

Enclosure 1

Sligo Creek Stream Valley Park Coordination and Minimization and Mitigation Measures

Coordination Activities

Beginning in January 2012, MTA and M-NCPPC's Montgomery County Department of Parks staff met several times to discuss the proposed Purple Line and the potential impacts it would have on the Sligo Creek Stream Valley Park. Specific meeting dates were January 25, 2012, May 16, 2012, November 21, 2012, February 1, 2013, and February 26, 2013. During those meetings, the potential use of portions of the park by the Purple Line was discussed. At the May 16, 2012 meeting, M-NCPPC requested that additional information be provided regarding access roads and tree loss. In addition to discussing anticipated impacts, staff discussed avoidance measures and ways to minimize and mitigate impacts to the park. The minimization and mitigation measures discussed at these meetings were intended to reduce the potential impacts to the park to the maximum extent practicable and provide replacement parkland. After the November 21, 2012 meeting, the M-NCPPC determined that the proposed project would not adversely affect the Sligo Creek Stream Valley Park. Additional coordination occurred throughout the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence with the *de minimis* use finding. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

Mitigation and Minimization

In coordination with M-NCPPC-Montgomery County Department of Parks, MTA has agreed to provide replacement parkland to mitigate the permanent use of land at Sligo Creek Stream Valley Park. MTA will consolidate its mitigation for permanent use of parkland in Montgomery County at a single site adjacent to New Hampshire Estates Neighborhood Park. MTA will continue to coordinate with M-NCPPC-Montgomery County Department of Parks regarding the design and implementation of this mitigation plan.

MTA will minimize impacts on Sligo Creek Stream Valley Park by constructing retaining walls to limit the land area required for grading and vegetation removal, selectively clear trees in the work area to minimize tree loss, and stabilize temporarily disturbed stream banks. Specifically, MTA will work with M-NCPPC-Montgomery County Department of Parks as the project moves forward to identify significant or champion trees in the construction area. Trees to be preserved will be marked with protective fencing to avoid impacts or removal during construction. In addition, MTA would build its construction access road to the south of Wayne Avenue on an existing Washington Suburban Sanitary Commission (WSSC) utility easement to minimize tree removal. MTA will plant trees within Sligo Creek Stream Valley Park, where reasonable and feasible to mitigate tree loss that occurs as a result of the proposed project. MTA will replace guardrail, signs, and other existing structures on park land it disturbs with new structures designed to match the existing elements in the park.

Upon completion of the Purple Line, approximately 0.04 acre of property currently owned by Montgomery County Department of Public Works abutting the park will be converted to green space.

A work group will be formed between M-NCPPC and MTA to further study and recommend appropriate design and mitigation for the stream realignment at Sligo Creek with the goal of ensuring long-term stability and reducing stress on the stream. The group will work together, hold field visits, and coordinate with the appropriate resource agencies to gain approval for the recommended improvements. The work group will collect and assess data on the competing issues in the area including a downstream project by WSSC, specimen trees, existing utilities, floodplain connectivity, structural requirements for the new bridge, stream hydraulics, and existing habitat. They will also consider the effects of widening the bridge to accommodate a wider Green Trail. Finally, the work group will weigh the cost (impacts and financial) and benefits of the proposals and recommend specific mitigation. The final recommended mitigation measure is contingent

upon approval from the regulatory agencies.

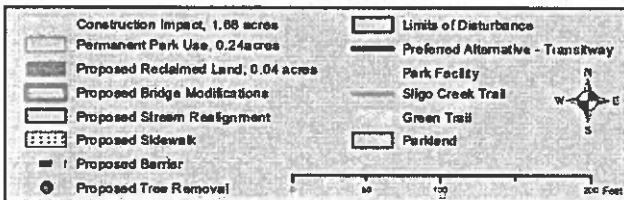
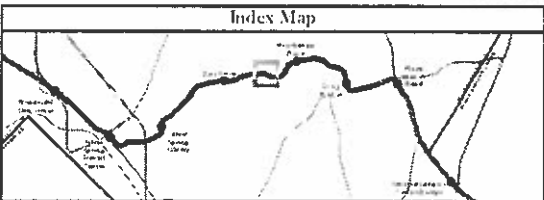
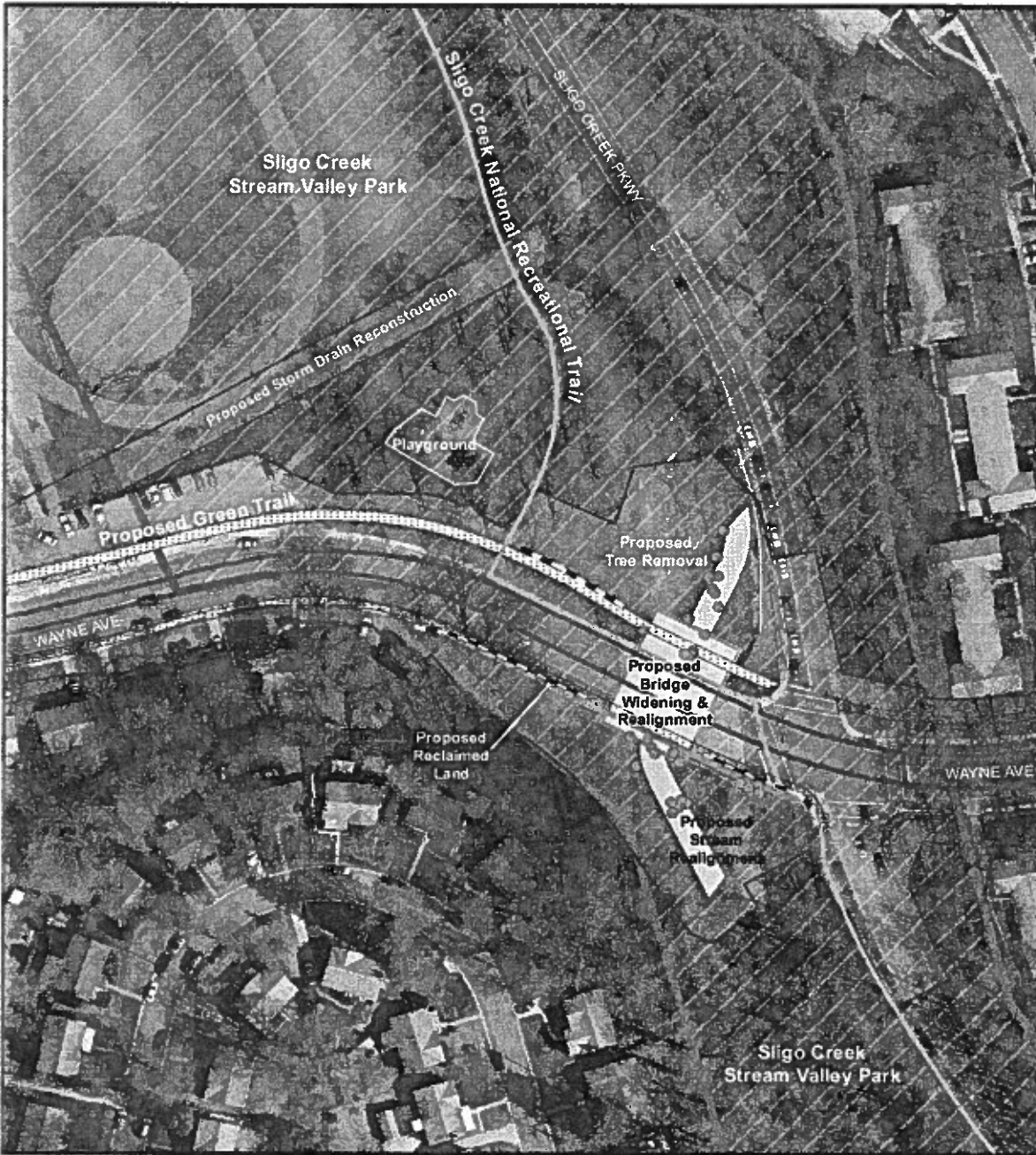
MTA is committed to designing an environmentally sensitive stream crossing when designing the Wayne Avenue bridge. The bridge will be designed to provide the least amount of environmental impact and improve the hydraulics of Sligo Creek through the proposed project area. Sligo Creek will be realigned as part of the bridge replacement.

Other mitigation includes:

- MTA will maintain access to recreational facilities, including the existing playground within Sligo Creek Stream Valley Park and Sligo Creek National Recreational Trail during construction.
- Impacts to significant trees will be avoided within the park, where practicable.
- MTA will design sidewalk improvements along Wayne Avenue to meet ADA requirements.
- MTA will complete the design and construction of the proposed Green Trail, to be funded by Montgomery County Department of Public Works, and constructed in conjunction with the Purple Line.
- MTA will restore the parking lot west of the stream to a condition equal to or better than the existing condition.

Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map
Attachment B: Detailed Park Impact Map

ATTACHMENT B



Sligo Creek Stream Valley Park & Sligo Creek National Recreational Trail

Source: Maryland-National Capital Park and Planning Commission, Montgomery County Department of Parks, Maryland Historical Trust, National Register of Historic Places, Maryland Transit Administration



U.S. Department
of Transportation
**Federal Transit
Administration**

NOV 27 2013

REGION III
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Pennsylvania, Virginia,
West Virginia

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215-656-7100
215-656-7260 (fax)

Ms. Mary R. Bradford, Director of Parks
Maryland-National Capital Park and Planning Commission
Montgomery County Department of Parks
9500 Brunett Avenue
Silver Spring, MD 20901

**RE: MTA Purple Line Project: Section 4(f) De Minimis Impact Determination on the
Long Branch Stream Valley Park, Montgomery County, Maryland**

Dear Ms. Bradford:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the Long Branch Stream Valley Park, with Federal Transit Administration's (FTA) *de minimis* impact determination for this property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the Purple Line project (project). MTA and FTA provided public notice of the proposed project and opportunity for public comment on our intent to make a *de minimis* impact determination for the Long Branch Stream Valley Park during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013. No comments were received during the public comment period on FTA's intent to make a *de minimis* impact determination for Long Branch Stream Valley Park.

The project would be aligned in the median of Piney Branch Road, just north of Long Branch Stream Valley Park. MTA would permanently use 0.11 acre from the 41-acre Park to widen Piney Branch Road to accommodate the transitway, lengthen the existing culvert conveying Long Branch under Piney Branch Road, reconstruct sidewalks along the roadway, and improve signalized pedestrian crossings along Piney Branch Road, which would benefit Long Branch Trail users wanting to cross Piney Branch Road. No park amenities would be affected by the proposed project. The roadway widening is primarily to the south to minimize impacts to the access driveway of Long Branch Community Center to the north, the portion of the Long Branch Trail within the park, and the businesses east and west of the park. The portion of the park to be permanently used is undeveloped and wooded. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

The culvert that conveys Long Branch Stream beneath Piney Branch Road would be lengthened, and a new parallel pipe would be constructed to better convey the stream and mitigate flooding.

The headwalls and wingwalls associated with the proposed culvert extension and new pipe would be raised to accommodate future sidewalk widening to 10 feet without the need for further culvert extension. New guardrails, signs, railings, or other structures on Piney Branch Road within the Park would match existing elements throughout the park, as reasonably feasible.

MTA would temporarily use 0.36 acre of park property for access to the work area along Piney Branch Road. This work area is necessary to enable construction of the widened roadway and culvert extension. The temporary work area is currently wooded and undeveloped. Most of the construction would occur from Piney Branch Road in order to minimize impacts to the park. Some tree removal would be necessary within the park along Piney Branch Road and the stream adjacent to the road for grading. MTA will remove invasive species within its construction work area and replant the disturbed area.

Long Branch Local Park is located to the north side of Piney Branch Road. Therefore, the culvert extension would affect both parks. If specific work activities in Long Branch Stream Valley Park necessitate work or access through Long Branch Local Park, MTA will avoid affecting park access and parking within Long Branch Local Park during construction within Long Branch Stream Valley Park during June and July to minimize operational impacts to Long Branch Community Center.

FTA's intent to make a *de minimis* impact determination was discussed at several coordination meetings between MTA's Purple Line Team and M-NCPPC- Montgomery County Department of Parks, beginning in January 2012. These meetings were established for coordination purposes on the project and have led to the incorporation of specific avoidance, minimization, and mitigation measures to reduce the impact to the M-NCPPC owned parks within the proposed project corridor. Coordination between MTA and M-NCPPC is ongoing and will continue and replacement land has been identified adjacent to the New Hampshire Estates Neighborhood Park which will serve as mitigation for the use of parkland throughout Montgomery County. MTA will consolidate its mitigation for permanent use of parkland in Montgomery County at a single site adjacent to New Hampshire Estates Neighborhood Park.

FTA has determined that the project would not adversely affect or otherwise restrict the public's use of the existing resources nor will it adversely affect the features, attributes, or activities - playgrounds, athletic field, picnic areas, natural areas, and a paved recreational/commuter trail - that make the Long Branch Stream Valley Park eligible for protection under Section 4(f). Pursuant to 23 CFR 774.5, M-NCPPC- Montgomery County Department of Parks must concur in writing to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for protection under Section 4(f). A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to the proposed Section 4(f) *de minimis* impact determination, FTA will require a formal Section 4(f) evaluation.

Ms. Mary R. Bradford
RE: MTA Purple Line Project

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We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,

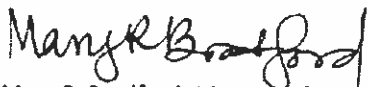


Brigid Hynes-Cherin
Regional Administrator

cc: Michael Madden, MTA
John Newton, MTA

CONCURRENCE:

We, the undersigned, concur that the existing activities, features, and attributes at Long Branch Stream Valley Park would not be adversely impacted by the proposed Purple Line; the right-of-way impacts of the Purple Line to the park would be minimal; permanent use of land would be limited to widening Piney Branch Road and extending the culvert; temporary access to the work area would be located along Piney Branch Road; and the project would include reconstructing sidewalks and providing signalized pedestrian crossing improvements along Piney Branch Road; the MTA will coordinate with M-NCPPC-Montgomery County Department of Parks to provide replacement parkland, remove invasive species and replant the work area, and avoid construction activity effects on park access and parking at Long Branch Local Park during June and July; and therefore, we agree that the Purple Line's proposed use of portions of the park meet the criteria for a *de minimis* impact determination under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mary R. Bradford, Director of Parks

12/17/2013

Maryland-National Capital Park and Planning
Commission, Montgomery County Department of Parks

Date

Enclosure 1
Long Branch Stream Valley Park Coordination and Minimization and Mitigation Measures

Coordination Activities

Beginning in January 2012, MTA and M-NCPPC's Montgomery County Department of Parks staff met several times to discuss the proposed Purple Line and the potential impacts it would have on the Long Branch Stream Valley Park. Specific meeting dates were January 25, 2012, May 16, 2012, November 21, 2012, February 1, 2013, and February 26, 2013. In addition to discussing anticipated impacts, staff discussed avoidance measures and ways to minimize and mitigate impacts to the park. The minimization and mitigation measures discussed at these meetings were intended to reduce the potential impacts to the park to the maximum extent practicable and provide replacement parkland. At the May 16, 2012 meeting, the M-NCPPC concurred that the proposed project would not adversely affect the Long Branch Stream Valley Park. Additional coordination occurred throughout the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence with the *de minimis* use finding. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

Mitigation and Minimization

In coordination with M-NCPPC-Montgomery County Department of Parks, MTA has agreed to provide replacement parkland to mitigate the permanent use of land at the Long Branch Stream Valley Park. MTA will consolidate its mitigation for permanent use of parkland in Montgomery County at a single site adjacent to New Hampshire Estates Neighborhood Park. MTA will continue to coordinate with M-NCPPC-Montgomery County Department of Parks regarding the design and implementation of this mitigation plan.

A work group will be formed between M-NCPPC and MTA to further study and recommend appropriate design and mitigation at Long Branch with the goal of enhancing long-term stream stability and improving the health of the resource. The group will work together, hold field visits, and coordinate with the appropriate resource agencies to gain approval for the recommended improvements. The work group will collect and assess data on the health of downstream resources and the presence of fish and other species. While an existing gravity sewer line under the existing culvert limits the ability to lower the culvert, the work group will study the viability of raising the stream to facilitate fish passage. They will also review the capacity of the planned conveyance and study appropriate stream improvements upstream and downstream of the road crossing. Finally, the work group will weigh the cost (impacts and financial) and benefits of the proposals and recommend specific mitigation. The final recommended mitigation measure is contingent upon approval from the regulatory agencies.

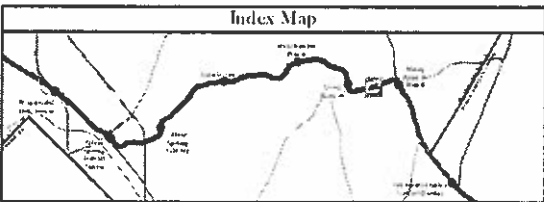
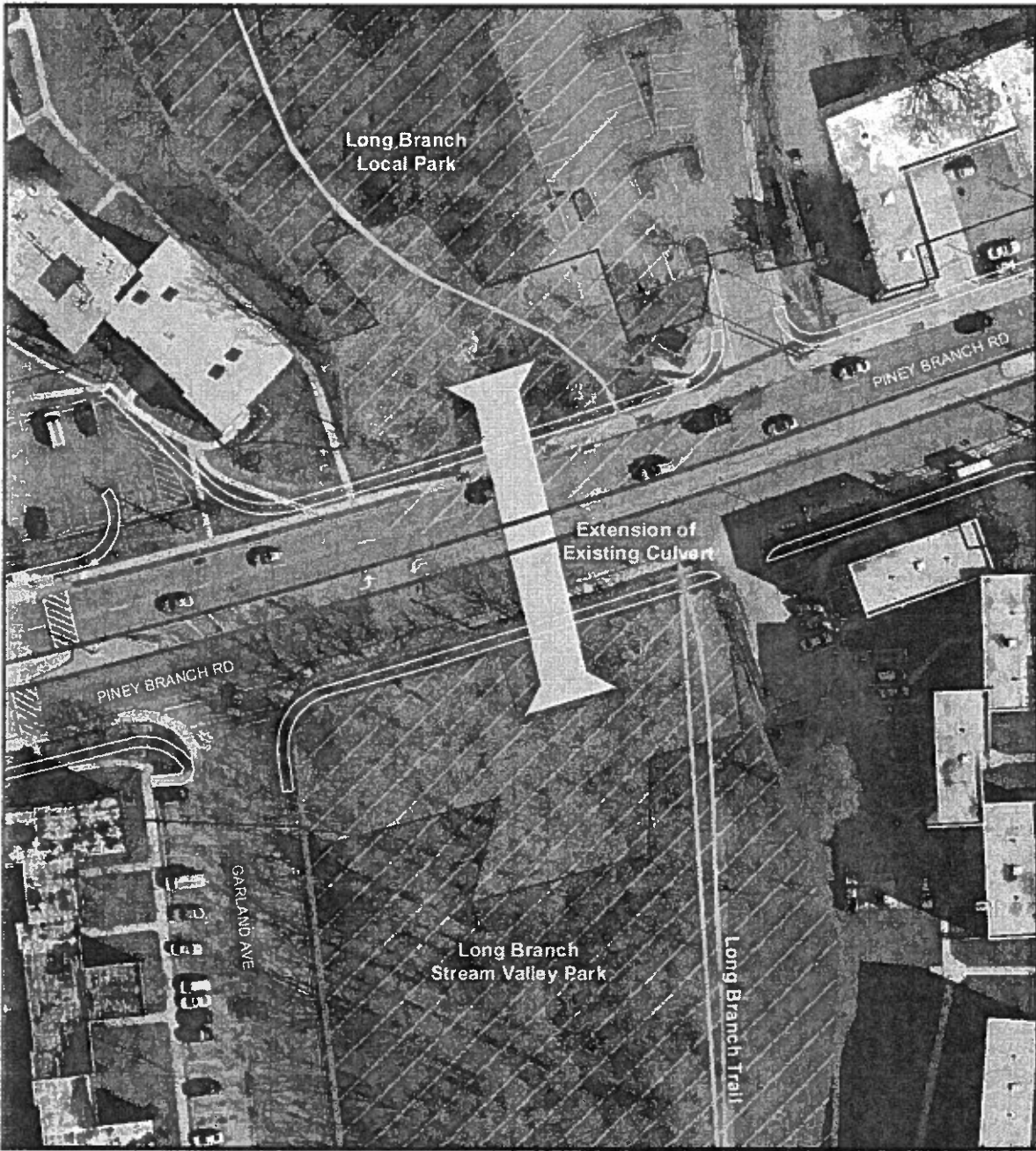
MTA is committed to designing an environmentally sensitive stream crossing with the goal of maximizing capacity and reducing stream velocity. Early in the coordination process, M-NCPPC stated that there are issues within Long Branch Stream Valley Park with invasive plant species. Invasive species will be removed in the immediate project area and a management plan will be developed for review by M-NCPPC. Areas that are cleared as a result of invasive species removal would be replanted with native vegetation.

Other mitigation includes:

- MTA will maintain access to Long Branch Trail during construction.
- Impacts to significant trees will be avoided within the park, where reasonably feasible.
- MTA will design sidewalk improvements along Piney Branch Road to meet ADA requirements. The headwalls and wingwalls associated with the proposed culvert extension and new pipe would be raised to accommodate future sidewalk widening to 10 feet without impacting the need for additional culvert extension.
- If specific work activities in Long Branch Stream Valley Park necessitate work or access through Long Branch Local Park, MTA will avoid affecting park access and parking within Long Branch Local Park during construction within Long Branch Stream Valley Park during June and July to minimize operational impacts to Long Branch Community Center.

Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map
Attachment B: Detailed Park Impact Map

ATTACHMENT B



Construction Impact, 0.36 acres	Limits of Disturbance
Permanent Park Use, 0.11 acres	Preferred Alternative - Transitway
Existing Culvert Extension	Existing Trail
Proposed Sidewalk	Parkland

0 25 50 100 150 Feet



Long Branch Stream Valley Park

Source: Maryland-National Capital Park and Planning Commission, Montgomery County Department of Parks, Maryland Transit Administration



U.S. Department
of Transportation
**Federal Transit
Administration**

NOV 27 2013

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Ms. Mary R. Bradford, Director of Parks
Maryland-National Capital Park and Planning Commission
Montgomery County Department of Parks
9500 Brunett Avenue
Silver Spring, MD 20901

RE: MTA Purple Line Project: Section 4(f) *De Minimis* Impact Determination on the New Hampshire Estates Neighborhood Park, Montgomery County, Maryland

Dear Ms. Bradford:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the New Hampshire Estates Neighborhood Park, with the Federal Transit Administration's (FTA) *de minimis* impact determination for this public park property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Draft Section 4(f) Evaluation for the Purple Line project (project). MTA and FTA provided public notice of the proposed project and opportunity for public comment on our intent to make a *de minimis* impact determination for the New Hampshire Estates Neighborhood Park during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013. No comments were received during the public comment period on FTA's intent to make a *de minimis* impact determination for the New Hampshire Estates Neighborhood Park.

MTA's Purple Line project would be aligned in the median of Piney Branch Road. The alignment would turn right onto University Boulevard, where it would be aligned within the median. Directly east of the Piney Branch Road-University Boulevard intersection, the Piney Branch Station would be constructed within the median. MTA would permanently use approximately 0.20 acre of the 4.7 acre New Hampshire Estates Neighborhood Park to widen University Boulevard to accommodate the dedicated transitway and station, while maintaining two lanes of traffic eastbound and three lanes westbound on University Boulevard, as well as turn lanes. Park amenities affected by the proposed project would include some sitting areas and aesthetic features, such as landscaped structures, artwork and decorative bricks adjacent to University Boulevard, as well as an existing parking lot that would be removed during construction. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

The project would temporarily use approximately 0.35 acre of the park to undertake the roadway widening and stream and culvert upgrades. The park land used temporarily includes grassy and landscaped areas, paved walkways, and an existing parking lot. MTA would provide temporary parking and park access during construction directly to the north of the park behind its proposed staging area in the southeast quadrant of the Piney Branch Road/University Boulevard intersection.

FTA's intent to make a *de minimis* impact determination was stated at coordination meetings between the Purple Line Team and M-NCPPC- Montgomery County Department of Parks, beginning in January 2012. These meetings were established for coordination purposes on the project and have led to the incorporation

Ms. Mary R. Bradford
RE: MTA Purple Line Project

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of specific avoidance, minimization, and mitigation measures to reduce the impact to the M-NCPPC owned parks within the proposed project corridor. Coordination between MTA and M-NCPPC is ongoing and will continue; however replacement land has been identified adjacent to the New Hampshire Estates Neighborhood Park which will serve as mitigation for the use of parkland throughout Montgomery County.

The FTA has determined that the Purple Line would not adversely affect or otherwise restrict the public's use of the existing resources nor will it adversely affect the features, attributes, or activities - playgrounds, athletic field, picnic areas, and aesthetic features - that make the New Hampshire Estates Neighborhood Park eligible for protection under Section 4(f). Pursuant to 23 CFR 774.5, M-NCPPC- Montgomery County Department of Parks must concur in writing to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection as a park. A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to or if comments raise new concerns about the proposed Section 4(f) *de minimis* impact determination, FTA will require a formal Section 4(f) evaluation.

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,




Brigid Hynes-Cherin
Regional Administrator

cc: Michael Madden, MTA
John Newton, MTA

CONCURRENCE:

We, the undersigned, concur that the existing activities, features, and attributes at the New Hampshire Estates Neighborhood Park would not be adversely impacted by the proposed Purple Line; the right-of-way impacts of the Purple Line to the park would be minimal; temporary impacts would be minor and would be limited to property needed to undertake the roadway widening and stream and culvert upgrades; MTA would provide replacement parkland adjacent to the park; and therefore, we agree that the Purple Line's proposed use of portions of the park meet the criteria for a *de minimis* impact determination under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mary R. Bradford, Director of Parks

12/17/2013

Maryland-National Capital Park and Planning
Commission, Montgomery County Department of Parks

Date

Enclosure 1

New Hampshire Estates Neighborhood Park Coordination and Minimization and Mitigation Measures

Coordination Activities

Beginning in January 2012, MTA and M-NCPPC's Montgomery County Department of Parks staff met several times to discuss the proposed Purple Line and the potential impacts it would have on the New Hampshire Estates Neighborhood Park. Specific meeting dates were January 25, 2012, May 16, 2012, November 21, 2012, February 1, 2013, and February 26, 2013. In addition to discussing anticipated impacts, staff discussed avoidance measures and ways to minimize and mitigate impacts to the Park. The minimization and mitigation measures discussed at these meetings were intended to reduce the potential impacts to the park to the maximum extent practicable and provide replacement parkland. The minimization and mitigation measures agreed upon at these agency coordination meetings are provided below. At the February 1, 2013 meeting, the M-NCPPC determined that the proposed project would not adversely affect the New Hampshire Estates Neighborhood Park. Additional coordination occurred throughout the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence with FTA's intent to make a *de minimis* use finding. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

Mitigation and Minimization

To minimize impacts, MTA would eliminate the space between the expanded roadway curb and sidewalk and implement a closed drainage system. In addition, MTA would address a drainage issue on the eastern edge of the park by upgrading an existing stormwater culvert and grading the associated stream for a short distance. New guardrails, signs, railings or other structures on University Boulevard within or adjacent to the park would match existing park elements, as reasonably feasible.

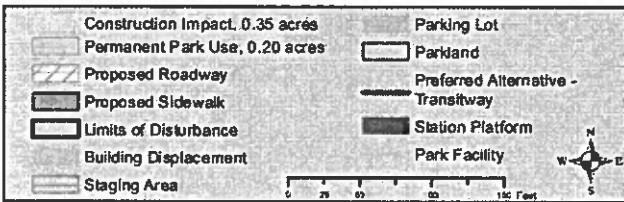
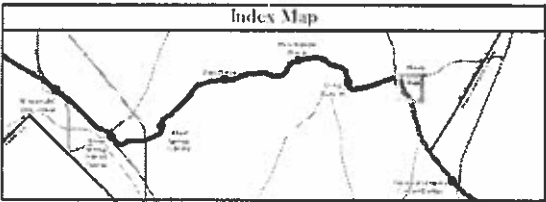
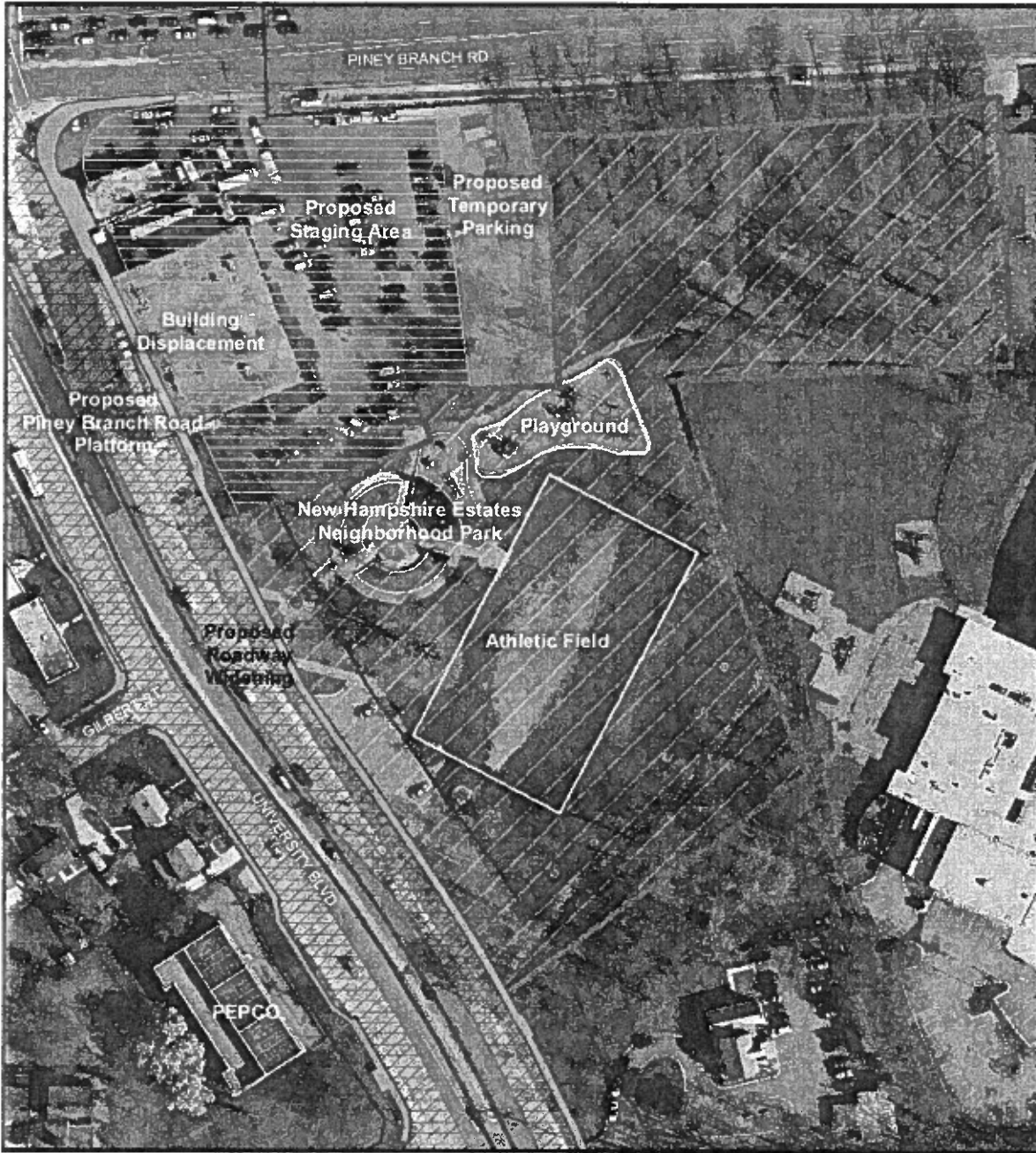
In coordination with M-NCPPC-Montgomery County Department of Parks, MTA has agreed to provide replacement parkland to mitigate the permanent use of land at the New Hampshire Estates Neighborhood Park. MTA will consolidate its mitigation for permanent use of parkland in Montgomery County at a single site adjacent to the New Hampshire Estates Neighborhood Park. M-NCPPC-Montgomery County Department of Parks would accommodate the replacement land in their future redevelopment plan for the park. MTA will continue to coordinate with M-NCPPC-Montgomery County Department of Parks regarding the design and implementation of this mitigation plan and effects on park amenities.

Additional mitigation includes:

- MTA will maintain access to the park during construction including temporary parking and access, as appropriate.
- MTA will provide a functional interim condition, for review and approval of M-NCPPC-Montgomery County Department of Parks, for the park prior to its planned redevelopment.
- MTA will design sidewalk improvements along University Boulevard to meet ADA requirements.
- MTA will not construct stormwater management facilities within the boundaries of the Park (beyond the retrofit of the existing drainage ditch).

Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map
Attachment B: Detailed Park Impact Map

ATTACHMENT B



New Hampshire Estates Neighborhood Park

Source: Maryland-National Capital Park and Planning Commission, Montgomery County Department of Parks, Maryland Transit Administration

Exhibit C:

Not Used

Exhibit D:

**MTA Technical Provisions
Book 2, Part A, Section 10.4**

10 SUBMITTALS

This Section describes the Submittal process and review procedures for all Concessionaire Submittals to Owner, Third Parties, and Utility Owner.

10.1 Submittals

The Contract Documents specify the minimum required Submittals, types and content required by the Owner. Third Parties and Utility Owners will require additional submittals. Subject to these minimums, Concessionaire shall be responsible for identifying, scheduling and managing the Submittals necessary to meet the Project requirements.

All Submittals shall be in the English language using U.S. units.

All Submittals made to Third Parties or Utility Owners shall be made simultaneously to Owner for Review.

10.2 Owner Submittal Process

10.2.1 Submittal List

Concessionaire shall keep and maintain a list of all anticipated Submittals to Owner, Third Parties and Utility Owner. The list shall include the document control number and title of each submission, the Submittal type, the Submittal stage (where applicable), a brief description of each submission, and a schedule showing when each submission is scheduled to be made, and the actual Submittal date.

Concessionaire shall submit the Submittal List for Review and Comment within 30 calendar days of Financial Close. After the initial Submittal Concessionaire shall submit an Updated Submittal List for Information on a monthly basis in coordination with the Progress Report.

The Summary of Submittals table within some sections of the Technical Provisions is for Concessionaire's convenience only, and does not supercede any requirements of the Contract Documents or AHJ. Concessionaire shall comply with all requirements as specified in the Contract Documents.

10.2.2 Submittal Document Control

Concessionaire shall document and provide a Submittal tracking number in accordance with the Project Document Control Plan.

10.2.3 Concessionaire's Submittal Certification

With each Submittal, Concessionaire shall certify in writing that the Submittal meets the requirements of the Contract Documents and has been coordinated among all requirements of the Contract Documents including but not limited to Design Work, Construction Work, and O&M Work

The certification shall include signature of the Project Manager, and signatures recommending certification from authorized personnel of Concessionaire including but not limited to:

- Concessionaire's Designer;
- Concessionaire's Quality Program;
- Concessionaire's builder;
- Concessionaire's operations organization; and
- Concessionaire's maintenance organization.

Concessionaire shall control through the Quality Program a technical approval and certification system for every Submittal to the Owner, Utility Owner, or Third Party. Each submittal shall contain a Quality Control certification.

10.2.4 Submittal Format Requirements

Submittals to Owner shall be made electronically via the Owner's Project Document Control System. In the case of Sample or Mock Up Submittals, the electronic Submittal shall contain information describing the location at which the Sample or Mock Up Submittal can be examined.

All Submittals shall be made in .PDF format, except where files are required by the Contract Documents to be delivered in a specific software format.

A signed transmittal letter shall be included with each Submittal. The transmittal letter shall indicate the date of the transmittal, the type, stage where applicable, review type, and review timeframe.

All plans and drawings shall be submitted true to scale as full size drawings for standard size paper.

In addition to the electronic copy of each Submittal, Concessionaire shall submit two paper copies. For drawings, one paper copy shall be full size and one paper copy shall be half size. Paper drawing set submittals shall be screw bound. Other paper submittals shall be comb, spiral or wire bound.

Submittals not meeting the requirements will not be accepted.

10.3 Third Party and Utility Owner Submittal Process

Submittals to Third Parties and Utility Owners shall be provided in accordance with the requirements of Part 2A, Section 10.2 of the Technical Provisions, the Third Party Agreement Requirements or Owner Utility Agreements, and as required by the Third Parties or Utility Owner.

Whenever Concessionaire is required to deliver Third Party and Utility Owner Submittals directly to each Third Party or Utility Owner, Concessionaire shall simultaneously delivery submission to Owner for Review.

10.4 Owner Review

The Contract Documents identify the type of review that Owner may perform for each Submittal. When not specified in the Contract Documents, the review type shall be Review and Approval unless otherwise agreed by Owner.

10.4.1 Review and Approval

Owner will review and return the Submittal in one of the following manners:

- "Reviewed and Approved." Concessionaire may proceed to implementation of the Submittal or further development of the Design.
- "Reviewed and Approved with Comments." Concessionaire shall be responsible for documenting all comments received and the corresponding resolutions. Concessionaire shall not proceed with implementation, or further design development until comments are incorporated. Concessionaire shall incorporate comments into the next planned Submittal, or resubmit if no future Submittals are required.
- "Reviewed with Comments, Resubmit." Concessionaire shall be responsible for documenting all comments received and the corresponding resolutions. Concessionaire

shall not proceed with implementation, or further design development. Concessionaire shall amend the Submittal in accordance with the comment resolutions and resubmit.

10.4.2 Review and Comment

Owner will review and return the Submittal in one of the following manners:

- "Reviewed with No Comments." Concessionaire may proceed to implementation of the Submittal or further development of the Design.
- "Reviewed with Comments, ReSubmittal Not Required." Concessionaire shall be responsible for documenting all comments received and the corresponding resolutions. Concessionaire shall incorporate comments into the next planned Submittal or resubmit if no future Submittals are required.
- "Reviewed with Comments, Resubmit." Concessionaire shall be responsible for documenting all comments received and the corresponding resolutions. Concessionaire shall not proceed with implementation, or further design development. Concessionaire shall amend the Submittal in accordance with the comment resolutions and resubmit.

10.4.3 Information

Owner will acknowledge receipt of the Submittal via the document control system.

10.4.4 Resubmittals

If any such Submittal previously provided to Owner, Third Party or Utility Owner is required to be amended or is identified to be outdated, incomplete, contain errors, or is no longer sufficient to cover Concessionaire's Work previously covered by the Submittal, Concessionaire shall revise the Submittal and resubmit. Concessionaire shall re-submit a Submittal until the Submittal complies with the requirements of the Contract Documents.

Once Owner or any applicable Third Party or Utility Owner has offered no comments to a Final Design document, and for any Released for Construction Document, Concessionaire shall resubmit any revisions to that document for the same type of review specified for the initial Submittal. The resubmittal shall contain a description and an explanation of the change.

Concessionaire shall provide resubmittals using the requirements specified for initial Submittals plus the following:

- provide comments and responses; and
- identify changes made since previous Submittal.

10.4.5 Submittal Review Period

Upon receipt of submittal, Owner shall perform an administrative review to determine if submittal is complete, including:

- Is complete and formatted in accordance with Contract requirements;
- contains Submittal tracking number;
- contains Submittal Certification;
- contains Quality Control Certification; and
- includes required Common Design Documents as defined in Part 2A, Section 3.10 of the Technical Provisions.

Incomplete or non-compliant Submittals will be returned to Concessionaire without review.

Submittals received complete in the document control system before 16:00 Project local time are considered received the same working day. Submittals received after 16:00 Project local time are considered received the next working day.

Review period shall commence on the working day following receipt.

Review period shall end and comment response will be transmitted through the document control system by 16:00 Project local time.

Owner Review periods shall be 15 business days for Submittals subject to Review and Approval, 15 business days for Submittals subject to Review and Comment, or as provided by Section 5.1.3 of the Agreement.

The Submittal review periods noted above apply to initial Submittals and all resubmittals.

After reviewing the current submittal backlog, if Owner is in receipt of more than 20 concurrent submittals or more than 5 submittals requiring review by a single design discipline, Owner may extend the review period in accordance with the Section 5.1.3 of the Agreement.

10.5 Third-Party and Utility Owner Review

Submittals to Third Parties and Utility Owner shall be simultaneously submitted for Review by Owner in accordance with Part 1, Section 10.3 of the Technical Provisions and Review by Third Party or Utility Owner as required by the Third-Party Agreement Requirements or Owner Utility Agreements.

Review period for all reviewing parties shall be as indicated in Part 1, Section 10.3 of the Technical Provisions or as required by the Third-Party Agreement Requirements or Owner Utility Agreements, whichever is longest.

Review shall not be considered complete until both Owner and Third Party or Utility Owner have completed their respective Review.

10.6 Summary of Submittals

Item	Section	Submittal	Action
1	10.2.1	Submittal List	Review and Comment
2	10.2.1	Updated Submittal List	Information