AGENDA ITEM SUMMARY

DATE: 10/01/2012  DEPARTMENT: Admin  DEPT. HEAD SIGNATURE: Heather Dawson

SUBJECT:
Woodside Boulevard Reconstruction:
- 4th Pay Request
- 7th Inspection Report from FHWA
- Consideration of Change Order for subcontractor All Seasons Landscaping to install additional retaining walls decrease the slope in steep areas within the landscape strip and back-of-sidewalk
- Consideration of Change Order to for subcontractor All Season Landscaping to perform grading of slopes back-of-sidewalk to reduce the steepness of slopes from the federally required 3 to 1 slope currently excavated, and add additional sod following excavation.
- Consideration of Change Order to replace sod with hydro seed in areas back-of-sidewalk where lawn grass is not well established.
- Consideration of Change Order allowing Extension of Project beyond Substantial Completion Date
- Consideration of Release from Knife River for claims against project delays caused by utility companies

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The Woodside Boulevard reconstruction fourth pay request from the contractor, Knife River, has been received.

The amount of the pay request is $1,053,058.54. Of this amount, $820,947.21 is paid for with federal funds, and includes earthwork, culverts and storm drains, aggregates, traffic control, and construction coordination; $66,318.46 is city funds towards the pressure irrigation system, $163,414.07 is paid from the Capital Fund for round-a-bout (Development Impact Fees) and $2,378.80 is funded by the waste water fund for manhole adjustments.

The federal share requested for reimbursement is $820,947.21. The city (non-federal) share shown on the reimbursement request form includes all of the city’s match from the signing of the original grant agreement on April 8, 2011 through August 30, 2012 – a total of $1,272,428.81. The city share includes all ITD funds expended on the project through August 30 ($191,348.05), water funds expended on the project through August 30 ($204,419.00) and other city funds (both direct expense and city labor) through August 30 ($879,681.76).

The contractor’s pay request has been reviewed by Civil Science; Knife River has been alerted that the signed Certification of Prompt Subcontractor Payment for Pay Request 3 has not yet been received. All required back-up information for each line item in the pay request has been filed in the project record. City staff and FHWA conducted a records review in Civil Science’s office on September 19, 2012 to assure the records validate the contractor’s pay request.

Documents encompassed by this Agenda Item include:
- SF270 – Request for Advance or Reimbursement (attached)
- Contractor’s Application for Payment No. (attached, approved by Civil Science)
- Contractor and Civil Science detailed documentation submitted as backup to Contractor’s Application for Payment No. 4 (available for review at City Hall)
- Elapsed Time and Work Status Statement (available for review at City Hall)
- Certification of Prompt Subcontractor Payment (receipt expected September 28, 2012)
- Treasurer’s Reconciliation of Contractor Pay Estimate (attached)
- Hailey Paid Invoice Report August 2012 (available for review at City Hall)
- Treasurer’s backup detail on city labor for August 2012 (available for review at City Hall)

All of the documents listed will be submitted to FHWA.
FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS
The Change Orders to the project are summarized below:

No. 001 - Straight line measurement method from crushed aggregate  no cost
No. 002 - Change aggregate type to better match existing driveways  no cost
No. 003 - Increase size of 3 concrete bike rack pads to 12'x12'  $ 684.78
No. 004 - Remove Fox Acres storm drain culvert from contract (2,000.00)
No. 005 - Add driveway approach asphalt, not accounted for in plans 247.12
No. 006 - Decrease removal of bituminous surface at bike path location (43.88)
No. 007 - Remove culverts and extensions (2,096.80)
No. 009 - Add lockable lids over manual drain valves 1,828.00
No. 010 - Changes in Concrete Specification, no cost change
No. 011 - Obliterate Striping 5,250.00
No. 012 - Field Fit Storm Drain Culverts 1,134.81
No. 013 - Lower and Modify Manholes 4,368.00
No. 014 - Manhole Snouts 1,212.75
No. 015 - Full Width Reconstruction from Sta 76+66 to 78+36 6,063.76
No. 016 - Concrete Joints, no cost change
No. 017 - Slotted Grates on select catch basins 173.25
No. 018 - Step in Lutheran Church Sidewalk to match grade 315.00
No. 019 - Additional Asphalt Removal and Placement from Sta 57 to 64 20,300.00
No. 020 - Additional Asphalt Removal and Placement south/Countryside 3,780.00
No. 021 - Slate Green Concrete Color 4,500.00

Subtotal  $ 45,716.79

No. 008 - Irrigation System Installation  $ 201,735.00
Other - Civil Science Contract Amendment for Utility Coordination 9,600.00
- Idaho Power extension of power to traffic signal 7,707.00

Upcoming Change Orders:
No. --- - Additional retaining walls in steep areas  $ 15,553.00
No. --- - Additional excavation and sodding in N. WS areas where the FHWA required 3 to 1 slope can be made less steep  $ 17,000.00
No. --- - Additional excavation and sodding in S. WS areas where the FHWA required 3 to 1 slope can be made less steep; cost unknown at packet deadline........................ estimate $9000
No. --- - Change order to hydoseed instead of sod back-of-sidewalk on undeveloped lots, such as the Copper Ranch area and the vacant lot adjacent to Lutheran Church. Cost reduction amount unknown at packet deadline.
No. --- - Consideration of change order to allow extension of time for contractor. This would be accompanied with a release by contractor of claims resulting from utility delays. At packet deadline, it is unknown whether contractor needs time extension.

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Approve Pay Request. Discuss Change Orders, approve or deny the $15,553 CO, give direction on others.

ACTION OF THE CITY COUNCIL:

Date __________________________
City Clerk ________________________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: *Additional/Exceptional Originals to: ____________________
Project Scope and Location:
The project consists of the reconstruction of existing travel lanes, constructing new bicycle lanes, rolled curb, gutter, storm drainage facilities, planter strip, detached sidewalks, and bus shelters with areas for bicycle parking on Woodside Blvd., construction of a roundabout at the intersection of Woodside Blvd. and Fox Acres Rd. and construction of a traffic signal at the intersection of Woodside Blvd. and SH-75 in Hailey, Idaho. Construction items include those contained in the Base Bid schedule. Items in the option bid schedule were not included as part of the contract. Work items include: new curb and gutter, sidewalk, bike lanes, sub-base aggregate, plant-mix pavement and items associated with a traffic signal. Numerous removal items are included.

Description of Work Underway:
Work is underway in all segments (1-6) of Woodside Blvd.

The northern terminus of the project is the roundabout at Fox Acres Road and is referred to as Segment 6 in the CPM. The contractor was staining new wooden bus shelters that had just been constructed in this segment. The roundabout is fully open to traffic (paved, with all signing & striping installed). Along the northeast quadrant a utility company was performing utility relocation outside of the roadway and was not impacting the Contractor's operations.

Segment 1 of Woodside Blvd, from Baldy View Drive to Jackpine Drive (Sta 12+00 to Sta 35+00) reconstruction is underway. Construction of a new wooden bus shelter and topsoil placement in landscape areas was underway in this segment during the inspection. Seeding and project clean-up are upcoming work items in this segment. Almost all private driveways have been reconstructed and access restored in this segment.
Segment 2 of Woodside Blvd, from Jackpine Drive to Shenandoah Drive (Sta 35+00 to Sta 64+00) reconstruction is underway. Installation of the irrigation system and construction of a new retaining wall between the roadway and sidewalk was underway during our inspection. Paving and pavement markings are complete up to Laurelwood Drive (Sta 55+00) in this segment. No additional paving has been completed on the mainline since our last inspection. Additional slope grading, topsoil placement, and clean-up are needed in landscape areas in this segment. Curb and gutter, sidewalk, and aggregate base layer placement are complete throughout this segment. Unpaved areas in this segment are nearly ready for paving. Almost all private driveways have been reconstructed and access restored in this segment.

Segment 3 of Woodside Blvd, from Shenandoah Drive to Shenandoah Drive (Sta 64+00 to Sta 97+00) reconstruction is underway. Curb and gutter, and aggregate base layer placement are complete in this segment. Most of the sidewalk is complete in this segment. A number of private driveways have been reconstructed and access restored in this segment. The remainder of private driveways had suitable temporary access. The existing asphalt pavement described in CO 019 and CO 020 has been removed and prepared for paving. This segment is nearly ready for paving.

Segment 4 of Woodside Blvd, from Shenandoah Drive to Meadow Mount Drive (Sta 97+00 to Sta 130+00) reconstruction is underway. Aggregate base layer placement was largely complete in this segment. Most of the sidewalk is complete in this segment. The contractor was slip-forming and finishing concrete curb and gutter radius returns at cross streets in this segment. With the exception of areas where wet concrete was curing, all cross streets and driveways had suitable temporary access. Additional blading of aggregate layers needed in this segment prior to paving.

Segment 5 of Woodside Blvd, from Meadow Mount Drive to SH-75 (Sta 130+00 to Sta 140+00) reconstruction is underway. The signal at Woodside and SH-75 was in operation. Aggregate base layer placement was largely complete in this segment. Areas where the curb and gutter and sidewalk could be monolithically poured were complete in this segment. The contractor was setting string-line for slip-forming curb and gutter at radius returns of cross streets. Curb and gutter needed in areas where sidewalk is not attached to the back of curb. Additional blading of aggregate layers needed in this segment prior to paving.

The Contractor recently requested a 15 day time extension due to delays in May-June resulting from utility relocations. We discussed this request with COH and stressed the importance of completing temperature sensitive work on the roadway portion of the project per the original schedule due to the increased risk of cold/adverse weather in remaining months of calendar year. COH is still evaluating Contractors request for additional time in areas outside the roadway. Bulletin board at the project staging yard was in disarray. The rest of the work site was orderly and reasonably secure. Hazards were clearly and properly marked and traffic control devices were performing well. The Division Office will continue to monitor the progress of work and quality of workmanship.

Status of Previous Recommendations:
The following recommendations from prior reports are still open:
A. Inspection Report #3, recommendation #4 (obliteration of pavement marking on SH-75)
B. Inspection Report #5, recommendation #1 (repair of cracked concrete)
C. Inspection Report #6, recommendation #1 (drainage area at southwest quadrant of roundabout)
All other recommendations are complete.

Inspection Observations & Recommendations:
1. Repair project bulletin board – ensure all required posters, notices, and other information are easily accessible and readable for the workers.

Project Records Review:
At the offices of the project’s CE&I Consulting Engineer, Civil Science, in Twin Falls, ID we examined a DRAFT of the Application for Payment No. 4 for the period July 31 to August 31, which total $1,164,457.94 and agreed a judgment sample of pay items to supporting pay item files and daily diaries which are maintained by the CE&I Consultant. Pay Estimate #4 was still under review by the CE&I firm and the COH and has not been paid or submitted to the FHWA for reimbursement.

We reviewed the following pay items, their supporting documentation and the contract documents.

Form FHWA-1446 (Rev. 10-2011) – ID
Page 2 of 6

-189-
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Total Dollar Amount Tested: $734,618.03
Percentage of Pay Estimate tested: 63%

The pay item files, materials sampling/testing, other supporting documentation, and daily diaries partially supported the quantities and amounts recommended by the consultant to be paid on the pay estimate. A discrepancy was discovered on the quantity for item 706.4.1.E.1 – 5" Sidewalk on Payment #3 which would result in an overpayment for total quantity to date. The CE&I firm was notified and will correct the quantity on Payment #4. Certifications were missing from the steel sign posts pay item file. The CE&I firm had flagged a number of items that the Contractor had not submitted various certifications and other supporting documents on as required by the contract. These items will not be paid until the Contractor submits the missing documentation.

Three traffic-control flaggers were used during this period reviewed. The man-hours were documented and matched the quantity on Payment #4. Only one of the three flaggers had their certifications in the submittal file that was created at the beginning of the project. The other 2 flaggers provided their credentials when they arrived on the project. The CE&I firm has filed credentials for these flaggers in the pay item file.

We also reconciled truck load tickets (tonnages of material delivered to the site) for Division 800 items (aggregates and asphalt) to the plan volume of materials placed to date on the project. Tonnages delivered reconciled reasonably well to plan quantities placed to date and paid on Pay Estimates. Supporting calculations and additional documents from our review are available in the Division's records.

Based on the review work performed, it appears that the documentation and review processes provide reasonable assurance that Federal funds are being properly expended and are adequately supported.

Closeout Conference:
Observations, recommendations, and other notable items in this report were discussed with the City of Hailey and their CE&I agent, Civil Science on Wednesday 9/19.

Conclusion:
Work progress to date is satisfactory. Quality of work is satisfactory. Based on the review performed, it appears that the documentation and business practices of the grant recipient provide reasonable assurance that Federal funds are being properly expended and are adequately supported. No material exceptions are noted.

Review notes:
Number of Inspectors/tester on site the day of inspection: 1
Original Contract Work days / Completion Date: Approximately 130 days (26 weeks). This is not a working days contract. Per the contract documents, construction time began on 4/15, the roundabout was completed by 8/31, and substantial completion is required by 10/15. The Contractor has requested an additional 15 days (10/30) to complete the project. The COH is still evaluating this request. See “Description of Work Underway” section in this report for additional detail.

Current Contract Work Days / Completion Date: No change, see above.

CPM (Generated by the Contractor): The latest version of the CPM is 9/18/12. CPM shows mainline paving dates of October 1-2. Project clean-up and punch list scheduled for October 11-23. Substantial completion of the project is required by October 15.

Notice to Proceed: 3/26/2012

Time Stopped: No stops to date.

Work Days Charged: This is not a working days contract, see “Original Contract Work days / Completion Date” section above.

Original Contract Amount: $4,232,884.05
Current Contract Amount: $4,475,836.58

Total Contract Amount Paid to Date: From Pay Requests #1-3: $1,078,697.73 or 31% of the $3,500,000.00 TIGER II Grant has been expended. A DRAFT of the Contractor’s Application for Payment No. 4 (August) is available in the Division Office records. DRAFT Payment No. 4 is valued at approximately $1,160,000. Payments #1-3 have been paid. The work period for Payment #5 (September) closes Friday, September 28.

Executive Field Orders: 29 field orders have been executed. Additional field orders are being developed. All are clarifications of items in the contract.

Executed Change Orders: 20 change orders have been executed. Cumulative value: $242,952.53, 0 additional days

- CO 001 (straight line measurement of aggregates) ........................................ $0.00 ................................ 0 additional days
- CO 002 (change from ¾” to ½” asphalt aggregate on private driveways) ........ $0.00 ................................ 0 additional days
- CO 003 (concrete pad changes at bike parking areas) ................................ $684.78 ................................ 0 additional days
- CO 004 (delete 66” x 51” culvert from contract) ........................................... -$2,000.00 ................................ 0 additional days
- CO 005 (add asphalt for a driveway tie-in, plan omission) ........................... $247.12 ................................ 0 additional days
- CO 006 (delete 34 SY of asphalt path removal, plan omission) ..................... -$43.88 ................................ 0 additional days
- CO 007 (delete culvert extensions and remove exist culvert) ...................... -$2,096.80 ................................ 0 additional days
- CO 008 REVISED (irrigation system build out: city funded, no fed funds) .... $201,735.74 ................................ 0 additional days
- CO 009 (irrigation system drain valve & assembly pits) ............................. $1,828.00 ................................ 0 additional days
- CO 010 (sidewalk specification changes) .................................................... $0.00 ................................ 0 additional days
- CO 011 (obliterate pavement markings at signal) ........................................ $5,250.00 ................................ 0 additional days
- CO 012 (field fit elliptical culvert extensions) .......................................... $1,134.81 ................................ 0 additional days
- CO 013 (lower existing manholes) ............................................................ $4,368.00 ................................ 0 additional days
- CO 014 (change location of oil-water separators) ...................................... $1,212.75 ................................ 0 additional days
- CO 015 (reconstruct pavement south of Countryside Blvd) ......................... $6,063.76 ................................ 0 additional days
- CO 016 (modify joints at splitter islands) ................................................... $0.00 ................................ 0 additional days
- CO 017 (change CB grates to bicycle safe design) ..................................... $173.25 ................................ 0 additional days
- CO 018 (add sidewalk tie-in steps along private parcel sidewalk) .............. $315.00 ................................ 0 additional days
- CO 019 (additional asphalt in overlay segment: city funded, no fed funds) .... $20,300.00 ................................ 0 additional days
- CO 020 (additional asphalt in overlay segment: city funded, no fed funds) .... $3,780.00 ................................ 0 additional days

Potential Change Orders: Additional change orders are being developed.

- None at this time

Contract DBE Goal: 5% of contract value

Contractors DBE Commitment: $239,461.84 (5.65% of original contract amount)

Training Hours Goal: 25% of apprentices in each occupation shall be in their first year of apprenticeship or training.

Payroll Wage and Fringe Benefits: Certified payroll records were not reviewed in this inspection. Labor compliance interviews were not reviewed in this inspection.

Posters on the bulletin board: Project bulletin board is in disarray. See “Inspection Observations & Recommendations” section above.

Approved Sub-contractors and contract amount:

Balanced Rock Electric ................................................................. $201,922.00
Xcel Concrete Construction Inc .................................................. $735,989.00
Jl Howard Consulting Engineers ................................................. $57,800.00
All Seasons Landscaping .................................................. $110,648.90
Eureka Construction (sub to a sub) .................................... $7,368.80
Valley Paving ........................................................................ $286,310.50
Construction Material Recycling ........................................ $34,902.50
Schmidt Excavation Inc ....................................................... $74,715.00
Advanced Sign Design, Traffic Products & Service ............ $87,754.75
Curtis Clean Sweep ............................................................. $67,623.35
Specialty Construction Supply ............................................. $88,640.00

Approved DBE's and contract amount:
Curtis Clean Sweep (sub to prime) ....................................... see above
Curtis Clean Sweep (sub to a sub) ....................................... $9,974.50
Advanced Sign Design, Traffic Products & Service (sub to prime) .................................. see above
Advanced Sign Design, Traffic Products & Service (sub to sub) ................................ .......... $11,547.64
Northwest Signal (supplier) ................................................ $58,393.00

Prompt Progress payment: With the exception of 1 subcontractor, the Contractor certified that subs and suppliers have been promptly paid for the work done in pay estimate 2 in accordance with the contract. This certification statement was included in pay estimate 3. A dispute between the sub and prime has been resolved and payment to this sub was in process, certification will be provided on the next Application for Payment.

Utilities and ROW: Only 1 utility relocation was underway and was occurring outside of the contractor's operations.

Storm Water Pollution Plan: The official copy of the SWPPP is complete and inspections are occurring in a timely manner. Maintenance of BMP's is ongoing due to traffic damage and rain events.

Materials sampling, testing, acceptance: Sampling, testing, and acceptance documentation for pay item files identified in the "Project Records Review" section were reviewed as part of this inspection and determined to be adequate.

Materials Certifications: Materials certifications for pay item files identified in the "Project Records Review" section were reviewed as part of this inspection and determined to be adequate.

Detours: Detour signage is adequate.

Buy America Steel Certifications: Buy America certifications for pay item files identified in the "Project Records Review" section were reviewed as part of this inspection and determined to be adequate.

Traffic Control: Traffic control plans were not reviewed as part of this review.

Pavement Markings: See "Inspection Observations & Recommendations" and "Potential Change Orders" sections of this report.

Claims: No claims have been submitted.

Seeding: Not reviewed as part of this inspection. City has specified a low water seed mix for the landscape sub-contractor to use.

Construction Sequencing: Not reviewed as part of this inspection.

Materials Storage: Material storage is adequate. The staging yard is located at the project's midpoint at the intersection of Woodside and Countryside. Materials are stored in/on acceptable containers.

Compliance with PS&E: Yes.

Incentive and Disincentive Validation and Payment: Not reviewed as part of this inspection.

Railroad Release Letter: Not applicable, there is no railroad work on this project.

Temporary Pedestrian and Bicycle Access: Although not encouraged, bicyclists and pedestrians can safely traverse the work-zone to their homes. Thru traffic is encouraged to use detour or adjacent facilities.

As-Built Plans: Not reviewed as part of this inspection.

Quantity Over runs and Under runs: Not reviewed as part of this inspection.

Public Communication: Not reviewed as part of this inspection.

Notice of Disputes/Claim Filed: None. See "Claims" section above.

Liquided Damages Assessed: $0

Payments Withheld: COH is withholding payment on 1/3 of asphalt quantity placed to date while the COH analyzes the test results that indicate deficient material for a portion of this item. See prior report for additional detail.

Environmental Commitment Tracking:
Right of Way Construction Access ......................................... Agreements Complete, Construction access OK
FAA Coordination ................................................................ FAA Review Complete, FAA Permit Obtained YES
Continuous and safe access for Wood River Trail ........................ Open and traversable. Minor impacts by the project
UPRR berm and Hiawatha Canal undisturbed ...................................................... No disturbance to these resources
Wildlife (bald eagle and migratory birds) ......................................................... None observed on date of inspection
Storm Water (SWPPP, NPDES permit) .............................................................. SWPPP is current and available at project office
Wetlands Permit (USACE Nationwide Permit) .............................................. Permit obtained, Disturbance within limits of permit
Floodplains ........................................................................................................ Permit obtained, Disturbance within limits of permit

**Accident History:** Data is provided on the OSHA forms on the worksite bulletin board.
**Time lost due to accidents:** Data is provided on the OSHA forms on the worksite bulletin board.

**Final Inspection:** N/A
**Final Estimate:** N/A
**Punch List Furnished:** N/A
**Punch List Completed:** N/A

**Attachments**
Photos with annotation and comments
Woodside Blvd Reconstruction

Construction Inspection Photos
9/19/2012

FHWA Idaho Division
TDGII-C-07
DTFH61-11-G-00001
Landscape strip - topsoil and irrigation system install underway

Bus Shelter construction underway
Plan Change - new wall constructed to retain soil between roadway and sidewalk.

Woodside Blvd Photo taken near Sta-59+50, Lt, looking southeast.

Sidewalk lowered for ADA accessible route - see photos in prior reports.

Landscape strip - topsoil placement and irrigation system install underway.

Woodside Blvd Photo taken near Sta-46+00, Lt, looking southeast.
4" Aggregate preparation for paving

Woodside Blvd Photo taken near
S61 97+00, CI, looking southeast.

Temporary steel plate to facilitate traffic movement
Plate bridges concrete valley gutter that is curing.

Shenandoah Dr

Woodside Blvd Photo taken near
S61 96+50, CI, looking southeast.
Concrete curb and gutter installation underway for Woodside Blvd. Street parking area.

Frame and grate installation & curb and gutter installation not yet complete at catch basin.

Woodside Blvd Photo taken from 300-315 ft., looking southeast.

Woodside Blvd Photo taken from 320-350 ft., looking northeast.
Concrete curb and gutter
finishing underway at Mountain
Ash Dr radius returns

Woodside Blvd Photo taken near
Sts 116+00, looking northwes

Woodside Blvd Typical monolithic
curb, gutter & sidewalk pour
Temporary steel plate to facilitate traffic movement into private business. Plate bridges concrete curb & gutter that is curing.