

A0006809

MR. WAGNER/1a/1222

October 11, 1994

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

Gentlemen:

Reference your Traffic Control Plan dated September 23, 1994.

Your plan is accepted for use provided your company complies with the provisions of this plan and the related specifications in the contract.

If you have any questions, please contact Mr. Chris Wagner of my staff at 862-1222.

Sincerely,

Chester Ashley
Administrative Contracting
Officer

CF:
Proj Engr (Wagner)
Proj Insp (Bryant)

DUMON
CEL MN-CD-NO-Q
HABBAZ
CEL MN-CD-NO
BERNARD
CEL MN-CD-NO
ASHLEY
CEL MN-CD-NO

OCT 12 1994

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CITY OF NEW ORLEANS

DEPARTMENT OF STREETS

1300 PERDIDO ST., ROOM 6W02 • NEW ORLEANS, LA 70112
(504) 565-6844 • FAX 565-6848



SIDNEY J. BARTHELEMY
Mayor

FRANK M. STUART, S
Director

Date: SEPTEMBER 22, 1994

Mr. B & K CONSTRUCTION
C/O URBAN SYSTEMS, INC.
400 N. PETERS, P.O. Box 2250
NEW ORLEANS, LA. 70176
(ATTN: MR. JOHN EXNICIO)

RE: CONSTRUCTION ACCESS PLAN (HAULING ROUTE) FOR
PROJECT NO. _____ AT LONDON AV. CANAL

Dear Mr. B & K CONSTRUCTION

Please be advised that your proposed access route for the referenced project has been approved as follows:

<u>ELYSIAN FIELDS BETWEEN I-610 AND ELYSIAN FIELDS</u>								
<u>MIRABEAU AV. BETWEEN ELYSIAN FIELDS AND LONDON AVE. CANAL</u>								
<u>FILMORE AV.</u>	"	"	"	"	"	"	"	"
<u>ROBERT F. LEE BYD.</u>	"	"	"	"	"	"	"	"
<u>AND LEON C. SIMON</u>	"	"	"	"	"	"	"	"

In order to retain this privilege for the duration of the project, you must strictly comply with the following provisions:

- 1) You must follow Part VI of the **MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES** in the implementation of the work site Traffic Control Plan.
- 2) You must comply with Sections 38-166, 167, 168, 169, 169.1, 169.2, 170, 171, 172, and 173 of the Code of the City of New Orleans.
- 3) You shall instruct your truck drivers, hauling materials on the approved streets, not to drive faster than 15 MPH except on established truck routes. Each hauling vehicle must carry a certified weight document stating that the vehicle is carrying its maximum load which does not exceed the City's legal weight.
- 4) You shall take necessary measures to prevent any spillage of material on the streets. You shall take immediate actions to clean up any spilled haul material, and shall, at the end of each day, have residual mud and /or other materials tracked by the trucks' tires removed. Also, you shall have

the streets hosed down at periodic intervals (at least daily) as deemed necessary.

5) You shall hold harmless the City of New Orleans from all costs and damages to any person and/or property which could be caused by hauling trucks traveling on the approved streets.

6) You shall document, by means of photographs and/or videotapes, existing conditions of the approved access route streets. Such document or documents shall be submitted to the Traffic Engineering Division prior to the beginning of the project. Also, you shall immediately repair and/or replace in kind, at no cost to the city, all damages developed to roadways and/or other City's properties as the result(s) of the activities of your or your sub-contracted hauling trucks. In addition, you may be asked by the Traffic Engineering Division to post a bond, in the amount to be determined, to assure proper restoration of streets and/or other properties damaged by such trucks.

7) Additional provision(s): _____

8) All of the conditions cited above should be part of the hauler's contract. Violations of these conditions may result in a " Stop Work. " order or suspension of this permit until violations are corrected.

Your compliance is expected, and it will be appreciated. If you have any questions regarding this matter please contact our Traffic Engineering Staff at 565-6839.

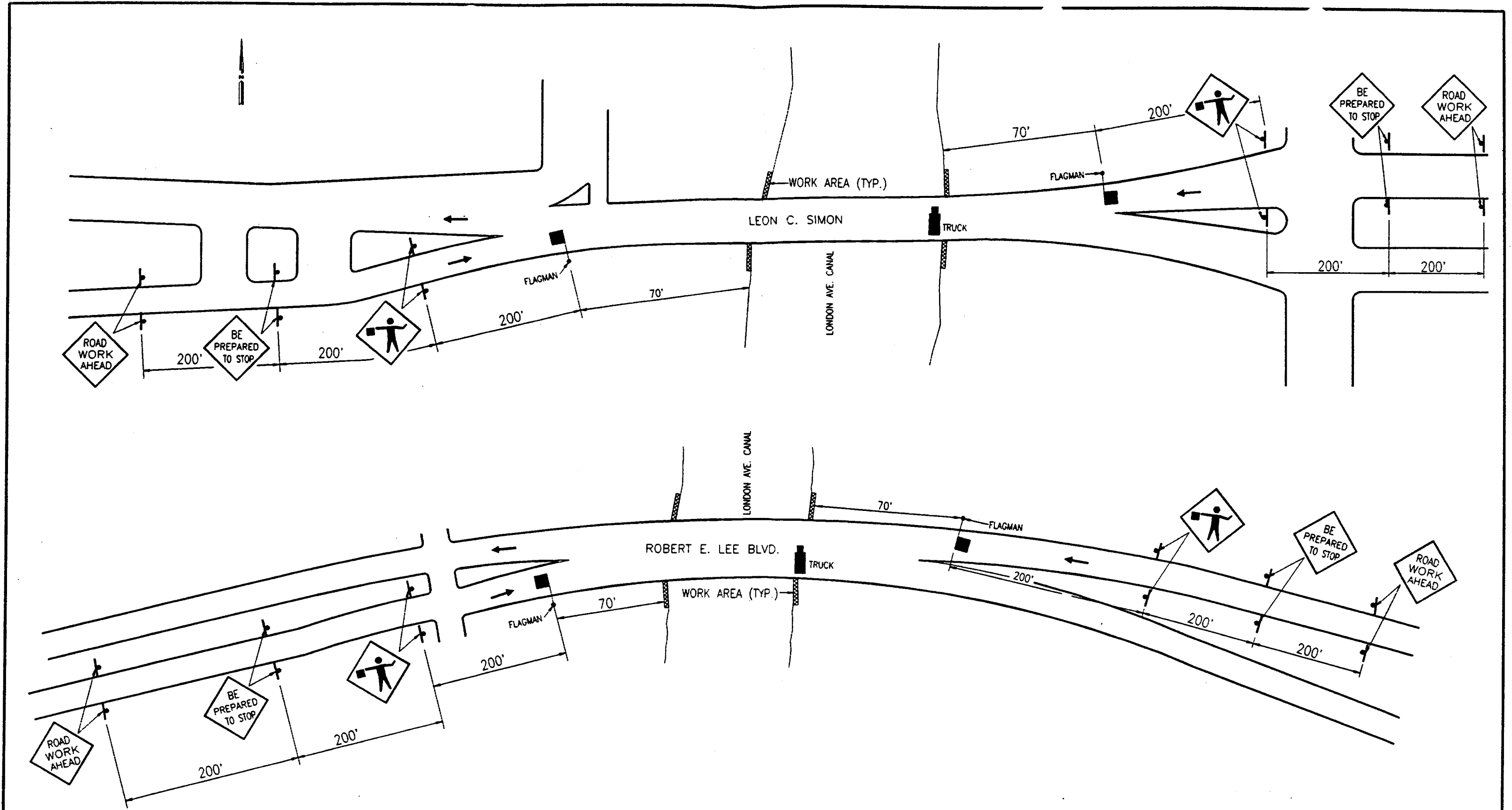
Very truly yours,



Elmer N. Darwin, P.E.
City Traffic Engineer

END/PTL

cc: Director's Office
Streets Maintenance Division
Streets Construction Division
New Orleans Police Department



TRAFFIC NOTES:

1. THE DESIGN AND APPLICATION OF ALL SIGNS, PAVEMENT MARKINGS, CHANNELIZING DEVICES, AND WARNING SIGNS SHALL CONFORM TO "THE LOUISIANA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", 1988 EDITION AS REVISION 3, SEPT 3, 1993.
2. PLAN IS FOR TEMPORARY CLOSING NOT TO EXCEED 15 - 20 MINUTES.
3. FLAGMEN FOR EACH APPROACH TO COORDINATE WITH EACH OTHER IN STOPPING TRAFFIC.
4. WORK TO BE DONE DURING DAYTIME HOURS ONLY. **ALL WORK ZONE TRAFFIC CONTROL DEVICES SHALL BE REMOVED DURING OFF-WORK HOURS.**
4. FLAGGER SHALL STOP FIRST VEHICLE FROM THE POSITION SHOWN. THEN MOVE TO THE MEDIAN SIDE OF THE ROADWAY TO STOP APPROACHING TRAFFIC.

TRAFFIC CONTROL DEVICES PLAN

LONDON AVENUE OUTFALL CANAL, PARALLEL PROTECTION

DATE: SEP 21, 1994

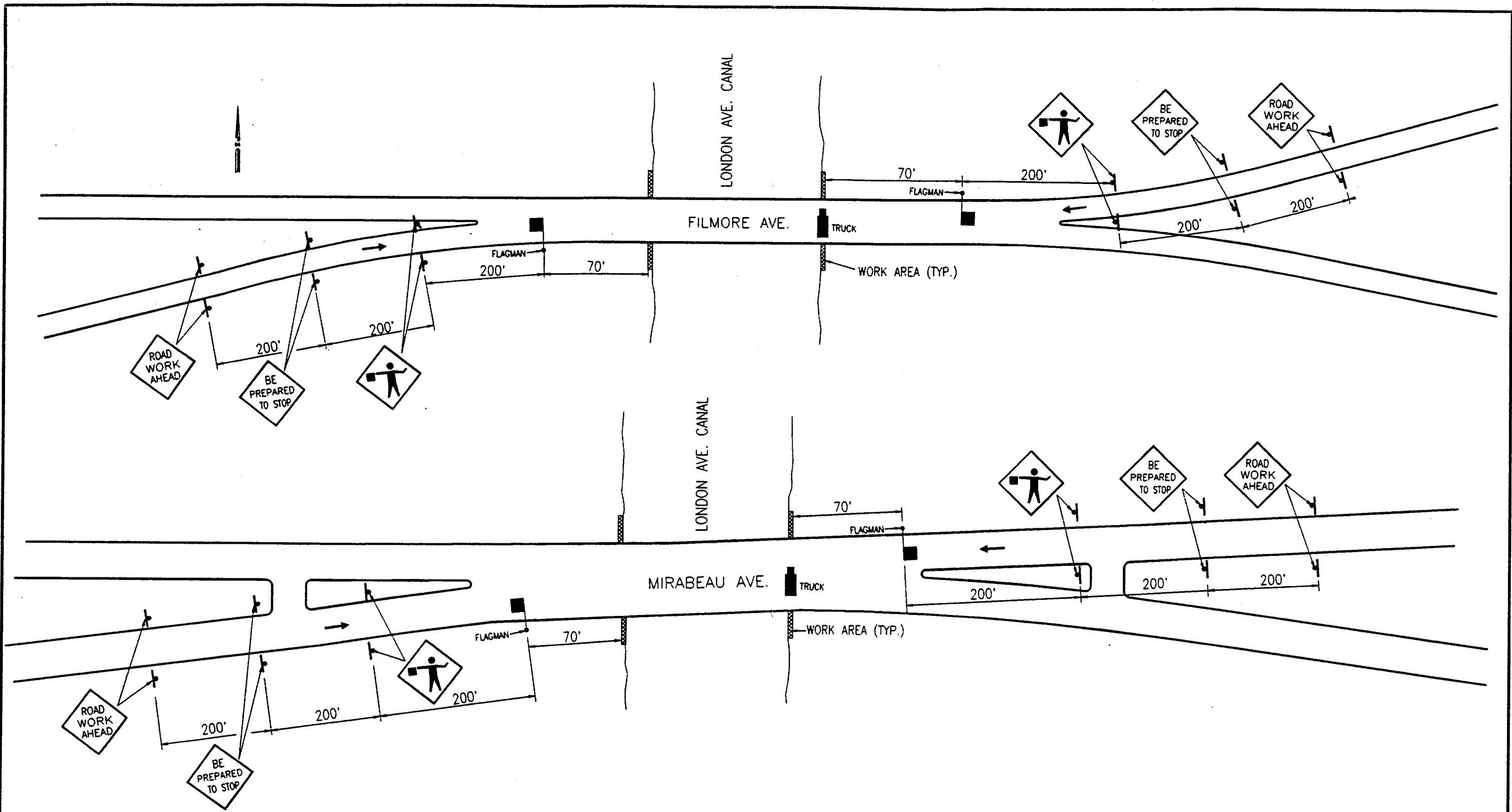
SCALE: NTS

US ARMY CORPS OF ENGINEERS

DATE	DESCRIPTION	BY	DESIGNED	DETAILS	FILE	SHEET NO.
			✓	✓	✓	1
			✓	✓	✓	
REVISIONS						

URBAN SYSTEMS, INC. New Orleans, La.

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TRAFFIC NOTES:

1. THE DESIGN AND APPLICATION OF ALL SIGNS, PAVEMENT MARKINGS, CHANNELIZING DEVICES, AND WARNING SIGNS SHALL CONFORM TO "THE LOUISIANA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", 1988 EDITION AS REVISION 3, SEPT 3, 1993.
2. PLAN IS FOR TEMPORARY CLOSING NOT TO EXCEED 15 - 20 MINUTES.
3. FLAGMEN FOR EACH APPROACH TO COORDINATE WITH EACH OTHER IN STOPPING TRAFFIC.
4. WORK TO BE DONE DURING DAYTIME HOURS ONLY. **ALL WORK ZONE TRAFFIC CONTROL DEVICES SHALL BE REMOVED DURING OFF-WORK HOURS.**
4. FLAGGER SHALL STOP FIRST VEHICLE FROM THE POSITION SHOWN. THEN MOVE TO THE MEDIAN SIDE OF THE ROADWAY TO STOP APPROACHING TRAFFIC.

TRAFFIC CONTROL DEVICES PLAN

**LONDON AVENUE OUTFALL
CANAL, PARALLEL PROTECTION**

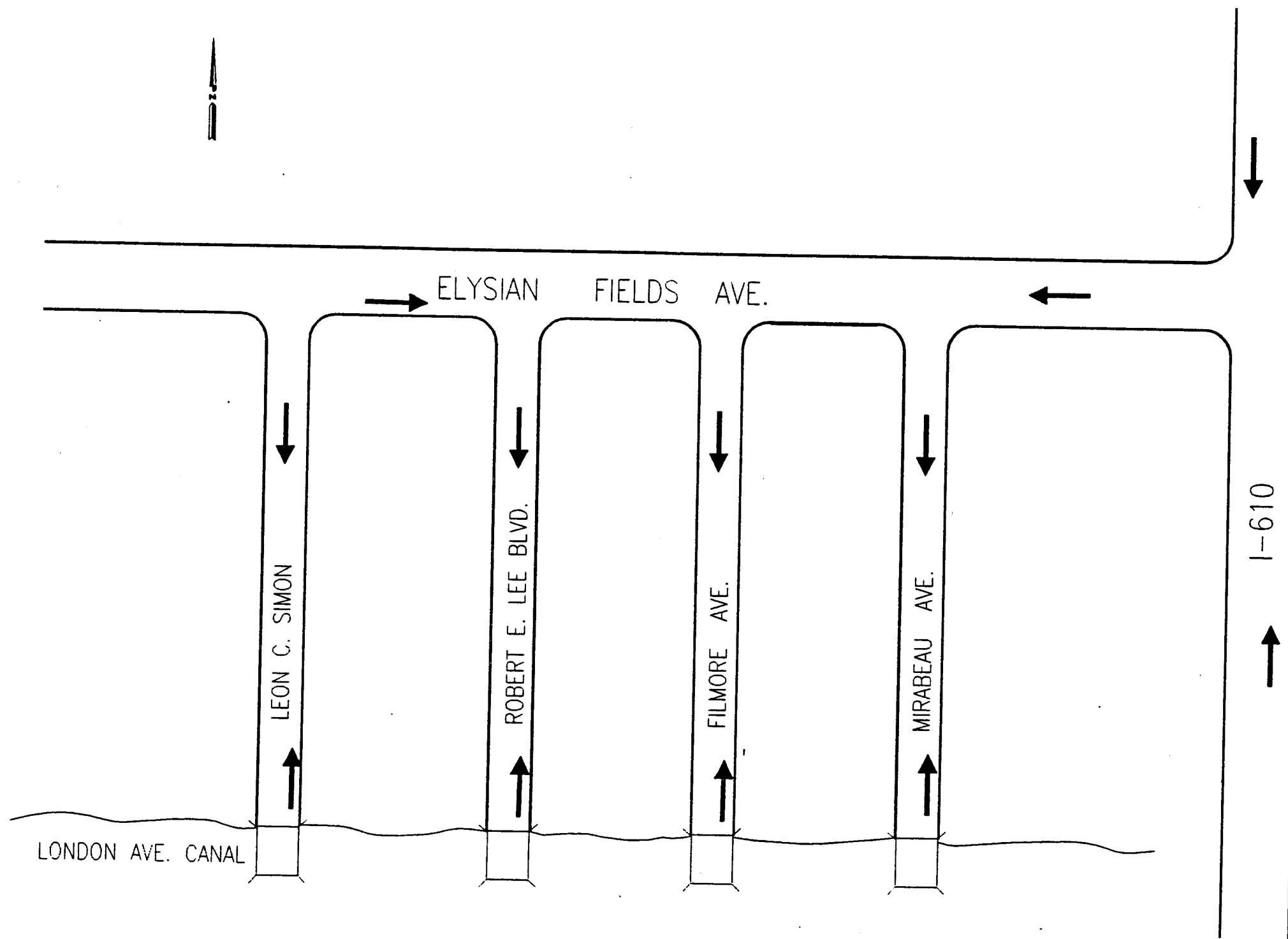
DATE: **SEP 21, 1994**

SCALE: **1:15**

US ARMY CORPS OF ENGINEERS

DATE	DESCRIPTION	BY	DESIGNED	DETAILS	FILE	SHEET NO.
			ALL	ALL		2
			CHECKED	ALL	CHECKED	
REVISIONS			URBAN SYSTEMS, INC. New Orleans, La.			

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HAUL ROUTE PLAN

LONDON AVENUE OUTFALL
CANAL, PARALLEL PROTECTION

DATE SEP 21, 1994

SCALE 4"=1'

US ARMY CORPS OF ENGINEERS

DATE	DESCRIPTION	BY

DESIGNED	BY	DATE	FILE	SHEET NO.
				3

URBAN SYSTEMS, INC. New Orleans, La.

MR. WAGNER/1a/1222

August 16, 1994

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana, Safety Awareness

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

Gentlemen:

We continually track various statistical data pertaining to safety. This data is used as an indication of both frequency and severity of accidents. Recent information shows an improvement in both areas. However, we still need to jointly reemphasize safety. I believe that having a safe worksite is not only a contract requirement, but should be important to you for both moral and financial reasons.

Many contractors have implemented an outstanding safety program, and have diligently complied with Corps of Engineers safety guidelines. If you are one of those, you are to be congratulated. However, some contractors fail to place adequate emphasis on safety, especially as required by the Corps' Safety Manual, EM 385-1-1, dtd Oct 92.

All personnel representing the New Orleans Area Office are responsible to monitor and assure jobsite safety. However, the major responsibility for a safe work environment lies with your personnel. I believe that safety must be stressed from the top and then implemented throughout the organization.

New Orleans Area Office's personnel have been instructed to follow these guidelines:

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CELMN-CD-NO

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a. Corps inspectors will diligently conduct daily safety inspections of the job site and minor violations will be pointed out to contractor personnel. Contractors will be given a period of time in which the violations must be corrected. Discovery of a serious violation may result in the inspector ordering the contractor to cease work immediately until the violation is corrected.

b. Should the contractor fail to take corrective action in a timely manner, or if frequent violations occur, a LMV Form 218, Contract Deficiency Notice, will be issued.

c. If a contractor's approach to safety is considered less than adequate, additional steps may be taken, i.e., removal of personnel and/or unsatisfactory ratings.

We should strive for job sites which do not have unsafe conditions and continually educate personnel and have our supervisors be on guard for and stop unsafe acts. I request that you support us by assuring that safety problems never pass the notice and correction stage.

Our combined commitment to safety will result in the safest possible work sites.

Sincerely,

Chester Ashley
Administrative Contracting
Officer

CF:
Proj Engr (Wagner)
Proj Insp (Bryant)

MR. WAGNER/1a/1222

August 12, 1994

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana, Inspector's Responsibility

~~DUHON~~
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~~HABBAZ~~
CEL MN-CD-NO

~~BERNARD~~
CEL MN-CD-NO

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CEL MN-CD-NO

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

Gentlemen:

The following responsibilities have been delegated to Government inspection personnel with regard to enforcement of the provisions of your contract:

a. GENERAL RESPONSIBILITY - GOVERNMENT INSPECTORS

1. Government inspectors will inspect contract operations for safety compliance at the same time and in the same manner as required for compliance with other terms of the contract.

2. The Government inspector will call the attention of the foreman to any violations of safe practices and will request that the unsafe condition be corrected.

3. If the foreman fails to correct the condition after being given a reasonable opportunity to do so, the Government inspector will immediately discuss the matter with his supervisor. With the concurrence of the supervisor, the Government inspector will then require the foreman to suspend the operation until the unsafe condition noted is corrected.

B-12

b. ACTION OF INSPECTORS IN CASES OF IMMEDIATE HAZARD

1. Whenever any Government inspector observes a condition, work practice or act involving immediate hazard to workers, equipment, materials, or structures, or a work condition is being performed at the risk of life or limb, the Government inspector will immediately require the foreman or other contractor's representative to remove workers immediately from the area of danger, or otherwise desist from the dangerous operation or practice.

2. In case the foreman is not at the site of the dangerous condition or operation, the Government inspector will order the workers to remove themselves from the dangerous location and to cease the hazardous operation.

3. The Government inspector will see that the work is not resumed in the area of danger and that further use of defective equipment, tools, or other facilities is not made until recommendations for correction are fully complied with.

4. The Government inspector will make an immediate report of any cessation of a dangerous operation to his immediate superiors.

5. The Government inspector will then follow the same procedure as outlined in paragraph (a) preceding in obtaining immediate corrective action by the contractor for, in the event of a refusal by the contractor to take corrective action, for a suspension of work in the contract by the Area Engineer.

Under the authorities for enforcement delegated to the inspection personnel, the decision of such personnel and/or the undersigned in such matters will be conclusive, except that you are not denied the right of appeal.

You are reminded that the primary responsibility for accident prevention is yours, and in that regard, I expect all the provisions and requirements of CONTRACT CLAUSE I.79 - ACCIDENT PREVENTION and SPECIAL CLAUSE H-10 - SAFETY PROVISIONS to be strictly complied with on this project.

Your cooperation is urged and is most necessary in the accomplishment of a safe job.

Sincerely,

Chester Ashley
Administrative Contracting
Officer

CF:
Proj Engr (Wagner)
Proj Insp (Bryant)

JCB

MR. WAGNER/1a/1222

July 25, 1994

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana

DUHON
CEL MN-CD-NO-Q

HABBAZ *out*
CEL MN-CD-NO

BERNARD
CEL MN-CD-NO

ASHLEY
CEL MN-CD-NO

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

In accordance with SPECIAL CLAUSE H-10, SAFETY PROVISIONS of your contract, you are required to submit your Accident Prevention Program to the Contracting Officer for review and approval no later than 15 days after you receive Notice of Award. This contract was awarded on July 11, 1994, and the required submittals have yet to be made; therefore, you are in violation of your contract.

Please submit your Accident Prevention Program, Flood Protection Plan, Quality Control Program and all other necessary documents as soon as possible so that the preconstruction conference can be held. The preconstruction conference is scheduled for August 16, 1994, at which the Notice to Proceed will be issued. Be aware that even after the Notice to Proceed is issued, you cannot start work on this contract until the Accident Prevention Program is approved.

If you have any questions concerning these submittals or other aspects of this contract, please contact Mr. Chris Wagner of my staff at 862-1222.

Sincerely,

Chester Ashley
Administrative Contracting
Officer

CF:
Supv Civ Engr (Duhon)
Proj Engr (Wagner)

B-12

JUL 29 1994

MR. WAGNER/1a/1222

January 3, 1994

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

Gentlemen:

Reference your proposed temporary flood protection plan dated December 16, 1994, for the area between east baseline station 119+03.02 to 102+67.72 on the subject contract.

Your plan is acceptable for use provided your company complies with the provisions of this plan and the related specifications in the contract.

Any alternative temporary flood protection plans or designs for other reaches of the project must be submitted for approval prior to any work being performed.

If you have any questions or comments, please contact Mr. Chris Wagner of my staff at (504) 862-1222.

Sincerely,

Richard T. Hill
Contracting Officer's
Authorized Representative

CF:
Proj Engr (Wagner)
Proj Insp (Bryant)

DURON
CEL MN-CD-NO-0

HABBAZ
CEL MN-CD-NO

BERNARD
CEL MN-CD-NO

ASHLEY
CEL MN-CD-NO

JAN 5 1995



CONSTRUCTION COMPANY, INC.

December 16, 1994

Mr. Chester Ashley, Contracting Officer
U.S. Army Corps of Engineers
New Orleans District
P.O. Box 60167
New Orleans, La. 70160-0267

RE: Contract no. DACW29-94-C-0079
Lake Pontchartrain & Vicinity
High Level Plan, London Avenue
Outfall Canal, Parallel
Protection Mirabeau Ave. to Leon
C. Simon Blvd. Floodwall -
Orleans Parish, La.
B & K Job No. 9402

Dear Mr. Ashley,

We propose to pull the existing Sheet Piling on the East Baseline from Station 119+03.02 to 102+67.72 up an additional 3.25 Ft. and then cut them at elevation 6.75 to obtain the required Temporary Cofferdam. After the construction of the new I-Wall we will redrive the existing Sheet Piling back down to the required cut off elevation of 3.50.

If you have any questions please contact us at any time.

Sincerely,

Mike Tassin
B & K CONSTRUCTION COMPANY, INC.
Superintendent

MAT/ce
\9402\

MR. WAGNER/1a/1222

September 23, 1994

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

Reference your recently submitted Environmental Pollution Control Plan.

Your plan is acceptable for use provided your company complies with the provisions of this plan and the related specifications in the contract.

If you have any questions or comments, please contact Mr. Chris Wagner of my staff at (504) 862-1222.

Sincerely,

Chester Ashley
Administrative Contracting
Officer

CF:
Proj Engr (Wagner)
Proj Insp (Bryant)

SEP 30 1994

DUHON
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HABBAZ
CEL MN-CD-NO

BERNARD
CEL MN-CD-NO

ASHLEY
CEL MN-CD-NO

B-12

CONTRACT NO. DACW29-94-C-0079
LAKE PONCHARTRAIN & VICINITY, HIGH LEVEL PLAN,
LONDON AVENUE OUTFALL CANAL, PARALLEL PROTECTION,
MIRABEAU AVE. TO LEON C. SIMON BLVD. FLOODWALL
ORLEANS PARISH, LOUISIANA

B & K CONSTRUCTION CO., INC.

ENVIRONMENTAL POLLUTION CONTROL

The plan for control of environmental pollution as per the specifications involves the protection and monitoring on a daily basis of the water, land and air in and around the site including:

- installation of silt fence around the perimeter of the construction site for erosion control,
- establishment of a training course for employees on pollution control points emphasizing the National Pollution discharge Elimination System,
- ensure that no oils, fuels, concrete wash outs, etc. are deposited on the site or in the canal,
- report any oil spill or chemical release to the National Response Center 1-800-424-8802,
- Maintain proper muffler systems on all trucks, machinery and equipment for reduced smoke and noise emissions,
- ensure that all debris hauled off is being delivered to properly prior approved disposal sites,
- maintain temporary, prior approved roads in such condition as to reduce dust emissions from traffic,
- protect surrounding trees/landscaping in areas not approved for clearing,
- upon completion, obliterate all signs of temporary construction facilities and restore construction area to near natural conditions,
- upon completion, all disturbed areas are to be fertilized, seeded and mulched as per plans and specifications.



DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT, CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

August 3, 1994

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana, Preconstruction Conference

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

Gentlemen:

Confirming conversation on August 2, 1994, between Mr. Chris Wagner of this office and Mr. Boone Kenyon of your company, the preconstruction conference will be held at 9:30 a.m., Tuesday, August 16, 1994, at the New Orleans Area Office, Room 186, Foot of Prytania Street, New Orleans, Louisiana.

A responsible representative of your company should be present at this meeting to discuss pertinent matters regarding this contract. If a subcontractor is used on the subject contract, it is requested that he also attend the preconstruction conference.

Utility owners and other interested parties may be present to offer general comments and questions; specific coordination will be conducted at a later date.

Sincerely,

Chester Ashley
Administrative Contracting
Officer

See Page 2 for copies furnished.

B 11

Copies Furnished:

Mr. Steve Spencer
Chief Engineer
Orleans Levee Board
Administrative Bldg., Suite 202
Lakefront Airport
New Orleans, LA 70126

Mr. E. Medina
Orleans Levee District
202 Administrative Building
New Orleans Lakefront Airport
New Orleans, LA 70126

CF:
CELMN-CT-R ✓
CELMN-SO
CELMN-PD-R
CELMN-OD-O
CELMN-ED-D (Walter Baomy)
CELMN-ED-SR
CELMN-RE
CELMN-CD-CC
CELMN-PP
Supv Civ Engr (Duhon)
Ofc Engr (Urban)
Proj Engr (Wagner)
Proj Insp Bryant)

94-1079

MR. WAGNER^{Wagner}/1a/1222

August 8, 1994

DUHON ^{out}
CELMN-CD-NO-Q

New Orleans Area Office

HABBAZ ^{HB}
CELMN-CD-NO

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain, Louisiana and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana, Preconstruction Conference

BERNARD
CELMN-CD-NO

ASHLEY ^{cf}
CELMN-CD-NO

Mr. Pierre Champagne
South Central Bell
6767 Bundy Road
Third Floor South
New Orleans, Louisiana 70127

Dear Mr. Champagne:

You are hereby advised that the preconstruction conference for subject contract will be held at 9:30 a.m., Tuesday, August 16, 1994, at the New Orleans Area Office, Room 186, Foot of Prytania Street, New Orleans, Louisiana.

The purpose of this meeting is to develop a mutual understanding between the contractor and the Government regarding the requirements of the contract documents. Specific coordination of the utilities/facilities shall be discussed by the contractor at a later date.

Other interested parties may be present to offer general comments and questions.

Sincerely,

Chester Ashley
Area Engineer
New Orleans Area Office

CF:
Proj Engr (Wagner)
Proj Insp

AUG 9 1994

B-11

Same letter sent to:

Mr. Elmer Darwin
Department of Streets
Room 6W02
City Hall
1300 Perdido Street
New Orleans, LA 70112

Mr. Jack Huercamp
Chief of Networks
Sewerage & Water Board
900 Peoples Avenue, Room 220
New Orleans, LA 70122

Mr. Jim Webb
Department of Streets
1300 Perdido St.
Room 6W02
New Orleans, LA 70112

Mr. David Cook
New Orleans Public Service, Inc.
ATTN: Mail Unit MR-213
P. O. Box 60340
New Orleans, LA 70160

MR. WAGNER/1a/1222



DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

August 3, 1994

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana, Preconstruction Conference

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

Gentlemen:

Confirming conversation on August 2, 1994, between Mr. Chris Wagner of this office and Mr. Boone Kenyon of your company, the preconstruction conference will be held at 9:30 a.m., Tuesday, August 16, 1994, at the New Orleans Area Office, Room 186, Foot of Prytania Street, New Orleans, Louisiana.

A responsible representative of your company should be present at this meeting to discuss pertinent matters regarding this contract. If a subcontractor is used on the subject contract, it is requested that he also attend the preconstruction conference.

Utility owners and other interested parties may be present to offer general comments and questions; specific coordination will be conducted at a later date.

Sincerely,

Chester Ashley
Administrative Contracting
Officer

See Page 2 for copies furnished.

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CEL MN-CD-NO

BERNARD
CEL MN-CD-NO

ASHLEY
CEL MN-CD-NO

B-11

Copies Furnished:

Mr. Steve Spencer
Chief Engineer
Orleans Levee Board
Administrative Bldg., Suite 202
Lakefront Airport
New Orleans, LA 70126

Mr. E. Medina
Orleans Levee District
202 Administrative Building
New Orleans Lakefront Airport
New Orleans, LA 70126

CF:

CELMN-CT-R
CELMN-SO
CELMN-PD-R
CELMN-OD-O
CELMN-ED-D (Walter Baomy)
CELMN-ED-SR
CELMN-RE
CELMN-CD-CC
CELMN-PP
Supv Civ Engr (Duhon)
Ofc Engr (Urban)
Proj Engr (Wagner)
Proj Insp Bryant)

CELMN-CD-NO-Q (1180)

20 Sep 94

WRM

Wagner

Jus
DR 10/12/94

MEMORANDUM THRU ~~C/Const Div~~

⇒ FOR C/Contr Div ATTN: Const Svc Sec (Contract File)

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain, Louisiana and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana, Preconstruction Conference Minutes

Enclosed for inclusion into the official contract file are the signed preconstruction conference minutes on the above referenced contract.

Encl



CHESTER ASHLEY
Area Engineer
New Orleans Area Office

CF: w/encl
Proj Engr (Wagner)
Proj Insp (Bryant)
Ofc Engr (Urban)

SEP 22 1994

OCT 13 1994



DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

B & K

SEP 16 1994

REPLY TO
ATTENTION OF:

September 14, 1994

CONSTRUCTION CO., INC.

New Orleans Area Office

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain, Louisiana & Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana

B & K Construction Company, Incorporated
1905 Highway 59
Mandeville, Louisiana 70448

Gentlemen:

Please review the following minutes of the preconstruction conference and indicate your concurrence/nonconcurrence on the sheet provided within 2 weeks from the date of this letter. The original should be returned to the U.S. Army Corps of Engineers, ATTN: CELMN-CD-NO, Post Office Box 60267, New Orleans, Louisiana 70160-0267. Please retain the duplicate for your file.

PRECONSTRUCTION CONFERENCE MINUTES

The preconstruction conference on the above subject contract was held on August 16, 1994, at 9:30 a.m. at the New Orleans Area Office with the following in attendance:

Chester Ashley	COE	NOAO	Area Engineer
Tom Bernard	COE	NOAO	Asst Area Engr
Dennis Duhon	COE	NOAO	Supv Civil Engr
Chris Wagner	COE	NOAO	Project Engineer
Zane Bryant	COE	NOAO	Project Inspector
Jim Berry	COE	Const Div	Project Manager
Angela Desoto	COE	Engr Div	Civil Engineer
Mike Byrd	COE	Real Est Div	Civil Engineer
H. B. Kenyon		B & K Const. Inc.	President
Mike Tassin		B & K Const. Inc.	Superintendent
Deborah Smith		B & K Const. Inc.	Project Manager
Conner Ellis		Barnes Elec. Co., Inc.	Subcontractor
Frank Mineo		Orleans Levee District	
E. R. Medina		Orleans Levee District	
Suresh Shah		Burk - Kleinpeter, Inc.	
Malcolm Lear		NOPSI	
Pierre Champagne		South Central Bell	
Eric French		Sewerage and Water Board	
Alma McWilliams		Sewerage and Water Board	
Mahmoud R. Mowla		Sewerage and Water Board	
James Webb		City of N.O. Streets Dept.	

I started the meeting by introducing myself as the Administrative Contracting Officer. I advised you that all correspondence relative to the contract should be addressed to me at the New Orleans Area Office.

After further introductions, I asked Mr. Kenyon to give a general overview on how you plan to proceed with the work. Mr. Kenyon stated that the initial construction will be to start on the east side between Filmore Avenue and Pumping Station No. 3. He stated the existing sheet piling will be cut off in this area and the new concrete cap constructed. He stated that this is the only area they could work while the new sheet piling is being ordered and manufactured. After work in this area is completed, he added that construction will then proceed from Mirabeau Avenue on the west side to Robert E. Lee Boulevard and finally back to the east side to finish work on that side of the canal. Prior to actual construction begins, he stated the office trailers will be set up and some initial site preparation done including clearing of the existing levee.

Mr. Dennis Duhon then reviewed the special clauses dealing with the utility owners. He stated that as (SC) H-22 and H-32 specifies, the contractor shall notify each utility owner by certified mail no sooner than 90 days, but at least 45 days prior to the date the utility will be affected, and provide the Contracting Officer a copy of these notifications.

Mr. Duhon then discussed the preconstruction surveys of residences and vibration monitoring that will be conducted by the Orleans Levee Board. Mr. Mineo explained the intention for the vibration monitoring and that any action to be taken if any will be directed by the Government.

The next utility discussed was the Sewerage and Water Board feeder lines. Mr. Duhon stated that four lines will have to be relocated to accommodate construction and that a coordination meeting will be held with the interested parties after all submittals are approved.

At this point, the aerial telephone conduits and underground cables that cross London Avenue Canal were then discussed. Mr. Duhon stated that the sheet piling will be installed in segments on the west bank under TC-1 and the underground cables will be abandoned by South Central Bell prior to driving sheet piling. Mr. Lear, NOPSI representative, stated that the cables are not yet abandoned but would be in the next couple of weeks. Mr. Lear then stated that a coordination meeting should be held with you after the office trailers are set up.

Mr. Duhon then discussed the removal of the pedestrian bridges and concrete steps and the requirements of the Traffic Control Plan including access and detour routes. He stated that coordination with the Department of Streets will be required and then the written plan must be submitted to

us for approval. Mr. Webb stated that you are responsible for any damage and repairs to the streets due to negligence on your part. Mr. Kenyon then stated that videos will be taken of the access routes prior to and at the end of the work to verify any possible damage that may occur.

After a short break was taken, I began the second portion of the pre-construction conference by addressing the authority of government personnel. I explained that I was the Administrative Contracting Officer, and only the Contracting Officer, who is Raymond Burgess and I have the authority to direct changes to the contract. I emphasized that neither the inspector, project engineer, supervisor, other district personnel, nor any local, state, or other federal agency have the authority to direct changes to the contract. I advised you to immediately notify me of any instructions that you receive by my staff or others that you consider to be a change to the contract requirements.

I then explained that Contract Clause I.83, entitled "CHANGES", provided that the Government could make changes to the work within the general scope of the contract. When a change is directed an equitable adjustment in contract time and price will be made (when there is an increase or decrease in the contractor's cost or time of performance) and the contract will be modified in writing. This will be accomplished by execution of Standard Form 30, "Amendment of Solicitation/Modification of Contract." I also pointed out that if you receive any written or oral order from the Contracting Officer or the Administrative Contracting Officer that you consider a change to the contract requirements, you must give written notice that you consider such orders a change within 30 days of receipt of the order.

I also pointed out to you that in accordance with Contract Clause I.69, entitled "Differing Site Conditions", you must, before conditions are disturbed, provide written notice to me of differing site conditions. The clause requires that there be (1) subsurface or latent physical conditions at the site which differ materially from those indicated in the contract or (2) unknown physical conditions at the site, of an unusual nature, which differ materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the contract. I also informed you that if any additional borings or other investigations are conducted to notify the project engineer or myself so our Foundations and Material office can send a representative to witness these investigations.

At this time, I explained the Government's actions regarding the "Performance Evaluation of Contractor" for the contract. I explained that you would receive an informal evaluation 90 days after the start of work, a final evaluation at the end of the contract and interim evaluations as deemed necessary. I stated that you would be rated either outstanding, satisfactory, or unsatisfactory in the areas of Quality of Work, Timely

Performance, Effectiveness of Management, Compliance with Labor Standards, and Compliance with Safety Standards, as outlined on LMV Form 665-R, a copy of which was provided to you. I further stated that you will be advised of any unsatisfactory rating, either in an individual element or in the overall rating, prior to completing the evaluation, and all contractor comments will be made a part of the official records. I also stated that Performance Evaluation Reports will be available to all DOD Contracting Offices for their future use in determining contractor responsibility.

I then summarized the following goals of partnering that the Corps of Engineers intends to promote with its local sponsors, contractors, and other state and federal agencies:

1. Complete the project in on schedule within budget.
2. Develop and maintain good community relations by minimizing impact to the community.
3. Develop and maintain awareness of safety.
4. Establish a forthright approach to modifications and claims in order to avoid litigation.
5. Contractor has the opportunity to make a reasonable profit and enhance reputation and public perception of the project.

The following SPECIAL CLAUSES were then discussed:

a. H-4 CONTRACTOR QUALITY CONTROL (CQC), Mr. Wagner emphasized the use of the three-phase control inspection system, documentation of quality control activities on reports, correcting deficiencies, the requirement for holding a preconstruction mutual understanding meeting prior to the start of work, the completion inspection punchlist, and that you have not yet submitted the Quality Control Plan for approval.

b. H-10 SAFETY PROVISIONS, Mr. Duhon stated that the Accident Prevention Plan is approved upon the insertion of some comments made on the plan, a Pre-work Safety Conference shall be held, all equipment shall be inspected for safety, and a safety sign shall be provided on the jobsite.

c. H-14 SUBMITTALS

d. H-20 TIME EXTENSIONS FOR UNUSUALLY SEVERE WEATHER, I explained to you the new procedures for determining time extensions for unusually severe weather.

Mr. Duhon continued with discussion of the CONTRACT CLAUSES and highlighted the following:

a. I-61 PAYMENTS UNDER FIXED-PRICE CONSTRUCTION CONTRACTS

b. I-64 PROMPT PAYMENT FOR CONSTRUCTION CONTRACTS, it was explained that all information required for prompt payment must be included in a proper invoice with a certification of payment to subcontractors and suppliers.

I then issued you a letter stating that your Accident Prevention Plan was approved upon resubmittal. I also issued you letters on Layout of Work, Inspector's Responsibility, and Safety Awareness.

The Notice to Proceed was issued at this meeting.

The meeting was adjourned at approximately 11 a.m.

An audio cassette tape of this meeting is on file in the New Orleans Area Office.

Sincerely,



Chester Ashley
Administrative Contracting
Officer

TO: Area Engineer, New Orleans Area Office

FROM: B & K Construction, Inc.

I (do) (do not) concur with the preconstruction conference minutes as written. Exceptions, if any, are noted below.

B & K CONSTRUCTION, INC.
Contract No. DACW29-94-C-0079



NAME

TITLE

DATE

MEMORANDUM THRU

Area Engr, NOAA
C/Const Div

FOR C/Contr Div ATTN: Const Svc Sec (Contract File)

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain & Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, Louisiana, On-the-Job Preconstruction Safety Conference

1. The Preconstruction Safety Conference for the above project was held on 28 September 94 at 0900 hrs. The contractor, B & K Construction Company, Inc. was represented by Mr. Boone Kenyon, President, Mr. Mike Tassin, Project Superintendent, and Mr. Mike Commiskey, CQC Manager. The Government was represented by Mr. Chris Wagner, Project Engineer, and Mr. Zane Bryant, Project Inspector.

2. The meeting began with Mr. Wagner stating that the purpose of the meeting was to assure that the job is performed in the safest way possible and to prevent accidents from occurring. To fulfill this, the contractor's workers will be made aware of the safety provisions of the contract specifications, the contractor's Accident Prevention Plan, and the Government's Safety Manual EM 385-1-1, dated October 1992, as well as what the Government considers to be unsafe acts.

3. The first item discussed was SPECIAL CLAUSE H-10, SAFETY PROVISIONS, in the contract. I asked Mr. Tassin if he had copies of EM 385-1-1, dated October 1992, and Mr. Tassin stated he did. I then informed Mr. Tassin and Mr. Commiskey that the manual referenced all of the procedures concerning safety, in particular, Section 01.D - ACCIDENT REPORTING AND RECORD KEEPING, paragraph 01.D.01 of the Government's safety manual and H-10 (a) which states that accidents shall be investigated by the immediate supervisor of the employee and reported to the Contracting Officer or his representative within one working day after the accident occurs. A followup report shall be submitted when the estimated lost time days differs from actual lost time days.

4. I informed the contractor's representatives that he shall perform a daily inspection of the jobsite and/or equipment to assure that all safety requirements are being fulfilled. The inspection reports shall be maintained at the jobsite in accordance with H-4 (j) and documentation shall be on CQC reports or other forms attached to the CQC report. Mr. Tassin was instructed to report what items were checked and indicate if no deficiencies were observed and if any found to report specifically what part of equipment or item was found deficient and corrective action taken,

CELMN-CD-NO-Q

SUBJECT: Contract No DACW29-93-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, La., On-the-Job Preconstruction Safety Conference

date and signature of the person responsible for the contents of the report. All safety inspections should be specific as to the phase of work underway, the location and results.

5. I also informed Mr. Tassin to carefully read the specifications concerning machinery and mechanized equipment, H-10 (f) and advised those involved to report all inspections and tests on the appropriate Safety Inspection Check List forms. All stability and/or performance tests shall be witnessed by the Contracting Officer or his authorized representative.

6. I then informed Mr. Tassin that LMV Form 359-R, Job Hazard Analysis is the responsibility of the CQC representative and he must review it at the preparatory meeting before beginning work on any new definable feature.

7. The following areas of safety were discussed:

a. Hardhats: The entire project is a hardhat area. Hardhats are required for all equipment operators, laborers, and truck drivers.

b. Shoes: Hard toe shoes are required, whereas canvas and tennis shoes are not permissible.

c. Coordination With Others Having Operations at Same Location: Contractor was reminded that coordination with Sewerage and Water Board and other facility owners must be maintained so no delays or adverse impacts are experienced.

d. Truck Hauling: The proper procedures for dumping and the removal of material from trucks were discussed.

e. Unloading of Equipment and Materials: Use sufficient methods and personnel to avoid accidents and injuries.

f. Environmental Protection: Methods on disposal of debris and protection of bayous, canals and waterways from harmful chemicals were discussed.

g. Fire Control - Fueling: Fire extinguishers are to be provided within 75 feet of storage and fueling (i.e. 20-B:C). All equipment must be provided with at least a 5-B:C fire extinguisher.

CELMN-CD-NO-Q

SUBJECT: Contract No. DACW29-94-C-0079, Lake Pontchartrain and Vicinity, High Level Plan, London Avenue Outfall Canal, Parallel Protection, Mirabeau Avenue to Leon C. Simon Boulevard Floodwall, Orleans Parish, La., On-the-Job Preconstruction Safety Conference

h. Traffic Control: Contractor was reminded that the gates shall remain locked at all times when work is not being performed.

i. Construction Facilities: The location, security and anchoring of the office trailers were discussed.

j. Training Course and Continued Safety Education of Employees: Contractor's Accident Prevention Plan regarding this topic was discussed.

k. Emergencies - Drills and Procedures: Office trailer fire plans and drills in addition to the correct methods of reporting pollution spills were discussed.

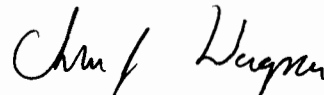
l. Material Safety Data Sheet (MSDS): The requirements that all sheets be located in the trailer office was stated.

8. I then asked Mr. Tassin the day and time he would hold the weekly safety meeting. He stated that it would be held on Mondays at approximately 0800 hours. I reminded him that the minutes of the meeting should be attached or included on the CQC reports.

9. I informed Mr. Tassin and Mr. Commiskey that the Government had received and approved the contractor's revised Accident Prevention Plan. They were reminded of the prevention and correction of any deficiencies in the APP activities for any definable feature of work.

10. I then discussed the contractor's responsibility to coordinate and control the activities of any subcontractors on the jobsite.

11. Finally, I informed the contractor's representatives that the Government would continue to monitor the jobsite to assure adherence to all safety provisions of the contract.



CHRIS WAGNER
Project Engineer
New Orleans Area Office

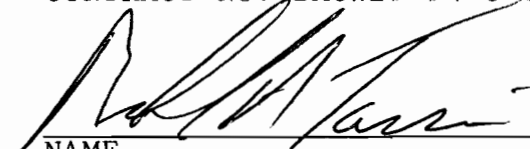
CF:
Proj Engr (Wagner)
Proj Insp (Bryant)
CELMN-SO
Contractor (B & K Construction, Co., Inc.)

TO: Area Engineer, New Orleans Area Office

FROM: B & K Construction Co., Inc.

I (do) (do not) concur with the preconstruction safety conference minutes as written. Exceptions, if any, are noted below.

B & K Construction Co., Inc.
CONTRACT NO. DACW29-94-C-0079


NAME

PROJECT SUPR. 10/17/94
TITLE DATE