



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

January 13, 2011

SUBJECT: Vermilion River Dam Scour Repair  
Oglesby, Illinois  
La Salle County  
Contract No. FR-429  
Item No. 1W, January 21, 2011 Letting  
Addendum A

## NOTICE TO PROSPECTIVE BIDDERS

Attached is an addendum to the plans or proposal. This addendum involves revised and/or added material.

1. Revised page 9 in the Special Provisions. This was done to draw the Contractor's attention to some special safety requirements for the project.
2. Added page 67a in the Special Provisions. (Form "Contractor Agreement to Provide Mandatory Safety Training Pursuant to 30 C.F.R. Part 46")

Prime contractors must utilize the enclosed material when preparing their bid.

Sincerely,

Ted M. Montrey, P.E., S.E.  
Chief, Design Section

cc: Arlan R. Juhl

TMM:GMS:kmp

attachment

appears, based on the concept, that the actual proposal will require a review period exceeding the normal review period, as outlined below, the Contractor will be so advised. Approval of the concept does not constitute or imply approval of the subsequent submittal of the complete Value Engineering Proposal.

- (2) After the concept has been approved, the Contractor, if electing to proceed with submittal of the complete Value Engineering Proposal, shall submit the proposal to the Division of Project Implementation for review. Provided the proposal is complete and contains all the required information for review, the Manager of the Division of Project Implementation will notify the Contractor, within 10 working days after receipt of the proposal, as to the acceptability of the proposal, unless additional review time has been established as noted in the concept review process.

## **CONSTRUCTION PROCEDURE**

The Contractor's attention is directed to the fact that the U.S. Army Corps of Engineers (COE) has determined that the project is covered by Nationwide Permit 3, and the IDNR/Office of Water Resources (OWR) has issued a permit for this project. In addition, The IDNR has entered into an agreement with the property owner, Lone Star Industries, Inc., d/b/a Buzzi Unicem USA (LSI).

These permits and agreement contain certain requirements which may affect the construction of this project. The Nationwide Permit 3 contains requirements by the COE as well as conditions from the Illinois Environmental Protection Agency. It will be the Contractor's responsibility to familiarize himself/herself with the requirements of the above-mentioned permits and agreement, and conduct his/her work in accordance with those requirements and the special provision contained herein. See the following pages for copies of these permits and agreement.

One of the requirements in the agreement is that the Contractor is required to name LSI as an additional insured. Also, Sections 8 and 9 of the Agreement require that IDNR and its contractors comply with all applicable laws and regulations. It is LSI's position that it has not permanently ceased mining activities at the facility, and therefore the facility is governed by the Mine Safety and Health Act and MSHA's regulations. See page 67a of these special provisions for a copy of the "Contractor Agreement to Provide Mandatory Safety Training Pursuant to 30 C.F.R. Part 46" which LSI will require from the contractors performing work at the facility. In addition to the general standards under Part 46, to the extent that any of the work will be performed in an area that requires site-specific training, Steve Gabrielse ((815) 883-8431 Ext. 131 or Ext. 124 or [Steven.Gabrielse@buzziunicemusa.com](mailto:Steven.Gabrielse@buzziunicemusa.com)) will be able to identify for you and make arrangements to provide the site-specific training needed. The above referenced completed agreement shall be submitted at the same time as the insurance certificate naming Lone Star Industries, Inc. as an additional insured, and any site-specific training shall be coordinated with Steve Gabrielse. Steve will also provide a copy of the plant's safety rules. Buzzi Unicem USA places significant emphasis on safety at all of their facilities, and requires strict adherence to the MSHA regulations and the plant safety rules.

Should the Contractor desire to use materials, construction methods, or procedures which differ substantially from that authorized by the granted permits and agreement, it is the responsibility of the Contractor to obtain approved amendments to same.

All costs incurred by the Contractor in complying with the applicable requirements of the above-mentioned permits/documents shall be considered as completely covered by the contract unit prices bid for the various items of work in the proposal.

**CONTRACTOR AGREEMENT TO PROVIDE MANDATORY  
SAFETY TRAINING PURSUANT TO 30 C.F.R. PART 46**

When performing work on Lone Star Industries, Inc. (“LSI”) property or property leased to the State of Illinois by LSI, all contractors (“Contractor”) are subject to the mandatory safety and health requirements set out at 30 Code of Federal Regulations Parts 46, 50 and 56. Part 46 requires that all operators, including Contractor, provide safety and task training for each of their employees, subcontractors and agents. In contracting to perform work on LSI property, Contractor is responsible for ensuring that each of its employees, subcontractors and agents has received the training specified in Part 46 and is performing their work in conformance with all mandatory safety and health requirements.

In addition, none of Contractor’s employees, subcontractors and agents shall begin work on LSI property prior to receiving appropriate site-specific hazard training from LSI when such site-specific training is required. It is the exclusive responsibility of the Contractor to notify LSI when any of its employees, agents or subcontractors enters LSI property for the first time so that appropriate site-specific training can be provided when necessary. Contractor shall notify LSI in advance to schedule site-specific training.

Contractor represents and warrants that each of its employees, subcontractors, and agents who will be granted access to LSI’s premises has received all training required by the Mine Safety and Health Administration, and by any Illinois State agency. Contractor further represents and warrants that before beginning work all such employees, subcontractors, and agents have received site-specific hazard training when required.

Contractor shall indemnify, defend and hold LSI harmless pursuant to the November 1, 2010 Lease Agreement from and against any claims, fines, penalties, and costs (including reasonable attorneys’ and paralegal fees) relating to violations of safety and health laws or regulations by the Contractor, its employees, its subcontractors or its agents.

Name of Contractor: \_\_\_\_\_.

Signature: \_\_\_\_\_.

Date of Contactor Agreement: \_\_\_\_\_, 20\_\_ (“Contractor Agreement”)

Illinois Contract Award Number: \_\_\_\_\_.