



## CITY OF FARMINGTON

800 Municipal Drive  
Farmington, NM 87401-2663  
(505) 599-1373  
Fax (505) 599-1377  
<http://www.fmtn.org>

### IMMEDIATE ATTENTION

#### PORTER ARROYO DETENTION FACILITY PROJECT # 02-08 CONTRACT CONTROL 14-102822

#### ADDENDUM ONE

**MARCH 11, 2014**

Notice to Bidders: The above referenced bid is hereby amended as follows:

The following questions or requests for clarification were received. Following each question or request for clarification is the response.

1. Throughout the project, it states Dam construction, do you have to have a dam license to construct this? What contractors license is required for this project? *Per New Mexico Title 14, Chapter 6.6.9 General Construction Classifications, the following Licences will be required:*

***GB-98. General building.*** Requires four years' experience. Erect, alter, repair or demolish residential and commercial buildings, and certain structures, excluding those structures covered by the EE, GA, GF or MM classifications. Includes all work described by the GB-2 and GS specialty classifications.

***GF-4. Drainage or flood control systems.*** Requires two years' experience. Construct, erect, install, repair and alter drainage or flood control systems. May dig, excavate, fill, prepare embankments for such purposes, place pre-cast components, concrete reinforcement and perform all other work incidental to these projects. May install storm sewers, including trenching, boring, shoring, backfilling, compacting, and paving.

2. Since the bids are scheduled to open at the same time on the same day, which bid will open first? *The bid opening date for Porter Arroyo Detention*



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*Facility may change but if the bid opening date does not change, the Porter Arroyo bid will open first.*

3. To protect the project from water drainage during construction, does the environmental clearance allow for diversion of water upstream to College Boulevard? *The Army Corps permit obtained for the project specifically permits construction of the drainage facility. Berms are not specifically required for water diversion. It is the responsibility of the Contractor to protect the project from water. Construction should be coordinated properly for minimum impacts from flows. Any diversion practices used cannot lead to flooding offsite to adjoining properties. This project is located in a major collection point for storm water and the possibility of flows should be accounted for. The City has two years left on the Army Corps of Engineer permit, see attached.*
4. Based on soil borings, is there ground water? *The Geotechnical Engineering Report showing groundwater depths can be found in the Special Conditions of the Details document.*
5. Can you provide the location of a Dump Site? *It will be the responsibility of the Contractor to dispose of any unsuitable material from the construction site.*
6. Is Blasting allowed? *If the Contractor determines that blasting is required, contact the City of Farmington Fire Department providing information as to when, where and for how long the blasting will occur. Contact information is as follows: Robert Popa at 599-1439 or Dave Burke at 599-1435.*
7. Can you provide location for 11,000 yards of rock excavation? *The majority of the rock excavation is in the spillway construction and required benching into the canyon walls for the berm. See the Geotechnical Engineering Report, which is included in the Special Conditions of the Details document, for locations.*
8. *The existing pile of clay material on the Porter Arroyo Detention Facility site is intended for use on this project.*
9. *A letter from the State Engineer acknowledging that the Facility is Non-Jurisdictional is attached.*



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A pre-bid conference was held at the Executive Conference Room at 9:00 a.m. on March 5, 2014. The purpose of this pre-bid was to answer any questions, as might arise, with respect to the requirements and execution of the proposal. Questions resolved at this meeting are included in the "Minutes" and will be kept in the bid file. Bidders interested in receiving the "Minutes" may obtain them by accessing the Purchasing page of the City of Farmington website, [www.fmtn.org](http://www.fmtn.org) or by calling (505) 599-1365.

Receipt of this addendum shall be noted on Form AF-1 (a) in Tab I – Bidding Requirements for the above referenced bid.

If your bid has already been submitted to this office, and this addendum will affect your bid quote, please contact this office and we will return your bid. Any bids that have been received, and are not requested to be returned will remain in this office unopened until March 18, 2014 at 2:00 p.m.

A handwritten signature in cursive script that reads "Rosalyn Potter".

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Rosalyn Potter, CPPB  
Buyer II  
Phone: (505) 599-1365  
Fax: (505) 599-1377  
Email: [rpotter@fmtn.org](mailto:rpotter@fmtn.org)



DEPARTMENT OF THE ARMY  
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS  
DURANGO COLORADO REGULATORY OFFICE  
1970 EAST 3<sup>RD</sup> Avenue, Suite #109  
DURANGO, COLORADO 81301

REPLY TO  
ATTENTION OF:

September 17, 2013

Regulatory Division (CESPA-RD-NM-DR)

SUBJECT: SPA-2011-00277, City of Farmington, Porter Arroyo Detention Facility

Mr. Chico Quintana  
City of Farmington  
800 Municipal Drive  
Farmington, New Mexico 87401

Dear Mr. Quintana:

The U.S. Army Corps of Engineers (Corps) is in receipt of your letter dated August 27, 2013 concerning a stormwater management facility along Porter Arroyo, San Juan County, New Mexico. We have assigned Action No. SPA-2011-00277 to this activity. To avoid delay, please include this number in all future correspondence concerning this project.

We have reviewed this project in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Under Section 404, the Corps regulates the discharge of dredged and fill material into waters of the United States (U.S.), including wetlands. Our responsibility under Section 10 is to regulate any work in, or affecting, navigable waters of the U.S. Based on your description of the proposed work, and other information available to us, we have determined that this project will involve activities subject to Section 404. Therefore, this project will require a Department of the Army permit.

We have determined that this project is authorized by Nationwide Permit 43 for Stormwater Management Facilities. We understand that the project is located in ephemeral waters. A summary of this permit and the regional conditions for New Mexico are enclosed. You are only authorized to conduct the work described in your submittal. Compliance with the enclosed water quality certification is a requirement of this permit. To use this permit, the

permittee must ensure that the work complies with the terms and conditions listed in the permit, the special condition listed below, and the attached plan in 1 sheet. The special condition for this permit is:

1. The permittee shall reseed the project area with native vegetation. Photo documentation of the site shall be provided to our office for a consecutive two growing seasons upon project completion to document vegetation establishment. If the vegetation fails to establish, the applicant will notify our office to discuss further measures to achieve revegetation.
2. Use best management practices during project construction to minimize water quality degradation and vegetation disturbance.

Our review of this project also addressed its effects on threatened and endangered species and historic properties in accordance with Nationwide Permit general conditions 17 and 18. Based on the information provided, we have determined that this project will not affect any species listed as threatened or endangered by the U.S. Fish and Wildlife Service within the permit area. We have also determined that this project will not affect historic properties listed, or eligible for listing, in the National Register of Historic Places. However, please note that you are responsible for meeting the requirements of general condition 17 on endangered species and general condition 18 on historic properties.

Our verification for the construction of this activity under this nationwide permit is valid for two years from the date of this letter, unless prior to that date the nationwide permit is suspended, revoked, or modified such that the activity would no longer comply with the terms and conditions of the nationwide permit regionally or nationally. The Corps will issue a public notice announcing the changes when they occur. Furthermore, activities that have commenced, or are under contract to commence, in reliance on a nationwide permit will remain authorized provided the activity is completed within 12 months of the date of the nationwide permits expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 330.4(e) and 33 CFR 330.5(c) or (d). Continued confirmation that an activity complies with the terms and conditions, and any changes to the nationwide permit, is the responsibility of the permittee.

The Corps based this decision on a preliminary jurisdictional determination (JD) that there may be waters of the United States on the project site. Preliminary JDs are advisory in nature and may not be appealed. An approved JD is an official Corps determination that "waters of the U.S." and/or "navigable waters of the U.S." are either present or absent on a particular site. An approved JD precisely identifies the limits of those waters on the project site determined to be jurisdictional under the CWA or RHA. If you wish, you may request that the USACE reevaluate this case and issue an approved JD. If you request an approved JD, you may not begin work until the approved JD, which may require coordination with the Environmental Protection

Agency, is completed. Please contact me if you wish to request an approved JD for this case.

The permittee must sign and submit to us the enclosed certification that the work, including any required mitigation, was completed in compliance with the nationwide permit. The permittee should submit their certification within 30 days of the completion of work.

This permit is not an approval of the project design features, nor does it imply that the construction is adequate for its intended purpose. This permit does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The permittee must possess the authority, including property rights, to undertake the proposed work.

If you have any questions concerning our regulatory program, please contact me at 970-259-1947 or by e-mail at [Christopher.r.wrbas@usace.army.mil](mailto:Christopher.r.wrbas@usace.army.mil). At your convenience, please complete a Customer Service Survey on-line available at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



Chris Wrbas  
Project Manager  
Durango Regulatory Field Office

Copy furnished w/Enclosures:

**Certification of Compliance  
with Department of the Army Nationwide Permit**

Action Number: **SPA-2011-00277**

Name of Permittee: **City of Farmington**

Nationwide Permit: **No. 43, Stormwater Management Facilities**

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

Chris Wrbas  
Albuquerque District, U.S. Army Corps of Engineers  
ATTN: Regulatory Division  
799 E. 3<sup>rd</sup> Street, #2  
Durango, CO 81301

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

Please enclose photographs showing the completed project (if available).

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Date Work Started \_\_\_\_\_

Date Work Completed \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Permittee

JOHN R. D'ANTONIO, JR. P.E.  
STATE ENGINEER



DAM SAFETY BUREAU  
LEW WALLACE BUILDING  
P.O. BOX 25102  
SANTA FE, NEW MEXICO  
(505) 827-6122  
FAX (505) 827-6068

STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER  
Santa Fe

June 7, 2011

Kevin Banks, P.E.  
Associate Engineer  
Larkin Group  
8500 Menaul Blvd NE, Suite A-440  
Albuquerque, NM 87112

**RE: Porter Arroyo Storm Water Detention Pond, OSE Misc. File: Ponds**

Dear Mr. Banks:

On May 18, 2011, the Office of the State Engineer (OSE) Dam Safety Bureau received your letter and drawings requesting a jurisdictional review of Porter Arroyo Storm Water Detention Pond for the City of Farmington. Your letter states the downstream toe is elevation 5631 feet and the elevation of the dam crest is approximately 5654 feet for a dam height of approximately 23 feet. The grading plan (Sheet 6) verifies the elevations. The stage storage table indicates the pond stores approximately 28 acre-feet at the spillway crest elevation of 5643 feet.

The proposed embankment is below the jurisdictional size standard of 25 feet high and the storage behind the dam is less than 50 acre-feet; therefore, the proposed Porter Arroyo pond is not a jurisdictional dam in accordance with Section 72-5-32 NMSA. A permit from the OSE Dam Safety Bureau is required if the design or as-built condition changes resulting in a jurisdictional dam.

Please contact the OSE Water Rights Division, Aztec District V Office for compliance with the Pond Regulation (19.26.2.15 NMAC) contained in the Surface Water Rules and Regulations.

If additional information is required, please feel free to call me at 505-827-6111

Sincerely,

A handwritten signature in blue ink that reads "Elaine C. Pacheco".

Elaine C. Pacheco, PE  
Dam Safety Bureau

ECP

via email: Nica Westerling, City of Farmington, [nwesterling@fmtn.org](mailto:nwesterling@fmtn.org)  
Bill Enenbach, OSE, District V