizer/seeder spreaders, and aerial seeders.

(j) No-Till Seeder. (add as Article 1101.08(j))

These seeders shall be commercially manufactured no-till (zero-till) seeders specifically designed for no-till placement of grass and legume seed and shall be approved by the Engineer prior to use.

Article 250.04 Fertilizer and Agricultural Ground Limestone Application (revise to)

(a) Prior to the application of fertilizer nutrients and agricultural ground limestone on the soil and/or coal refuse, the Contractor shall notify the Engineer so that the Engineer can sample soil and/or coal refuse, retest and, if necessary, revise the rates for fertilizer and limestone specified on the plans to accommodate actual field conditions.

(b) Immediately prior to seed bed preparation and seeding, fertilizer nutrients and agricultural ground limestone shall be uniformly spread at the specified rates over the areas designated. Specified rates of agricultural ground limestone and fertilizer nutrients are listed on the plans under Summary of Quantities or Schedule of Seeding, Fertilizer Nutrients, Mulch and Mowing. Fertilizer quantities and application rates may be based on two or more applications. Potassium may be required to be applied in split applications.

- (c) When Incorporation - Limestone and Mulch are to be used, as specified in the plans, agricultural ground limestone shall be applied in accordance with SECTION 256. The fertilizer nutrients and seed mixture shall then be uniformly spread at the rates specified over the incorporated areas and tilled into the soil with the seed mixture by use of a spike toothed or tine toothed harrow as directed by the Engineer.
- (d) No-till (zero-till) Seeding. No-Till (zero-till) seeding will not require seed bed preparation. Agricultural ground limestone shall be applied two weeks (14 days) prior to no-till (zero-till) seeding. Fertilizer nutrients shall be applied two weeks (14 days) after no-till (zero-till) seeding according to the Engineer's discretion. The no-till (zero-till) areas may or may not be mowed prior to or after no-till (zero-till) seeding according to the Engineer's discretion. If the Engineer determines mowing is necessary, it will be measured and paid for according to Articles 250.09 and 250.10, respectively. At no time will the seeder be used as a mulch stabilizer in conjunction with seeding or alone.
- (e) Direct Vegetation. If seed bed preparation is required on direct vegetation areas, agricultural ground limestone and fertilizer nutrients shall be applied prior to seeding and according to these specifications. If seed bed preparation is not required or if the Engineer determines it is impractical, the agricultural ground limestone and fertilizer nutrients shall be applied according to the Engineer's discretion.

Article 250.05 Seed Bed Preparation (delete last paragraph and add the following)

Seed bed preparation cannot be performed sooner than 14 days prior to seeding. Seed bed preparation will not be required when no-till seeding or Incorporation - Limestone and Mulch is specified.

Article 250.06 Seeding Methods (delete all but paragraphs 1 and 2 and add the following)

Harrows that meet the requirements of Article 250.03(j) shall be used for light tillage to cover grass and legume seeds, fertilizer and agricultural ground limestone with soil to the satisfaction of the Engineer on the same day that the seed is sown. A minimum of two passes will be required, one parallel to the slope and one perpendicular to the slope to assure coverage.

Rolling will not be required.

Article 250.07 Seeding Mixtures (change to)

Article 250.07 Seeding Requirements and Guarantee

- (a) Seeding Dates and Seed Mixture for Permanent Seeding.

SOUTHERN ILLINOIS (South of U.S. Route 50)

Spring seeding dates shall be January 1 to March 15, and fall seeding dates shall be August 20 to September 30 for the following seeding mixes.

Seeding will not be allowed when the wind speed is 10 miles/hour (16 kilometers/hour) or greater. Seed bed preparation may be allowed by the Engineer prior to seeding dates at his/her discretion.

PURE LIVE SEED

<u>SEED</u>	<u>VARIETIES</u>	<u>lb./ac.</u>	<u>(kg./ha.)</u>
Switch Grass	-	2	(2.24)
Orchard Grass	-	10	(11.21)
Redtop	-	4	(4.48)
Smooth Brome Grass	-	24	(26.90)
Medium Red Clover	e.g. Kenstar	5	(5.60)
Alsike Clover or Ladino Clover or other White Clovers	-	10	(11.21)
Alfalfa	-	10	(11.21)
Annual Lespedeza	e.g. Kobe	5	(5.60)
Winter Wheat	-	<u>40</u>	<u>(44.83)</u>
TOTAL		110	(123.28)

Average purity and germination percentages (viable seed for legumes) are from 1948, Yearbook of Agricultural, Grass. Any other product from seed tag percentages of germination times purity, and/or viable seed, will cause the Contractor to adjust his/her total pounds/acre (kilograms/hectare) of seed to sow.

- (b) Temporary Seeding. This provision is applicable in the event that the Contractor fails to perform permanent seeding within the dates specified. In that event, temporary seeding shall be required to provide a temporary vegetative cover until the next term of permanent seeding dates. Temporary seeding shall be performed by the Contractor at his/her own proper cost and expense, at no additional cost to the Department. Prior to temporary seeding, the Engineer shall submit in writing to the Contractor a proposed temporary seeding mixture, specifying the seed varieties and their respective rates on a pounds/acre (kilograms/hectare) of pure live seed basis. Vegetation resulting from the temporary seeding shall be destroyed as part of the seed bed preparation for permanent seeding during the next term of permanent seeding dates.
- (c) Reseeding Guarantee. The Contractor is required to guarantee the results of the permanent seeding for one year after the date of seeding. The Engineer will periodically inspect all seeded areas during that year to determine whether or not vegetation has been successfully established. Upon the Engineer's determination that vegetation has been successfully established, the Contractor shall be released from all further obligations. If the Engineer determines that vegetation on any area is unacceptable, the Contractor shall be required to reseed that area during the next term of permanent seeding dates, at the Contractor's own proper cost and expense, and at no additional cost to the Department.

Unacceptability will be based on:

1. Seed test failure (Article 250.02).
2. Using unacceptable equipment in performing seeding.
3. Failure to perform seeding as specified; i.e., missing areas during seeding, improper seed bed preparation, etc.
4. Failure to perform mulching as specified; i.e., applying too much or too light application in some areas, using unacceptable mulch, etc.

(d) Subsequent Reseeding. Any area reseeded once by the Contractor will be inspected within six months after reseeding to determine if germination has occurred. If subsequent reseeding are required of the same area(s), through no fault of the Contractor, the Contractor shall be compensated for such subsequent reseeding at unit bid prices, or as otherwise agreed upon by the Contractor and the Engineer.

Article 250.08 Selective Mowing Stakes (delete entire article)

Article 250.09 Method of Measurement (revise as indicated)

Delete all references to mowing, and refer to SECTION 258 if mowing is specified on the plans.

In Article 250.09(b), delete "of the class specified".

Article 250.10 Basis of Payment (revise as indicated)

Substitute SEEDING for the various classes of seeding and interseeding. The cost of seed testing and any temporary seeding or reseeding will not be paid for separately, but shall be considered incidental to the cost of SEEDING.

Delete all references to mowing, and refer to SECTION 258 if mowing is specified on the plans.

End of Revisions to SECTION 250: SEEDING

End of Addendum for SPECIAL PROVISIONS FOR THE CONSTRUCTION OF:

Fidelity No 11-McElvain Mine Group Reclamation Project

Perry County, Illinois

AML-GPeE-2109