*INCLUDE SECTION 157 AS NEEDED BASED ON CLAUSE INSTRUCTIONS*

*REMOVE ITALICS, PARENTHESES, AND QUOTATION MARKS FROM INSERT AND SELECT FIELDS - DO NOT REMOVE THE YELLOW HIGHLIGHTING FROM SELECTED ITEMS - USE BLUE HIGHLIGHTING ON INSERTED ITEMS*

$$157.00A

Section 157. — SOIL EROSION AND SEDIMENT CONTROL

Revised 23 September 2024

*INCLUDE CLAUSES $$157.04A AND $$157.04B ON ALL PROJECTS THAT REQUIRE THE CONTRACTOR TO PREPARE/UPDATE/MAINTAIN A STORMWATER POLLUTION PREVENTION PLAN (SWPPP), WHICH IS TYPICALLY REQUIRED ON PROJECTS WITH A MINIMUM OF 1 ACRE OF DISTURBANCE - VERIFY APPLICABILITY AND LANGUAGE SELECTION WITH ENVIRONMENT (IF USING THESE CLAUSES, ALSO INCLUDE CLAUSES $$109.08D, $$157.04D, $$157.16A, AND $$157.18A - IN ADDITION, INCLUDE PAY ITEM 15720-0000 STORMWATER POLLUTION PREVENTION PLAN)*

$$157.04A

157.04. Add the following:

This project is covered under the *(insert NPDES permit under which the SWPPP is prepared)*.

$$157.04B

157.04. Add the following to the second paragraph:

*(select “*Prepare a*” or “*Update the Government-furnished draft*”)* SWPPP in accordance with the EPA and state requirements using the information provided in the plans, specifications, and permits obtained for the project. At least 7 days before the preconstruction conference, submit an electronic copyof the SWPPP according to Subsection 104.06.

*INCLUDE THE FOLLOWING ONLY IF REQUIRED BY THE STATE PERMITTING AGENCY - VERIFY WITH ENVIRONMENT - CONFIRM THE CO-APPLICANT WITH ENVIRONMENT*

$$157.04C

Once the SWPPP is approved, submit a Notice of Intent (NOI) to the *(insert State permitting agency)* as a co-applicant of the FHWA. Provide a copy of the NOI and evidence of its submission.

*INCLUDE THE FOLLOWING ON PROJECTS THAT REQUIRE A SWPPP - SEE INSTRUCTIONS FOR $$157.04A*

$$157.04D

Update the SWPPP constantly throughout the project as work is performed and when changes are made to the project. Maintain a copy of the current SWPPP on-site at all times.

*INCLUDE THE FOLLOWING ONLY IF REQUIRED BY THE STATE PERMITTING AGENCY - VERIFY WITH ENVIRONMENT*

$$157.04E

Post a notice of the project and SWPPP near the main entrance of the construction site.

*INCLUDE THE FOLLOWING ONLY IF REQUIRED BY THE STATE PERMITTING AGENCY - VERIFY WITH ENVIRONMENT*

$$157.04F

Upon completion of construction, submit a Notice of Termination (NOT) to the *(insert State permitting agency)*. Provide a copy of the NOT and evidence of its submission.

*INCLUDE THE FOLLOWING ON PROJECTS THAT REQUIRE A SWPPP - SEE INSTRUCTIONS FOR $$157.04A*

$$157.16A

157.16. Add the following:

The SWPPP will be evaluated under Subsection 106.02. The SWPPP will be jointly reviewed for accuracy and completeness by the CO and the Contractor before the submission of each monthly invoice. If the review finds that the SWPPP is not in compliance, payment of the Contractor’s invoice will be withheld until the SWPPP is brought up to date as outlined in Subsection 109.08(h)(1).

*INCLUDE THE FOLLOWING ON PROJECTS THAT REQUIRE A SWPPP - SEE INSTRUCTIONS FOR $$157.04A - IN ADDITION, INCLUDE PAY ITEM 15720-0000 STORM WATER POLLUTION PREVENTION PLAN - VERIFY SELECTION OF PROPER LANGUAGE WITH ENVIRONMENT - THEN, VERIFY WITH CONSTRUCTION IF PAYMENT PERCENTAGES ARE ADEQUATE AND ADJUST IF NECESSARY*

$$157.18A

157.18. Add the following:

Progress payments for *(select “*preparing*” or “*updating*”)* and maintaining a SWPPP will be paid as follows:

* 25 percent of the pay item amount will be paid upon acceptance of the SWPPP *(insert “*and upon submittal of the NOI copy and evidence of its submission to the CO*” if submission of a NOI is required by the permitting agency, delete this field if not required)*.
* An additional 50 percent of the pay item amount will be prorated based on total work complete.
* The remaining portion of the pay item amount will be paid *(select either “*upon submittal of the NOT copy and evidence of its submission to the CO*” if a NOT is required, otherwise, select “*at final acceptance*”)*.