

ARKANSAS STATE HIGHWAY COMMISSION

PROPOSAL DOCUMENTS

FOR THE CONSTRUCTION OF

STATE JOB NO. 040854

FEDERAL AID PROJECT STPU-0072(60)

HWY. 412/KLENC RD. INTERS. IMPVTS. (TONTITOWN) (S)

STATE HIGHWAY 412 SECTION 2

IN WASHINGTON COUNTY

Bound herein are the Supplemental Specifications, Special Provisions, Proposal Documents and Schedule of Items applicable to this proposed construction contract.

Applicable to this proposed construction contract, but not bound herein, are the Arkansas State Highway Commission Standard Specifications for Highway Construction, Edition of 2014, and the Construction Plans.



CAUTION TO BIDDERS

Please review Section 102 of the Standard Specifications, 2014 Edition for Bidding Requirements and Conditions. Mistakes or omissions can be costly. Important items for you to check are included in, but not limited to, those listed below. This checklist is furnished only to assist you in submitting a proper bid. Check as you read.

- Have you contacted ARDOT (pmd@ardot.gov or 501-569-2261) to become an eligible bidder? This is required to submit a bid in the letting and must occur by 4:30pm the day prior to the letting.
- Have you acknowledged all Addenda by email or fax?
- Is the unit price entered appropriate for the item?
- Have you entered a unit price for each bid item except in the case of authorized alternate pay items? (A zero bid (\$0.00) is a valid price and will be considered.)
- Have you checked the Schedule of Items for various pay items that may have a minimum or maximum unit bid price? (Refer to the Standard Specifications for further information concerning these items)
 - ✓ Asphalt Binder
 - ✓ Relocating Precast Concrete Barrier
 - ✓ Water
 - ✓ Mobilization
- Have you limited your bid for Mobilization to five percent (5%) of the subtotal?
- For Federal-aid projects, did you complete the Certification for Federal aid Contracts?
- Prior to submitting your bid, did you check for error messages, and are all the folders "green"?
- If submitting a paper copy of the Proposal Guaranty (Bid Bond) is it signed by an officer of your company **AND** the Surety Agent?
- Did you ensure your Proposal Guaranty (if you are submitting a paper bond) will arrive prior to the time and date stated on Page 2 of the Proposal Documents?

1-17-08
Revised: 6-1-09
Revised: 2-15-12
Revised: 1-15-15
Revised: 5-26-16
Revised: 11-17-17
Revised: 7-5-23

ARKANSAS DEPARTMENT OF TRANSPORTATION

NOTICE OF NONDISCRIMINATION

The Arkansas Department of Transportation (ARDOT) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, ARDOT does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the Federal Motor Carrier Safety Administration Title VI Program), disability, Limited English Proficiency (LEP), or low-income status in the admission, access to and treatment in ARDOT's programs and activities, as well as ARDOT's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding ARDOT's nondiscrimination policies may be directed to Civil Rights Officer Joanna P. McFadden (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, Arkansas 72203-2261, (501) 569-2298, (Voice/TTY 711), or the following email address: joanna.mcfadden@ardot.gov.

Free language assistance for Limited English Proficient individuals is available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

TITLE VI CONTRACT PROVISIONS

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

(1) Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

(3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) Cancelling, terminating or suspending a contract, in whole or in part.

(6) Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

TITLE VI CONTRACT PROVISIONS

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC§ 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681et seq).

Arkansas Department of Transportation
Supplemental Specifications and Special Provisions Listing
State Job Number 040854

The following supplemental specifications and special provisions for this project supplement the standard specifications, edition of 2014. In case of conflict, the supplemental specifications and special provisions shall govern.

| | |
|-----------|--|
| ERRATA | ERRATA FOR THE BOOK OF STANDARD SPECIFICATIONS |
| FHWA-1273 | REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS |
| FHWA-1273 | SUPPLEMENT - EQUAL EMPLOYMENT OPPORTUNITY - NOTICE TO CONTRACTORS |
| FHWA-1273 | SUPPLEMENT - SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES (23 U.S.C. 140) |
| FHWA-1273 | SUPPLEMENT - EQUAL EMPLOYMENT OPPORTUNITY - GOALS AND TIMETABLES |
| FHWA-1273 | SUPPLEMENT - EQUAL EMPLOYMENT OPPORTUNITY - FEDERAL STANDARDS |
| FHWA-1273 | SUPPLEMENT - POSTERS AND NOTICES REQUIRED FOR FEDERAL-AID PROJECTS |
| FHWA-1273 | SUPPLEMENT - WAGE RATE DETERMINATION |
| JOB SP | CARGO PREFERENCE ACT REQUIREMENTS |
| JOB SP | GOALS FOR DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION |
| JOB SP | DISADVANTAGED BUSINESS ENTERPRISE BIDDER'S RESPONSIBILITIES |
| JOB SP | PROHIBITION OF CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT |
| JOB SP | BUY AMERICA - CONSTRUCTION MATERIALS |
| JOB SP | BIDDING REQUIREMENTS AND CONDITIONS |
| JOB SP | MANDATORY ELECTRONIC CONTRACT |
| JOB SP | MANDATORY ELECTRONIC DOCUMENT SUBMITTAL |
| JOB SP | OFF-SITE RESTRAINING CONDITIONS FOR INDIANA AND NORTHERN LONG-EARED BATS |
| JOB SP | ASSESSMENT OF WORKING DAYS - MAINTENANCE OF TRAFFIC |
| JOB SP | FLEXIBLE BEGINNING OF WORK - CALENDAR DAY CONTRACT |
| JOB SP | LIQUIDATED DAMAGES PROCEDURE FOR BID LETTINGS |
| JOB SP | DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES |
| JOB SP | PERCENT AIR VOIDS AND NDESIGN FOR ACHM SURFACE MIX DESIGNS |
| JOB SP | SUBMISSION OF ASPHALT CONCRETE HOT MIX ACCEPTANCE TEST RESULTS |
| JOB SP | PRICE ADJUSTMENT FOR ASPHALT BINDER |
| JOB SP | DESIGN OF ASPHALT MIXTURES - AGGREGATES |
| JOB SP | PRICE ADJUSTMENT FOR FUEL |
| JOB SP | BROADBAND INTERNET SERVICE FOR ASPHALT CONCRETE PLANT |
| JOB SP | WARM MIX ASPHALT |
| JOB SP | COLD MILLING - COUNTY PROPERTY |
| JOB SP | MAINTENANCE OF TRAFFIC |
| JOB SP | EXTENSION FOR PIPE CULVERTS |
| JOB SP | ACTUATED CONTROLLER |
| JOB SP | CABINET DRAWER ASSEMBLY |
| JOB SP | RETROREFLECTIVE BACKPLATES |
| JOB SP | LED COUNTDOWN PEDESTRIAN SIGNAL HEAD |

Arkansas Department of Transportation
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| JOB SP | ACCESSIBLE PEDESTRIAN SIGNAL (APS) |
| JOB SP | ELECTRICAL CONDUCTORS FOR LUMINAIRES |
| JOB SP | ELECTRICAL CONDUCTORS-IN-CONDUIT |
| JOB SP | LED LUMINAIRE ASSEMBLY (BUG UO TYPE) |
| JOB SP | LED TRAFFIC SIGNAL HEAD |
| JOB SP | SERVICE POINT ASSEMBLY (TRAFFIC CONTROL DEVICES) |
| JOB SP | STREET NAME SIGN (MAST ARM MOUNTED) |
| JOB SP | SHORING FOR CULVERTS |
| JOB SP | HYBRID VIDEO/RADAR DETECTION SYSTEM |
| JOB SP | SITE USE (A+C METHOD) - CALENDAR DAY CONTRACT |
| JOB SP | CONSTRUCTION IN SPECIAL FLOOD HAZARD AREAS |
| JOB SP | UTILITY ADJUSTMENTS |
| SP 108-1 | LIQUIDATED DAMAGES |
| SS 100-3 | CONTRACTOR'S LICENSE |
| SS 100-4 | DEPARTMENT NAME CHANGE |
| SS 102-2 | ISSUANCE OF PROPOSALS |
| SS 102-3 | PREQUALIFICATION OF BIDDERS |
| SS 103-2 | CONTACT INFORMATION FOR MOTORIST DAMAGE CLAIMS |
| SS 105-4 | MAINTENANCE DURING CONSTRUCTION |
| SS 107-2 | RESTRAINING CONDITIONS |
| SS 108-2 | WORK ALLOWED PRIOR TO ISSUANCE OF WORK ORDER |
| SS 210-1 | UNCLASSIFIED EXCAVATION |
| SS 303-1 | AGGREGATE BASE COURSE |
| SS 306-1 | QUALITY CONTROL AND ACCEPTANCE |
| SS 400-1 | TACK COATS |
| SS 400-4 | DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES |
| SS 400-5 | PERCENT AIR VOIDS FOR ACHM MIX DESIGNS |
| SS 400-6 | LIQUID ANTI-STRIP ADDITIVE |
| SS 400-7 | TRACKLESS TACK |
| SS 404-3 | DESIGN OF ASPHALT MIXTURES |
| SS 409-2 | ASPHALT LABORATORY FACILITY |
| SS 410-1 | CONSTRUCTION REQUIREMENTS AND ACCEPTANCE OF ASPHALT CONCRETE PLANT MIX COURSES |
| SS 410-2 | DEVICES FOR MEASURING DENSITY FOR ROLLING PATTERNS |
| SS 410-4 | EVALUATION OF ACHM SUBLOT REPLACEMENT MATERIAL |
| SS 416-1 | RECYCLED ASPHALT PAVEMENT |
| SS 501-2 | CEMENT |

Arkansas Department of Transportation
Supplemental Specifications and Special Provisions Listing
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| SS 502-1 | WELDED WIRE REINFORCEMENT |
| SS 600-2 | INCIDENTAL CONSTRUCTION |
| SS 603-1 | LANE CLOSURE NOTIFICATION |
| SS 604-1 | RETROREFLECTIVE SHEETING FOR TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES |
| SS 604-3 | TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES (MASH) |
| SS 621-1 | FILTER SOCKS |
| SS 633-1 | CONCRETE WALKS, CONCRETE STEPS, AND HAND RAILING |
| SS 634-1 | CURBING |
| SS 700-2 | TRAFFIC CONTROL FACILITIES |
| SS 802-4 | CEMENT |

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

ERRATA FOR THE BOOK OF STANDARD SPECIFICATIONS

Errors noted in the printed book of Standard Specifications for Highway Construction, Edition of 2014, are listed below and this publication is hereby revised as follows:

- Page 124: The third sentence of the first paragraph of Subsection 110.03(c) should read: The Engineer will make a decision within 10 business days concerning the necessity or practicability of the request.
- Page 195: The sixth paragraph of subsection 303.02 should read: For Classes 1 through 8 materials, the fraction passing the #200 (0.075 mm) sieve shall not be greater than three-fourths of the fraction passing the #40 (0.0425 mm) sieve. For Classes 3 through 8, the fraction passing the #40 (0.425 mm) sieve shall have a liquid limit not greater than 25.
- Page 363: In the second paragraph of Subsection 502.02, the reference to ASTM 775 should be replaced by “ASTM A 775”.
- Page 636: In the second paragraph of Subsection 730.02, the references to AASHTO M 183 should be replaced with ASTM A36.
- Page 637: The last sentence of the second paragraph of Subsection 730.03 should read: All bolts, nuts, and washers shall be galvanized according to AASHTO M 232 or ASTM B 695, Class 40 or 50.
- Page 767: In the fourth paragraph of Subsection 807.06(a), the reference to ASTM B595 should be replaced by “ASTM B695”.
- Page 841: Subsection 817.04(a) should read: The treatment of lumber and timber shall meet the applicable requirements of the current edition of the AWWA, Standards U1, Commodity Specification E, Use Category UC4C.

**REQUIRED CONTRACT PROVISIONS
FEDERAL-AID CONSTRUCTION CONTRACTS**

- I. General
- II. Nondiscrimination
- III. Non-segregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
- XI. Certification Regarding Use of Contract Funds for Lobbying
- XII. Use of United States-Flag Vessels:

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under title 23, United States Code, as required in 23 CFR 633.102(b) (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services). 23 CFR 633.102(e).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider. 23 CFR 633.102(e).

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services) in accordance with 23 CFR 633.102. The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in solicitation-for-bids or request-for-proposals documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract). 23 CFR 633.102(b).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work

performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract. 23 CFR 633.102(d).

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. 23 U.S.C. 114(b). The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors. 23 U.S.C. 101(a).

II. NONDISCRIMINATION (23 CFR 230.107(a); 23 CFR Part 230, Subpart A, Appendix A; EO 11246)

The provisions of this section related to 23 CFR Part 230, Subpart A, Appendix A are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR Part 60, 29 CFR Parts 1625-1627, 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR Part 60, and 29 CFR Parts 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR Part 230, Subpart A, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal Employment Opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (see 28 CFR Part 35, 29 CFR Part 1630, 29 CFR Parts 1625-1627, 41 CFR Part 60 and 49 CFR Part 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140, shall constitute the EEO and specific affirmative action standards for the contractor's project activities under this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR Part 35 and 29 CFR Part 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract. 23 CFR 230.409 (g)(4) & (5).

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, sexual orientation, gender identity, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action or are substantially involved in such action, will be made fully cognizant of and will implement the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer or other knowledgeable company official.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to ensure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action

within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs (i.e., apprenticeship and on-the-job training programs for the geographical area of contract performance). In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. 23 CFR 230.409. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide

sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established thereunder. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors, suppliers, and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurances Required:

a. The requirements of 49 CFR Part 26 and the State DOT's FHWA-approved Disadvantaged Business Enterprise (DBE) program are incorporated by reference.

b. The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.

c. The Title VI and nondiscrimination provisions of U.S. DOT Order 1050.2A at Appendixes A and E are incorporated by reference. 49 CFR Part 21.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women.

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of more than \$10,000. 41 CFR 60-1.5.

As prescribed by 41 CFR 60-1.8, the contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location under the contractor's control where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size), in accordance with 29 CFR 5.5. The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. 23 U.S.C. 113. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. 23 U.S.C. 101. Where applicable law requires that projects be treated as a project on a Federal-aid highway, the provisions of this subpart will apply regardless of the location of the project. Examples include: Surface Transportation Block Grant Program projects funded under 23 U.S.C. 133 [excluding recreational trails projects], the Nationally Significant Freight and Highway

Projects funded under 23 U.S.C. 117, and National Highway Freight Program projects funded under 23 U.S.C. 167.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages (29 CFR 5.5)

a. *Wage rates and fringe benefits.* All laborers and mechanics employed or working upon the site of the work (or otherwise working in construction or development of the project under a development statute), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act ([29 CFR part 3](#))), the full amount of basic hourly wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. As provided in paragraphs (d) and (e) of 29 CFR 5.5, the appropriate wage determinations are effective by operation of law even if they have not been attached to the contract. Contributions made or costs reasonably anticipated for bona fide fringe benefits under the Davis-Bacon Act ([40 U.S.C. 3141\(2\)\(B\)](#)) on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.e. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics must be paid the appropriate wage rate and fringe benefits on the wage determination for the classification(s) of work actually performed, without regard to skill, except as provided in paragraph 4. of this section. Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: *Provided*, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classifications and wage rates conformed under paragraph 1.c. of this section) and the Davis-Bacon poster (WH-1321) must be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. *Frequently recurring classifications.* (1) In addition to wage and fringe benefit rates that have been determined to be prevailing under the procedures set forth in [29 CFR part 1](#), a wage determination may contain, pursuant to § 1.3(f), wage and fringe benefit rates for classifications of laborers and mechanics for which conformance requests are regularly submitted pursuant to paragraph 1.c. of this section, provided that:

(i) The work performed by the classification is not performed by a classification in the wage determination for which a prevailing wage rate has been determined;

(ii) The classification is used in the area by the construction industry; and

(iii) The wage rate for the classification bears a reasonable relationship to the prevailing wage rates contained in the wage determination.

(2) The Administrator will establish wage rates for such classifications in accordance with paragraph 1.c.(1)(iii) of this section. Work performed in such a classification must be paid at no less than the wage and fringe benefit rate listed on the wage determination for such classification.

c. *Conformance.* (1) The contracting officer must require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract be classified in conformance with the wage determination. Conformance of an additional classification and wage rate and fringe benefits is appropriate only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is used in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) The conformance process may not be used to split, subdivide, or otherwise avoid application of classifications listed in the wage determination.

(3) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken will be sent by the contracting officer by email to DBAconformance@dol.gov. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(4) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer will, by email to DBAconformance@dol.gov, refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(5) The contracting officer must promptly notify the contractor of the action taken by the Wage and Hour Division

under paragraphs 1.c.(3) and (4) of this section. The contractor must furnish a written copy of such determination to each affected worker or it must be posted as a part of the wage determination. The wage rate (including fringe benefits where appropriate) determined pursuant to paragraph 1.c.(3) or (4) of this section must be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

d. *Fringe benefits not expressed as an hourly rate.* Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor may either pay the benefit as stated in the wage determination or may pay another bona fide fringe benefit or an hourly cash equivalent thereof.

e. *Unfunded plans.* If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, *Provided*, That the Secretary of Labor has found, upon the written request of the contractor, in accordance with the criteria set forth in § 5.28, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

f. *Interest.* In the event of a failure to pay all or part of the wages required by the contract, the contractor will be required to pay interest on any underpayment of wages.

2. Withholding (29 CFR 5.5)

a. *Withholding requirements.* The contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for the full amount of wages and monetary relief, including interest, required by the clauses set forth in this section for violations of this contract, or to satisfy any such liabilities required by any other Federal contract, or federally assisted contract subject to Davis-Bacon labor standards, that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to Davis-Bacon labor standards requirements and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld. In the event of a contractor's failure to pay any laborer or mechanic, including any apprentice or helper working on the site of the work all or part of the wages required by the contract, or upon the contractor's failure to submit the required records as discussed in paragraph 3.d. of this section, the contracting agency may on its own initiative and after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with paragraph

2.a. of this section or Section V, paragraph 3.a., or both, over claims to those funds by:

- (1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;
- (2) A contracting agency for its procurement costs;
- (3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;
- (4) A contractor's assignee(s);
- (5) A contractor's successor(s); or
- (6) A claim asserted under the Prompt Payment Act, [31 U.S.C. 3901–3907](#).

3. Records and certified payrolls (29 CFR 5.5)

a. *Basic record requirements (1) Length of record retention.* All regular payrolls and other basic records must be maintained by the contractor and any subcontractor during the course of the work and preserved for all laborers and mechanics working at the site of the work (or otherwise working in construction or development of the project under a development statute) for a period of at least 3 years after all the work on the prime contract is completed.

(2) *Information required.* Such records must contain the name; Social Security number; last known address, telephone number, and email address of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in [40 U.S.C. 3141\(2\)\(B\)](#) of the Davis-Bacon Act); daily and weekly number of hours actually worked in total and on each covered contract; deductions made; and actual wages paid.

(3) *Additional records relating to fringe benefits.* Whenever the Secretary of Labor has found under paragraph 1.e. of this section that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in [40 U.S.C. 3141\(2\)\(B\)](#) of the Davis-Bacon Act, the contractor must maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

(4) *Additional records relating to apprenticeship.* Contractors with apprentices working under approved programs must maintain written evidence of the registration of apprenticeship programs, the registration of the apprentices, and the ratios and wage rates prescribed in the applicable programs.

b. *Certified payroll requirements (1) Frequency and method of submission.* The contractor or subcontractor must submit weekly, for each week in which any DBA- or Related Acts-covered work is performed, certified payrolls to the contracting

agency. The prime contractor is responsible for the submission of all certified payrolls by all subcontractors. A contracting agency or prime contractor may permit or require contractors to submit certified payrolls through an electronic system, as long as the electronic system requires a legally valid electronic signature; the system allows the contractor, the contracting agency, and the Department of Labor to access the certified payrolls upon request for at least 3 years after the work on the prime contract has been completed; and the contracting agency or prime contractor permits other methods of submission in situations where the contractor is unable or limited in its ability to use or access the electronic system.

(2) *Information required.* The certified payrolls submitted must set out accurately and completely all of the information required to be maintained under paragraph 3.a.(2) of this section, except that full Social Security numbers and last known addresses, telephone numbers, and email addresses must not be included on weekly transmittals. Instead, the certified payrolls need only include an individually identifying number for each worker (e.g., the last four digits of the worker's Social Security number). The required weekly certified payroll information may be submitted using Optional Form WH-347 or in any other format desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division website at <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh347.pdf> or its successor website. It is not a violation of this section for a prime contractor to require a subcontractor to provide full Social Security numbers and last known addresses, telephone numbers, and email addresses to the prime contractor for its own records, without weekly submission by the subcontractor to the contracting agency.

(3) *Statement of Compliance.* Each certified payroll submitted must be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor, or the contractor's or subcontractor's agent who pays or supervises the payment of the persons working on the contract, and must certify the following:

(i) That the certified payroll for the payroll period contains the information required to be provided under paragraph 3.b. of this section, the appropriate information and basic records are being maintained under paragraph 3.a. of this section, and such information and records are correct and complete;

(ii) That each laborer or mechanic (including each helper and apprentice) working on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in [29 CFR part 3](#); and

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification(s) of work actually performed, as specified in the applicable wage determination incorporated into the contract.

(4) *Use of Optional Form WH-347.* The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 will satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(3) of this section.

(5) *Signature.* The signature by the contractor, subcontractor, or the contractor's or subcontractor's agent must be an original handwritten signature or a legally valid electronic signature.

(6) *Falsification.* The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under [18 U.S.C. 1001](#) and [31 U.S.C. 3729](#).

(7) *Length of certified payroll retention.* The contractor or subcontractor must preserve all certified payrolls during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

c. *Contracts, subcontracts, and related documents.* The contractor or subcontractor must maintain this contract or subcontract and related documents including, without limitation, bids, proposals, amendments, modifications, and extensions. The contractor or subcontractor must preserve these contracts, subcontracts, and related documents during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

d. *Required disclosures and access (1) Required record disclosures and access to workers.* The contractor or subcontractor must make the records required under paragraphs 3.a. through 3.c. of this section, and any other documents that the contracting agency, the State DOT, the FHWA, or the Department of Labor deems necessary to determine compliance with the labor standards provisions of any of the applicable statutes referenced by § 5.1, available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and must permit such representatives to interview workers during working hours on the job.

(2) *Sanctions for non-compliance with records and worker access requirements.* If the contractor or subcontractor fails to submit the required records or to make them available, or refuses to permit worker interviews during working hours on the job, the Federal agency may, after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, that maintains such records or that employs such workers, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available, or to permit worker interviews during working hours on the job, may be grounds for debarment action pursuant to § 5.12. In addition, any contractor or other person that fails to submit the required records or make those records available to WHD within the time WHD requests that the records be produced will be precluded from introducing as evidence in an administrative proceeding under [29 CFR part 6](#) any of the required records that were not provided or made available to WHD. WHD will take into consideration a reasonable request from the contractor or person for an extension of the time for submission of records. WHD will determine the reasonableness of the request and may consider, among other things, the location of the records and the volume of production.

(3) *Required information disclosures.* Contractors and subcontractors must maintain the full Social Security number and last known address, telephone number, and email address

of each covered worker, and must provide them upon request to the contracting agency, the State DOT, the FHWA, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or other compliance action.

4. Apprentices and equal employment opportunity (29 CFR 5.5)

a. *Apprentices (1) Rate of pay.* Apprentices will be permitted to work at less than the predetermined rate for the work they perform when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship (OA), or with a State Apprenticeship Agency recognized by the OA. A person who is not individually registered in the program, but who has been certified by the OA or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice, will be permitted to work at less than the predetermined rate for the work they perform in the first 90 days of probationary employment as an apprentice in such a program. In the event the OA or a State Apprenticeship Agency recognized by the OA withdraws approval of an apprenticeship program, the contractor will no longer be permitted to use apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(2) *Fringe benefits.* Apprentices must be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringe benefits must be paid in accordance with that determination.

(3) *Apprenticeship ratio.* The allowable ratio of apprentices to journeyworkers on the job site in any craft classification must not be greater than the ratio permitted to the contractor as to the entire work force under the registered program or the ratio applicable to the locality of the project pursuant to paragraph 4.a.(4) of this section. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated in paragraph 4.a.(1) of this section, must be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under this section must be paid not less than the applicable wage rate on the wage determination for the work actually performed.

(4) *Reciprocity of ratios and wage rates.* Where a contractor is performing construction on a project in a locality other than the locality in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyworker's hourly rate) applicable within the locality in which the construction is being performed must be observed. If there is no applicable ratio or wage rate for the locality of the project, the ratio and wage rate specified in the contractor's registered program must be observed.

b. *Equal employment opportunity.* The use of apprentices and journeyworkers under this part must be in conformity with

the equal employment opportunity requirements of Executive Order 11246, as amended, and [29 CFR part 30](#).

c. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. 23 CFR 230.111(e)(2). The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeyworkers shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract as provided in 29 CFR 5.5.

6. Subcontracts. The contractor or subcontractor must insert FHWA-1273 in any subcontracts, along with the applicable wage determination(s) and such other clauses or contract modifications as the contracting agency may by appropriate instructions require, and a clause requiring the subcontractors to include these clauses and wage determination(s) in any lower tier subcontracts. The prime contractor is responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this section. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and may be subject to debarment, as appropriate. 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract as provided in 29 CFR 5.5.

9. Disputes concerning labor standards. As provided in 29 CFR 5.5, disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility. a. By entering into this contract, the contractor certifies that neither it nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of [40 U.S.C. 3144\(b\)](#) or § 5.12(a).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of [40 U.S.C. 3144\(b\)](#) or § 5.12(a).

c. The penalty for making false statements is prescribed in the U.S. Code, Title 18 Crimes and Criminal Procedure, [18 U.S.C. 1001](#).

11. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#);

b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#);

c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#); or

d. Informing any other person about their rights under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#).

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

Pursuant to 29 CFR 5.5(b), the following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchpersons and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek. 29 CFR 5.5.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph 1. of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages and interest from the date of the underpayment. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or

mechanic, including watchpersons and guards, employed in violation of the clause set forth in paragraph 1. of this section, in the sum currently provided in 29 CFR 5.5(b)(2)* for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph 1. of this section.

* \$31 as of January 15, 2023 (See 88 FR 88 FR 2210) as may be adjusted annually by the Department of Labor, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990.

3. Withholding for unpaid wages and liquidated damages

a. *Withholding process.* The FHWA or the contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for any unpaid wages; monetary relief, including interest; and liquidated damages required by the clauses set forth in this section on this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract subject to the Contract Work Hours and Safety Standards Act that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to the Contract Work Hours and Safety Standards Act and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with Section IV paragraph 2.a. or paragraph 3.a. of this section, or both, over claims to those funds by:

- (1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;
- (2) A contracting agency for its procurement costs;
- (3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;
- (4) A contractor's assignee(s);
- (5) A contractor's successor(s); or
- (6) A claim asserted under the Prompt Payment Act, [31 U.S.C. 3901](#)–3907.

4. Subcontracts. The contractor or subcontractor must insert in any subcontracts the clauses set forth in paragraphs 1. through 5. of this section and a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor is responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs 1. through 5. In the

event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and associated liquidated damages and may be subject to debarment, as appropriate.

5. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the Contract Work Hours and Safety Standards Act (CWHSSA) or its implementing regulations in this part;

b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under CWHSSA or this part;

c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under CWHSSA or this part; or

d. Informing any other person about their rights under CWHSSA or this part.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System pursuant to 23 CFR 635.116.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" in paragraph 1 of Section VI refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions: (based on longstanding interpretation)

- (1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;
- (2) the prime contractor remains responsible for the quality of the work of the leased employees;

- (3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and
- (4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract. 23 CFR 635.102.

2. Pursuant to 23 CFR 635.116(a), the contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. Pursuant to 23 CFR 635.116(c), the contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract. (based on long-standing interpretation of 23 CFR 635.116).

5. The 30-percent self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements. 23 CFR 635.116(d).

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR Part 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract. 23 CFR 635.108.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and

health standards (29 CFR Part 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704). 29 CFR 1926.10.

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR Part 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 11, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT (42 U.S.C. 7606; 2 CFR 200.88; EO 11738)

This provision is applicable to all Federal-aid construction contracts in excess of \$150,000 and to all related subcontracts. 48 CFR 2.101; 2 CFR 200.327.

By submission of this bid/proposal or the execution of this contract or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, subcontractor, supplier, or vendor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal Highway Administration and the Regional Office of the Environmental Protection Agency. 2 CFR Part 200, Appendix II.

The contractor agrees to include or cause to be included the requirements of this Section in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements. 2 CFR 200.327.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200. 2 CFR 180.220 and 1200.220.

1. Instructions for Certification – First Tier Participants:

- a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.
- b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction. 2 CFR 180.320.
- c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default. 2 CFR 180.325.
- d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. 2 CFR 180.345 and 180.350.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900-180.1020, and 1200. "First Tier Covered Transactions" refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction. 2 CFR 180.330.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold. 2 CFR 180.220 and 180.300.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. 2 CFR 180.300; 180.320, and 180.325. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. 2 CFR 180.335. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (<https://www.sam.gov/>). 2 CFR 180.300, 180.320, and 180.325.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default. 2 CFR 180.325.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.335;.

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property, 2 CFR 180.800;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification, 2 CFR 180.700 and 180.800; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default. 2 CFR 180.335(d).

(5) Are not a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(6) Are not a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability (USDOT Order 4200.6 implementing appropriations act requirements).

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal. 2 CFR 180.335 and 180.340.

3. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders, and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200). 2 CFR 180.220 and 1200.220.

a. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances. 2 CFR 180.365.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900 – 180.1020, and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated. 2 CFR 1200.220 and 1200.332.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold. 2 CFR 180.220 and 1200.220.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (<https://www.sam.gov/>), which is compiled by the General Services Administration. 2 CFR 180.300, 180.320, 180.330, and 180.335.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily

excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. 2 CFR 180.325.

* * * * *

4. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

a. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals:

(1) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.355;

(2) is a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(3) is a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability. (USDOT Order 4200.6 implementing appropriations act requirements)

b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000. 49 CFR Part 20, App. A.

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or

cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

XII. USE OF UNITED STATES-FLAG VESSELS:

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, or any other covered transaction. 46 CFR Part 381.

This requirement applies to material or equipment that is acquired for a specific Federal-aid highway project. 46 CFR 381.7. It is not applicable to goods or materials that come into inventories independent of an FHWA funded-contract.

When oceanic shipments (or shipments across the Great Lakes) are necessary for materials or equipment acquired for a specific Federal-aid construction project, the bidder, proposer, contractor, subcontractor, or vendor agrees:

1. To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to this contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels. 46 CFR 381.7.

2. To furnish within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, 'on-board' commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph (b)(1) of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Office of Cargo and Commercial Sealift (MAR-620), Maritime Administration, Washington, DC 20590. (MARAD requires copies of the ocean carrier's (master) bills of lading, certified onboard, dated, with rates and charges. These bills of lading may contain business sensitive information and therefore may be submitted directly to MARAD by the Ocean Transportation Intermediary on behalf of the contractor). 46 CFR 381.7.

**ATTACHMENT A - EMPLOYMENT AND MATERIALS
PREFERENCE FOR APPALACHIAN DEVELOPMENT
HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS
ROAD CONTRACTS (23 CFR 633, Subpart B, Appendix B)**

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

EQUAL EMPLOYMENT OPPORTUNITY - NOTICE TO CONTRACTORS

Elsewhere in this contract are three Supplemental Specifications on Equal Employment Opportunity designated as PR-1273 Supplements. They are (1) Specific Equal Employment Opportunity Responsibilities (23 U.S.C. 140), (2) Equal Employment Opportunity - Goals and Timetables, and (3) Equal Employment Opportunity - Federal Standards. This notice is to clarify the responsibilities for review of compliance and enforcement for these separate supplemental specification requirements.

The first of the Supplemental Specifications cited above covers the requirements for the equal employment opportunity program under Title 23 for which the Arkansas Department of Transportation (ARDOT) is responsible. The ARDOT performs the necessary compliance review and enforcement of this Supplemental Specification which is applicable to all contractors holding Federal-aid highway contracts.

The latter two Supplemental Specifications are for the specific equal opportunity requirements for Executive Order 11246 which is the sole responsibility of the Office of Federal Contract Compliance Programs (OFCCP), Department of Labor. Review and enforcement under these Supplemental Specifications is performed by OFCCP.

OFCCP has, under Paragraph 8 of the EEO Federal Standards Supplemental Specification, recognized the Arkansas AGC Heavy Highway Affirmative Action Plan as meeting the provisions of that Supplemental Specification and Supplemental Specification (2) cited above. With this recognition, those contractors signatory to the AGC Plan have been waived from individual review by OFCCP. However, OFCCP retains the right to review any such contractors whenever circumstances warrant. Also, contractors non-signatory to the AGC Plan are subject to OFCCP review under EO 11246.

ARDOT and OFCCP have agreed to work towards eliminating duplicative reviews on individual contractors; however, each agency may make reviews at any time notwithstanding the cited agreement.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES
(23 U.S.C. 140)**1. General.**

a. Equal employment opportunity requirements not to discriminate and to take affirmative action to assure equal employment opportunity as required by Executive Order 11246 and Executive Order 11375 are set forth in Required Contract Provisions (Form FHWA-1273 and Supplements) and these Special Provisions which are imposed pursuant to Section 140 of Title 23, U.S.C., as established by Section 22 of the Federal-Aid Highway Act of 1968. The requirements set forth in these Special Provisions shall constitute the specific affirmative action requirements for project activities under this contract and supplement the equal employment opportunity requirements set forth in the Required Contract Provisions. The initial measure of the contractor's good faith efforts to comply with these Special Provisions shall be its efforts to meet the goals set forth in the "Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246)" for minority and female participation expressed in percentage terms for the contractor's work force in each trade on this project.

b. The contractor will work with the Department and the Federal Government in carrying out equal employment opportunity obligations and in their review of his/her activities under the contract.

c. The contractor and all his/her subcontractors holding subcontracts not including material suppliers, of \$10,000 or more, will comply with the following minimum specific requirement activities of equal employment opportunity: (The equal employment opportunity requirements of Executive Order 11246, as set forth in Volume 6, Chapter 4, Section 1, Subsection 1 of the Federal-Aid Highway Program Manual, are applicable to material suppliers as well as contractors and subcontractors.) The contractor will include these requirements in every subcontract of \$10,000 or more with such modification of language as is necessary to make them binding on the subcontractor.

2. Equal Employment Opportunity Policy.

The contractor will accept as his operating policy the following statement which is designed to further the provision of equal employment opportunity to all persons without regard to their race, color, religion, sex, age, disability, or national origin, and to promote the full realization of equal employment opportunity through a positive continuing program:

It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, age, disability, or national origin. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, preapprenticeship, and/or on-the-job training.

3. Equal Employment Opportunity Officer.

The contractor will designate and make known to the Department contracting officers an equal employment opportunity officer (hereinafter referred to as the EEO Officer) who will have the responsibility for and must be capable of effectively administering and promoting an active contractor program of equal employment opportunity and who must be assigned adequate authority and responsibility to do so.

4. Dissemination of Policy.

a. All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's equal employment opportunity policy and contractual responsibilities to provide equal employment opportunity in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

(1) Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's equal employment opportunity policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer or other knowledgeable company official.

(2) All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer or other knowledgeable company official covering all major aspects of the contractor's equal employment opportunity obligations within thirty days following their reporting for duty with the contractor.

(3) All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer or appropriate company official in the contractor's procedures for locating and hiring minority and female employees.

b. In order to make the contractor's equal employment opportunity policy known to all employees, prospective employees and potential sources of employees, i.e., schools, employment agencies, labor unions (where appropriate), college placement officers, etc., the contractor will take the following actions:

(1) Notices and posters setting forth the contractor's equal employment opportunity policy will be placed in areas readily accessible to employees, applicants for employment, and potential employees.

(2) The contractor's equal employment opportunity policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

5. Recruitment.

a. When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be published in newspapers or other publications having a large circulation among minority groups in the area from which the project work force would normally be derived.

b. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority and female applicants, including, but not limited to, State employment agencies, schools, colleges, and minority group organizations. To meet this requirement, the contractor will, through his EEO Officer, identify sources of potential minority and female employees, and establish with such identified sources procedures whereby minority and female applicants may be referred to the contractor for employment consideration.

In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, he is expected to observe the provisions of that agreement to the extent that the system permits the contractor's compliance with equal employment opportunity contract provisions. (The U.S. Department of Labor has held that where implementation of such agreements has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Executive Order 11246, as amended.)

c. The contractor will encourage his present employees to refer minority and female applicants for employment by posting appropriate notices or bulletins in areas accessible to all such employees. In addition, information and procedures with regard to referring minority and female applicants will be discussed with employees.

6. Personnel Actions.

Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, age, disability, or national origin. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with his obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of his avenues of appeal.

7. Training and Promotion.

a. The contractor will assist in locating, qualifying, and increasing the skills of minority group and women employees and applicants for employment.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship and on-the-job training programs for the geographical area of contract performance. Where feasible, 25 percent of apprentices or trainees in each occupation shall be in their first year of apprenticeship or training. In the event the Optional Training Special Provision is provided under this contract, this subparagraph will be superseded by that Special Provision.

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of minority group and women employees and will encourage eligible employees to apply for such training and promotion.

8. Unions.

If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use his/her best efforts to obtain the cooperation of such unions to increase opportunities for minority groups and women within the unions, and to effect referrals by such unions of minority and female employees. Actions by the contractor either directly or through a contractor's association acting as agent will include the procedures set forth below:

a. The contractor will use best efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minority group members and women for membership in the unions and increasing the skills of minority group employees and women so that they may qualify for higher paying employment.

b. The contractor will use best efforts to incorporate an equal employment opportunity clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, age, disability, or national origin.

c. The contractor is to obtain information as to the referral practices and policies of the labor union, except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the State Highway Department and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of minority and women referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, age, disability, or national origin, making full efforts to obtain qualified and/or qualifiable minority group persons and women. (The U.S. Department of Labor has held that it shall be no excuse that the union with which the contractor has a collective bargaining agreement providing for exclusive referral failed to refer minority employees.) In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the Department.

9. Subcontracting.

a. The contractor's attention is called to the Special Provision on Disadvantaged Business Enterprises in Federal-Aid Highway Construction.

b. The contractor will use his best efforts to ensure subcontractor compliance with their equal employment opportunity obligations.

10. Records and Reports.

a. The contractor will keep such records as are necessary to determine compliance with the contractor's equal employment opportunity obligations. The records kept by the contractor will be designed to indicate:

(1) the number of minority and non-minority group members and women employed in each work classification on the project,

(2) the progress and efforts being made in cooperation with unions to increase employment opportunities for minorities and women (applicable only to contractors who rely in whole or in part on unions as a source of their work force),

(3) the progress and efforts being made in locating, hiring, training, qualifying, and upgrading minority and female employees, and

(4) the progress and efforts being made in securing the services of Disadvantaged Business Enterprises or subcontractors or subcontractors with meaningful minority and female representation among their employees.

b. All such records must be retained for a period of three years following completion of the contract work and shall be available at reasonable times and places for inspection by authorized representatives of the Department and the Federal Highway Administration.

c. The contractors will submit an annual report to the State Highway agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on Form PR 1391.

11. Corrective Action Plans.

The contractor understands that a designated representative of the Department will periodically review compliance by the contractor with all contractual provisions incorporated pursuant to Executive Order 11246, as amended, and Federal Highway Administration Equal Employment Opportunity Special Provisions implementing the Federal-Aid Highway Act of 1968, where applicable.

In the event that the designated representative of the Department finds that the contractor has failed to comply with any of the aforementioned contractual provisions, he will notify the contractor of this finding in writing. A declaration of default will result in the suspension of all future payments. No declaration of default will be made if the Department and the contractor formally agree to enter into a corrective action plan setting out the specified steps and timetables the contractor will be contractually obligated to perform in order to re-establish his compliance. This corrective action plan, in order to be accepted by the Department, shall include the following mandatory enforcement language:

"If, at any time in the future, the Office of Federal Contract Compliance Programs or the Federal Highway Administration or the Arkansas State Highway Commission or their successor(s) believe that (name of contractor) has violated any portion of this agreement, (name of contractor) shall be promptly notified of the fact in writing. This notification shall include a statement of the facts and circumstances relied upon in forming that belief. In addition, the notification shall provide (name of contractor) with 15 days to respond in writing to the notification except where the Office of Federal Contract Compliance Programs, the Federal Highway Administration or the Arkansas State Highway Commission alleges that such delay would result in irreparable injury. It is understood that enforcement proceedings for violation of this agreement may be initiated at any time after the 15-day period has elapsed (or sooner if irreparable injury is alleged) without issuance of a show cause notice."

"It is recognized that where the Office of Federal Contract Compliance Programs and/or the Federal Highway Administration and/or the Arkansas State Highway Commission believes that (name of contractor) has breached this agreement, evidence regarding the entire scope of (name of contractor) alleged noncompliance from which this agreement resulted, in addition to evidence regarding (name of contractor) alleged violation of this agreement, may be introduced at the enforcement proceeding."

"Violation of this agreement may subject (name of contractor) to sanctions pursuant to the Arkansas State Highway Commission contract administration procedures. It is further recognized that liability for violation of this agreement may also subject (name of contractor) to sanctions set forth in Section 209 of Executive Order 11246, as amended, and/or appropriate relief."

The contractor will submit quarterly reports to the Department as a result of any deficiencies cited during an equal employment opportunity compliance review. The reports will indicate the affirmative action steps taken to correct the deficiencies. Instructions for submission of the reports will be furnished by the Equal Employment Opportunity Section.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

EQUAL EMPLOYMENT OPPORTUNITY - GOALS AND TIMETABLES

NOTICE OF REQUIREMENT FOR AFFIRMATIVE
ACTION TO ENSURE EQUAL EMPLOYMENT
OPPORTUNITY (EXECUTIVE ORDER 11246)

1. The Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Specifications" set forth herein.

2. The goals and timetables for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

MINORITIES

COUNTY

| | | | |
|--------------|-------|--------------|-------|
| Arkansas | 16.4% | Lee | 26.5% |
| Ashley | 16.4% | Lincoln | 16.4% |
| Baxter | 3.3% | Little River | 19.7% |
| Benton | 3.3% | Logan | 6.6% |
| Boone | 3.3% | Lonoke | 16.4% |
| Bradley | 16.4% | Madison | 3.3% |
| Calhoun | 16.4% | Marion | 3.3% |
| Carroll | 3.3% | Miller | 19.7% |
| Chicot | 16.4% | Mississippi | 26.5% |
| Clark | 16.4% | Monroe | 16.4% |
| Clay | 26.5% | Montgomery | 16.4% |
| Cleburne | 16.4% | Nevada | 20.2% |
| Cleveland | 16.4% | Newton | 3.3% |
| Columbia | 20.2% | Ouachita | 16.4% |
| Conway | 16.4% | Perry | 16.4% |
| Craighead | 26.5% | Phillips | 26.5% |
| Crawford | 5.6% | Pike | 20.2% |
| Crittenden | 32.3% | Poinsett | 26.5% |
| Cross | 26.5% | Polk | 6.6% |
| Dallas | 16.4% | Pope | 16.4% |
| Desha | 16.4% | Präirie | 16.4% |
| Drew | 16.4% | Pulaski | 15.7% |
| Faulkner | 16.4% | Randolph | 26.5% |
| Franklin | 6.6% | Saline | 15.7% |
| Fulton | 16.4% | Scott | 6.6% |
| Garland | 16.4% | Searcy | 3.3% |
| Grant | 16.4% | Sebastian | 5.6% |
| Greene | 26.5% | Sevier | 20.2% |
| Hempstead | 20.2% | Sharp | 16.4% |
| Hot Spring | 16.4% | Stone | 16.4% |
| Howard | 20.2% | St. Francis | 26.5% |
| Independence | 16.4% | Union | 16.4% |
| Izard | 16.4% | Van Buren | 16.4% |
| Jackson | 16.4% | Washington | 3.3% |
| Jefferson | 31.2% | White | 16.4% |
| Johnson | 16.4% | Woodruff | 16.4% |
| Lafayette | 20.2% | Yell | 16.4% |
| Lawrence | 26.5% | | |

FEMALES

Statewide - 6.9%

These goals are applicable to all the Contractor's construction work (whether or not it is Federal or federally assisted) performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the Contractor also is subject to the goals for both its federally involved and nonfederally involved construction.

The Contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade, and the Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number of the subcontractor; employer identification number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the subcontract is to be performed.

4. As used in this Notice, and in the contract resulting from this solicitation, the "covered area" is as described in the Proposal Form for this report.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

EQUAL EMPLOYMENT OPPORTUNITY - FEDERAL STANDARDS

STANDARD FEDERAL EQUAL EMPLOYMENT OPPORTUNITY
CONSTRUCTION CONTRACT SPECIFICATIONS
(EXECUTIVE ORDER 11246)

1. As used in these specifications:
 - a. "Covered area" means the geographical area described in the solicitation from which this contract resulted;
 - b. "Director" means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority;
 - c. "Employer identification number" means the Federal Social Security number used on the Employer's Quarterly Federal Tax Return, U.S. Treasury Department Form 941.
 - d. "Minority" includes:
 - i. Black (all persons having origins in any of the Black African racial groups not of Hispanic origin);
 - ii. Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race);
 - iii. Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and
 - iv. American Indian or Alaskan Native (all persons having origins in any of the original peoples of North American and maintaining identifiable tribal affiliations through membership and participation or community identification).
2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of \$10,000 the provisions of these specifications and the Notice which contains the applicable goals for minority and female participation and which is set forth in the solicitations from which this contract resulted.
3. If the Contractor is participating (pursuant to 41 CFR 60-4.5) in a Hometown Plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the Plan area (including goals and timetables) shall be in accordance with that Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO clause, and to make a good faith effort to achieve each goal under the Plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractors toward a goal in an approved Plan does not excuse any covered Contractor's or Subcontractor's failure to take good faith efforts to achieve the Plan goals and timetables.
4. The Contractor shall implement the specific affirmative action standards provided in paragraphs 7a through p of these specifications. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the Contractor should reasonably be able to achieve in each construction trade in which it has employees in the covered area. Covered construction contractors performing construction work in geographical areas where they do not have a Federal or federally assisted construction contract shall apply the minority and female goals established for the geographical area where the work is being performed. Goals are published periodically in the Federal Register in notice form, and such notices may be obtained from any Office of Federal Contract Compliance Programs office or from Federal procurement contracting officers. The Contractor is expected to make substantially uniform progress in meeting its goals in each craft during the period specified.
5. Neither the provisions of any collective bargaining agreement, nor the failure by a union with whom the Contractor has a collective bargaining agreement, to refer either minorities or women shall excuse the Contractor's obligations under these specifications, Executive Order 11246, or the regulations promulgated pursuant thereto.
6. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees must be employed by the Contractor during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the U.S. Department of Labor.
7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its actions. The

Contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following:

a. Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible, will assign two or more women to each construction project. The Contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.

b. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the Contractor or its unions have employment opportunities available, and maintain a record of the organizations' responses.

c. Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority or female referral from a union, a recruitment source or community organization and of what action was taken with respect to each such individual. If such individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the file with the reason therefor, along with whatever additional actions the Contractor may have taken.

d. Provide immediate written notification to the Director when the union or unions with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's efforts to meet its obligations.

e. Develop on-the-job training opportunities and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the Contractor's employment needs, especially those programs funded or approved by the Department of Labor. The Contractor shall provide notice of these programs to the sources compiled under 7b above.

f. Disseminate the Contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and female employees before the start of work and then not less often than once every six months; and by posting the company EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.

g. Review the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions including specific review of these items with on-site supervisory personnel such as Superintendents, General Foreman, etc., prior to the initiation of construction work at any job site and then not less often than once every six months. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.

h. Disseminate the Contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the Contractor's EEO policy with other Contractors and Subcontractors with whom the Contractor does or anticipates doing business.

i. Direct its recruitment efforts, both oral and written, to minority, female and community organizations, to schools with minority and female students and to minority and female recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, the Contractor shall send written notification to organizations such as the above describing the openings, screening procedures, and test to be used in the selection process.

j. Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and in other areas of a Contractor's workforce.

k. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.

l. Conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.

m. Ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligations under these specifications are being carried out.

n. Ensure that all facilities and company activities are non-segregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between sexes.

o. Document and maintain a record of all solicitations of offers for subcontractors for disadvantaged business

enterprise construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.

p. Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's EEO policies and affirmative action obligations.

8. Contractors are encouraged to participate in voluntary associations which assist in fulfilling one or more of their affirmative action obligations (7a through p). The efforts of a contractor association, joint contractor-union, contractor-community, or other similar group of which the contractor is a member and participant, may be asserted as fulfilling any one or more of its obligations under 7a through p of these Specifications provided that the contractor actively participates in the group, makes every effort to assure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the Contractor's minority and female workforce participation, makes a good faith effort to meet its individual goals and timetables, and can provide access to documentation which demonstrates the effectiveness of actions taken on behalf of the Contractor. The obligation to comply, however, is the Contractor's and failure of such a group to fulfill an obligation shall not be a defense for the Contractor's non-compliance.

9. A single goal for minorities and a separate single goal for women have been established. The Contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order if a particular group is employed in a substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of the Executive Order if a specific minority group of women is underutilized).

10. The Contractor shall not use the goals and timetables or affirmative action standards to discriminate against any person because of race, color, religion, sex, national origin, age or disability.

11. The Contractor shall not enter into any Subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246.

12. The Contractor shall carry out such sanctions and penalties for violation of these specifications and of the Equal Employment Opportunity Clause, including suspension, termination and cancellation of existing subcontracts as may be imposed or ordered pursuant to Executive Order 11246, as amended, and its implementing regulations, by the Office of Federal Contract Compliance Programs. Any Contractor who fails to carry out such sanctions and penalties shall be in violation of these specifications and Executive Order 11246, as amended.

13. The Contractor, in fulfilling its obligations under these specifications, shall implement specific affirmative action steps, at least as extensive as those standards prescribed in paragraph 7 of

these specifications, so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the Contractor fails to comply with the requirements of the Executive Order, the implementing regulations, or these specifications, the Director shall proceed in accordance with 41CFR60-4.8.

14. The Contractor shall designate a responsible official to monitor all employment related activity to ensure that the company EEO policy is being carried out, to submit reports relating to the provisions hereof as may be required by the Government and to keep records. Records shall at least include for each employee the name, address, telephone numbers, construction trade, union affiliation if any, employee identification number when assigned, social security number, race, sex, status (e.g., mechanic, apprentice, trainee, helper, or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, contractors shall not be required to maintain separate records.

15. Nothing herein provided shall be construed as a limitation upon the application of other laws which establish different standards of compliance or upon the application of requirements for the hiring of local or other area residents (e.g., those under the Public Works Employment Act of 1977 and the Community Development Block Grant Program).

16. In addition to the reporting requirements set forth elsewhere in this contract, the contractor and the subcontractors holding subcontracts not including material suppliers, of \$10,000 or more, shall submit for every month of July during which work is performed employment data as contained under Form PR-1391 (Appendix C to 23 CFR, Part 230), and in accordance with the instructions included thereon.

7/26/96
Rev. 2/11/98
Rev. 2/20/03
Rev. 7/27/06
Rev. 10/24/06
Rev. 9/16/13
Rev. 8/22/17
Rev. 12/13/23

**FHWA-1273 SUPPLEMENTAL SPECIFICATION
POSTERS AND NOTICES REQUIRED FOR FEDERAL-AID PROJECTS**

| POSTER OR DOCUMENT REQUIRED | REQUIRED BY | WHERE TO OBTAIN |
|---|--|--|
| 1. Equal Employment Opportunity – Know Your Rights | U.S. Department of Labor (OFCCP) | ARDOT Resident Engineer |
| 2. Company EEO Policy (prepared by the Contractor on the Company's letterhead) | U. S. Department of Labor (OFCCP) | Contractor to Prepare: <ul style="list-style-type: none"> a. EEO policy statement. b. Notice encouraging employees to refer minority and female applicants for employment. c. Notice informing employees of an available training program and the entrance requirements. d. Complaint procedures. e. Notice identifying company EEO officer by name, including address and telephone number where EEO officer can be located. f. Work environment statement. g. Certification of nonsegregated facilities. *h. Notice to unions disseminating EEO commitments and responsibilities and requesting their cooperation. |
| 3. Current Wage Rates (PR-1273 Supplement) or SS Revisions of PR-1273 for Off-System Projects | *Union Contractors Only U. S. Department of Labor | Contained in contract. Extra copies may be obtained from Program Management - ARDOT |

7/26/96
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Rev. 2/20/03
Rev. 7/27/06
Rev. 10/24/06
Rev. 9/16/13
Rev. 8/22/17
Rev. 12/13/23

**FHWA-1273 SUPPLEMENTAL SPECIFICATION
POSTERS AND NOTICES REQUIRED FOR FEDERAL-AID PROJECTS**

| POSTER OR DOCUMENT REQUIRED | REQUIRED BY | WHERE TO OBTAIN |
|--|--|------------------------------------|
| 4. "Employee Rights Under the Davis-Bacon Act" (WH 1321) | U. S. Department of Labor | ARDOT Resident Engineer |
| 5. "Employee Rights Under the Davis-Bacon Act" (WH 1321 SPA) | U. S. Department of Labor | ARDOT Resident Engineer |
| 6. Minimum Wage Rate (WH 1088) | U. S. Department of Labor | ARDOT Resident Engineer |
| 7. "NOTICE" Federal Aid Projects (PR-1022) | U. S. Department of Transportation (FHWA) | ARDOT Resident Engineer |
| 8. Job Safety and Health Protection OSHA 3165 | U. S. Department of Labor (OSHA) | ARDOT Resident Engineer |
| 9. Job Safety and Health Protection OSHA 3167 SPA | U. S. Department of Labor (OSHA) | ARDOT Resident Engineer |
| 10. Emergency Phone Numbers of Doctors, Hospital and Ambulance near Job Site for referring injured employees. | U. S. Department of Labor (OSHA) | ARDOT Resident Engineer |
| 11. WCC Form AR-P Workers Compensation Notice and Instructions to Employers and Employees | State of Arkansas | Insurance Carrier |
| Self-Insurer | State of Arkansas | Administrator - Self-Insured Group |

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Rev. 10/24/06
Rev. 9/16/13
Rev. 8/22/17
Rev. 12/13/23

FHWA-1273 SUPPLEMENTAL SPECIFICATION
POSTERS AND NOTICES REQUIRED FOR FEDERAL-AID PROJECTS

| POSTER OR DOCUMENT REQUIRED | REQUIRED BY | WHERE TO OBTAIN |
|---|--|-------------------------|
| 12. Log and Summary of Occupational Injuries and Illnesses (OSHA Form 300) The Summary portion must be posted from February 1 to April 30, of the year following the year covered by the form. | U. S. Department of Labor (OSHA) Public Law 91-596 | ARDOT Resident Engineer |
| 13. Family and Medical Leave Act of 1993 (WH-1420) Employers who employ 50 or more employees for at least 20 workweeks in the current or preceding calendar year. | U. S. Department of Labor | ARDOT Resident Engineer |
| 14. Employee Polygraph Protection Act (WH-1462) | U. S. Department of Labor | ARDOT Resident Engineer |
| 15. Your Rights Under USERRA (The Uniformed Services Employment and Reemployment Rights Act) | U. S. Department of Labor | ARDOT Resident Engineer |
| 16. Arkansas Department of Labor Notice to Employer & Employee | Arkansas Department of Labor | ARDOT Resident Engineer |
| 17. Pay Transparency Nondiscrimination Provision | U. S. Department of Labor (OFCCP) | ARDOT Resident Engineer |

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
WAGE RATE DETERMINATION

"General Decision Number: AR20240173 01/05/2024

Superseded General Decision Number: AR20230173

State: Arkansas

Construction Type: Highway

County: Washington County in Arkansas.

HIGHWAY CONSTRUCTION PROJECTS

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

| | |
|---|---|
| If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022: | . Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least \$17.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2024. |
| If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022: | . Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least \$12.90 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2024. |

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

ARKANSAS DEPARTMENT OF TRANSPORTATION
 SUPPLEMENTAL SPECIFICATION
 WAGE RATE DETERMINATION

Modification Number Publication Date
 0 01/05/2024

SUAR2014-045 07/21/2014

| | Rates | Fringes |
|---|-------------|---------|
| CARPENTER, Includes Form Work.... | \$ 15.40 ** | 0.00 |
| CEMENT MASON/CONCRETE FINISHER... | \$ 15.33 ** | 0.00 |
| ELECTRICIAN, Includes Traffic Signalization..... | \$ 20.40 | 0.00 |
| FENCE ERECTOR..... | \$ 11.27 ** | 0.00 |
| HIGHWAY/PARKING LOT STRIPING: Operator (Striping Machine).... | \$ 13.25 ** | 0.00 |
| HIGHWAY/PARKING LOT STRIPING: Painter..... | \$ 21.75 | 0.00 |
| INSTALLER - GUARDRAIL..... | \$ 17.12 ** | 0.00 |
| IRONWORKER, REINFORCING..... | \$ 14.22 ** | 0.00 |
| IRONWORKER, STRUCTURAL..... | \$ 17.52 | 0.00 |
| LABORER: Asphalt, Includes Raker, Shoveler, Spreader and Distributor..... | \$ 14.68 ** | 0.00 |
| LABORER: Common or General..... | \$ 13.17 ** | 0.00 |
| LABORER: Mason Tender - Cement/Concrete..... | \$ 14.77 ** | 0.00 |
| LABORER: Pipelayer..... | \$ 14.33 ** | 0.00 |
| OPERATOR: Asphalt Spreader..... | \$ 15.80 ** | 0.00 |
| OPERATOR: Backhoe/Excavator/Trackhoe..... | \$ 17.01 ** | 0.00 |
| OPERATOR: Bobcat/Skid Steer/Skid Loader..... | \$ 16.06 ** | 0.00 |
| OPERATOR: Broom/Sweeper..... | \$ 12.00 ** | 0.00 |
| OPERATOR: Bulldozer..... | \$ 17.08 ** | 0.00 |
| OPERATOR: Crane..... | \$ 22.58 | 0.00 |
| OPERATOR: Drill..... | \$ 14.85 ** | 0.00 |
| OPERATOR: Grade Checker..... | \$ 16.36 ** | 0.00 |
| OPERATOR: Grader/Blade..... | \$ 16.67 ** | 0.00 |

ARKANSAS DEPARTMENT OF TRANSPORTATION
 SUPPLEMENTAL SPECIFICATION
 WAGE RATE DETERMINATION

| | | |
|---|-------------|------|
| OPERATOR: Hydroseeder..... | \$ 10.79 ** | 0.00 |
| OPERATOR: Loader..... | \$ 15.01 ** | 0.00 |
| OPERATOR: Mechanic..... | \$ 20.28 | 0.00 |
| OPERATOR: Milling Machine..... | \$ 16.77 ** | 0.00 |
| OPERATOR: Oiler..... | \$ 19.29 | 0.00 |
| OPERATOR: Paver (Asphalt, Aggregate, and Concrete)..... | \$ 19.95 | 0.00 |
| OPERATOR: Post Driver (Guardrail/Fences)..... | \$ 16.97 ** | 0.00 |
| OPERATOR: Roller..... | \$ 15.46 ** | 0.00 |
| OPERATOR: Scraper..... | \$ 16.50 ** | 0.00 |
| OPERATOR: Screed..... | \$ 16.90 ** | 0.00 |
| OPERATOR: Tractor..... | \$ 17.61 | 0.00 |
| TRAFFIC CONTROL: Flagger..... | \$ 15.77 ** | 0.00 |
| TRAFFIC CONTROL: Laborer-Cones/ Barricades/Barrels - Setter/Mover/Sweeper..... | \$ 12.44 ** | 0.00 |
| TRUCK DRIVER: Dump Truck..... | \$ 18.56 | 0.00 |
| TRUCK DRIVER: Flatbed Truck..... | \$ 21.03 | 0.00 |
| TRUCK DRIVER: Lowboy Truck..... | \$ 17.96 | 0.00 |
| TRUCK DRIVER: Servicer..... | \$ 16.36 ** | 0.00 |
| TRUCK DRIVER: Water Truck..... | \$ 14.73 ** | 0.00 |
| TRUCK DRIVER: Semi/Trailer Truck..... | \$ 12.50 ** | 0.00 |

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

=====
 ** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$17.20) or 13658 (\$12.90). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave

for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and

the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour National Office because National Office has responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
WAGE RATE DETERMINATION

Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION"

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

CARGO PREFERENCE ACT REQUIREMENTS

The requirements of the Cargo Preference Act (CPA) and implementing regulations (46 CFR 381.7(a)-(b)) are applicable to this contract. For additional information, see the FHWA's web page:

<https://www.fhwa.dot.gov/construction/cqit/cargo.cfm>

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB 040854

GOALS FOR DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

A Disadvantaged Business Enterprise (DBE) goal of 3.0% has been established for this contract. Therefore, the provisions of subsection 103.08 of the Standard Specifications for Highway Construction, Edition of 2014, as revised, apply.

Requirements of Subsection 103.08 apply to successful bidders that are certified by the Department as a DBE. The Prime Contractor must meet the DBE goal. If the Prime Contractor is a Department certified DBE, then the work the Prime Contractor performs with its own forces, as well as work committed to be performed by DBE subcontractors and suppliers will count toward the goal. Therefore, DBE bidders should list work to be performed with its own forces on the DBE Participation form, along with DBE subcontractors to be utilized in achieving the goal.

All payments made to DBE Contractors, suppliers, manufacturers, and/or non-construction service firms must be reported by the Prime Contractor. This includes all payments made to DBE firms utilized in achieving the project goal and DBE firms that perform work that is not listed in the Disadvantaged Business Enterprise Participation form submitted with the executed Contract.

As required by Subsection 103.08(h), the Prime Contractor must use the appropriate DBE Payment Log form included in this Special Provision during the progress of the Contract. Listed below are the instructions on when each form is required to be submitted.

- The Prime DBE Payment Log (page 4) must be submitted by the Prime Contractor when he/she is a certified DBE Contractor and work was performed by their own forces or money was earned by the DBE Prime Contractor for work performed by a Subcontractor during the estimate period.
- The DBE Subcontractor Payment Log (page 3) must be submitted by the Prime Contractor when a Subcontractor is a certified DBE Contractor and work was performed by a Subcontractor or money was earned by a Subcontractor for work performed by a Second-tier Subcontractor during the estimate period.
- The 2nd Tier DBE Payment Log (page 5) must be submitted by the Prime Contractor when a 2nd Tier Subcontractor is a certified DBE Contractor and work was performed by a 2nd Tier Subcontractor during the estimate period.
- The 2nd Tier DBE Payment Log (page 5) must be submitted by the Prime Contractor when payments are made to a Department Certified DBE supplier, manufacturer, and/or non-construction service firm by the Prime Contractor or any Subcontractor or 2nd Tier Subcontractor during the estimate period.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB 040854

GOALS FOR DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

A separate DBE Payment Log form is required for each DBE firm receiving payments for work completed or services provided during each estimate period. The DBE Payment Log forms, along with instructions for their use, are available on the Department's website at:

https://www.ardot.gov/wp-content/uploads/2021/01/DBE_Log.xlsx

All certifications of payments must be received by the Resident Engineer within thirty-five (35) calendar days following the end of each estimate period. Facsimile or scanned copies of the completed original payment log forms are acceptable to fulfill this requirement.

Upon completion of the contract, a final certificate of payments to all DBE firms -- page 6 of this Special Provision -- is required by Subsection 103.08 (h). The final amount paid to each DBE firm shall match the total to date reported on the last DBE payment log submitted for each firm. If necessary, an additional DBE payment log shall be submitted with the certificate of payment itemizing all payments made to DBE firms since the last estimate period. A signed, original of the Final Certificate of Payment must be furnished to the Resident Engineer.

**Arkansas Department of Transportation
DBE 2nd Tier Payment Log**

Job Number _____ Prime Contractor _____
 Estimate No. _____ Subcontractor _____
 Estimate Ending Date _____ DBE 2nd Tier Subcontractor _____
 Date Payment Made to DBE _____

| Item Code* | Item Description | 2nd Tier Unit Price | Quantity | Value Earned by 2 nd Tier |
|------------|------------------|---------------------|----------|--------------------------------------|
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* Item Codes for pay items are shown on the estimate voucher

Total This Estimate

Retainage Withheld This Estimate

Net Total This Estimate

_____% Retainage Previous Total

Total To Date

DBE Payment Log must be received within 35 calendar days of the ending date of the estimate.

The Prime Contractor certifies that the payment listed has been made to the DBE 2nd Tier Subcontractor and that the documentation of this payment is available for inspection upon request.

Authorized Signature _____ Title _____
 Typed or Printed Name _____ Date _____

Department Use Only

| | |
|------------------------------------|------------------------------------|
| Received By _____ Date _____ | Verified By _____ Date _____ |
| | RE Initials _____ |

Rev. 12-13-16
Rev. 11-07-19
Rev. 3-8-24

ARKANSAS DEPARTMENT OF TRANSPORTATION

CERTIFICATION TO SUBMIT DBE PARTICIPATION

JOB 040854

By submitting an internet proposal, the bidder irrevocably certifies that an amount equal to or greater than the Disadvantaged Business Enterprise (DBE) Goal established for this project will be performed by certified Disadvantaged Business Enterprise firms and the required DBE participation information will be submitted within 5 calendar days of the date of the bid opening.

Within five (5) calendar days of the date of the bid letting, all bidders shall furnish the required DBE Participation information to the Department on the forms provided to be considered a responsive bid. If a conditional award has been made and the successful bidder has not furnished the required information, the proposal will be rejected and their proposal guaranty forfeited. The proposal guaranty shall become property of the Commission, not as a penalty, but in liquidation of damages, sustained to the DBE Program. Award may then be made to the next lowest, responsive bidder or the work may be re-advertised as the Commission may decide.

Only work, materials, or services that will actually be provided by DBE firms will be credited toward the goal. The DBE firm's certification must be fully in effect at the letting date.

As an alternative, documentation of Good Faith Efforts to meet the DBE goal may be submitted to the Program Management Division prior to the deadline for proposals to be received.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

**DISADVANTAGED BUSINESS ENTERPRISE
BIDDER'S RESPONSIBILITIES**

Section 103 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 103.08(d)(2) is hereby deleted and the following substituted therefore:

(2) Within five (5) calendar days of the date of the bid letting, all bidders shall furnish the required DBE Participation information to the Department on the forms provided to be considered a responsive bid. If a conditional award has been made and the successful bidder has not furnished the required information, the proposal will be rejected and their proposal guaranty forfeited. The proposal guaranty shall become property of the Commission, not as a penalty, but in liquidation of damages, sustained to the DBE Program. Award may then be made to the next lowest, responsive bidder or the work may be re-advertised as the Commission may decide. Furthermore, any subsequent bidder's proposal will be considered non-responsive if their required DBE participation information was not submitted within the required five day period.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

**PROHIBITION OF CERTAIN TELECOMMUNICATIONS AND
VIDEO SURVEILLANCE SERVICES OR EQUIPMENT**

In accordance with the requirements of 2 CFR 200.216, equipment utilized on this project for telecommunications and video surveillance services or equipment shall not be produced by:

- 1) Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
- 2) Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 040854****BUY AMERICA - CONSTRUCTION MATERIALS**

Description: **Section 106, Control of Material**, of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added as **Subsection 106.01(c) Construction Materials**

Buy America – Construction Materials. (1) General. The Bipartisan Infrastructure Law (BIL) was enacted on November 15, 2021 (BIL Build America, Buy America Act Publication L. No. 117-58). This provision expands the Buy America requirements beyond what was only required for steel and iron products. The steel and iron provisions have not changed with the new law. Buy America requirements are in effect only on Federal-Aid contracts and all construction materials shall be produced/manufactured in the United States. Items specifically excluded from this requirement are cement and cementitious materials; aggregates such as stone, sand, or gravel; aggregate binding agents or additives (including asphalt binders). All other materials permanently incorporated into the project will be subject to Buy America requirements.

(2) Definitions. A construction material includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cable);
- glass (including optic glass);
- lumber; or
- drywall.

Items manufactured through a combination of either two or more materials listed above, or at least one of the materials listed above and a material not listed shall be considered as a manufactured product, rather than as a construction material.

Build America, Buy America provisions specified for manufactured products in Section 70912(6)(B) of the Infrastructure Investment and Job Act (IIJA) do not apply to federal-aid construction projects per FHWA's existing statutory requirement applicable to manufactured products. A "manufactured product" is considered to be an item that undergoes one or more manufacturing processes before the item can be used on a construction project.

All construction materials shall be produced in the United States. This means all manufacturing processes to produce the construction materials shall occur in the United States. All manufacturing processes for construction materials shall mean the final manufacturing process and the immediately preceding manufacturing stage for the construction material.

(3) Compliance. The Contractor shall ensure that all manufacturing processes for each covered product comply with this Buy America Provision. Non-conforming products shall be replaced at no expense to the Department. It is the contractor's responsibility to assure all submittals required for Buy America are submitted to the Engineer prior to the products and or materials being incorporated into the project.

Buy America requirements do not apply to temporary elements not permanently incorporated into a project. This includes falsework, temporary sheet piling, detour bridges, temporary elements left in place at the contractor's convenience, unless the contract plans and specifications require steel or iron components or imply that the item be left in place, or items that are simply moved from one place to another within the same project. Buy America only applies to construction materials that are consumed in, incorporated into, or affixed to an infrastructure project. As such,

ARKANSAS DEPARTMENT OF TRANSPORTATION

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JOB NO. 040854

BUY AMERICA - CONSTRUCTION MATERIALS

it does not apply to tools, equipment, and supplies, such as temporary scaffolding, removed at or before completion of the project.

(4). Certification. The contractor shall provide a certification from the supplier for each construction material, stating that it meets the provisions of this specification or the Build America/Buy America act, prior to incorporating any construction material into the project. The supplier certifying may be the original manufacturer, fabricator, or vendor provided the supplier has sufficient control and knowledge of the manufacturing process to accept responsibility and certify full and complete conformance with the certification.

(5). Examples of Pay Items Affected. The following are items from the Standard Specifications that must meet the requirements of this specification. This list is provided for bidders' information and is not to be considered as all-inclusive as other items covered by the standard specifications, supplemental specifications, and special provisions may also fall under these requirements:

| Non-Ferrous Metals | |
|---------------------------|------------------------------|
| Item | Specification Section |
| Aluminum Pipe Culverts | 606 |
| Aluminum Chain Link Fence | 619 |
| Aluminum Gates | 619 |
| Mailboxes | 637 |
| Electrical Conductors | 700, 708 |
| Ground Rods | 701, 712, 714, 715 |
| Loop Wiring | 704 |
| Feeder Wire | 704 |
| Traffic Signal Cable | 708 |
| Sign Supports | 724, 730 |
| Sign Panels | 723, 725, 726, 727, 728 |
| Video Cable | 733 |
| Metal Bridge Railing | 806 |
| Bridge Name Plates | 812 |

| Plastic/Polymer Based Products | |
|---|------------------------------|
| Item | Specification Section |
| Polyethylene Pipe Culverts | 606 |
| PVC Pipe Culverts | 606 |
| RC Pipe Culvert Gaskets | 606 |
| Drop Inlet Steps | 609, 610, 640 |
| ABS or Polyethylene Pipe for Underdrains | 611 |
| PVC Pipe for Underdrain Laterals | 611 |
| Filter Fabrics | 611, 625, 629, 816 |
| Geotextile Fabrics | 625 |
| Tactile Panels for Wheelchair Ramps | 641 |
| Non-Metallic Conduit (PE & PVC) | 710 |
| Sand Barrels/Lids for Impact Attenuation Barriers | 731 |

ARKANSAS DEPARTMENT OF TRANSPORTATION

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BUY AMERICA - CONSTRUCTION MATERIALS

| Glass | |
|-----------------------------------|------------------------------|
| Item | Specification Section |
| Glass Beads (drop on application) | 718, 719 |
| Fiber Optic Cable | Job SP |
| Windows in Building Construction | Job SP |

| Lumber | |
|---|------------------------------|
| Item | Specification Section |
| Wood Guard Rail Posts | 617, 639 |
| Wood Block Outs for Guardrail | 617,639 |
| Wood Posts for Guard Cable | 618 |
| Fence Posts and Braces (Type A, B, C and D) | 619 |
| Mailbox Supports | 637 |
| Treated Wood Poles | 716 |
| Treated Lumber | 817 |
| Treated Bridge Timbers | 817 |
| Timber Piling | 818 |
| Framing Lumber, Plywood, Trim Lumber in Building Construction | Job SP |

| Drywall | |
|----------------------------------|------------------------------|
| Item | Specification Section |
| Drywall in Building Construction | Job SP |

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

BIDDING REQUIREMENTS AND CONDITIONS

Section 102 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The fourth sentence of the second paragraph of **Subsection 102.01** is hereby deleted, and the following substituted therefore:

Prospective bidders may file a questionnaire at any time; however, prospective bidders will not be given authorization to submit a proposal unless a rating has been extended based on an acceptable questionnaire.

The following paragraph has been added to **Subsection 102.01**.

A contractor with common officers/owners/partners of any firm, partnerships, joint ventures, or corporations that is seeking prequalification, has been prequalified, or has entered into a previous or current contract with the Commission may have the prequalification denied, limited, or revoked for the reasons listed in Subsection 102.04(a)-(m).

The last paragraph of **Subsection 102.01** is hereby deleted.

The second sentence of **Subsection 102.02** is hereby deleted, and the following substituted therefore:

The Notice to Contractors will contain a description of the proposed work, and information regarding access to proposal documents, plans, specifications, and the amount and nature of the proposal guaranty.

Subsection 102.03 is hereby deleted, renamed **Contents of Proposal Documents**, and the following substituted therefore:

The proposal documents will state the location and description of the contemplated construction and will show the estimate of the various quantities and kinds of work to be performed or materials to be furnished, and will have a schedule of items. The proposal documents will state the time in which the work must be completed, the amount of the proposal guaranty, and the date and time of the letting of work. The documents will also include any special provisions or requirements that vary from or are not contained in the standard specifications.

All forms included in the proposal documents are considered a part thereof. The plans, specifications, and other documents designated in the proposal documents will be considered a part of the proposal whether included or not.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

BIDDING REQUIREMENTS AND CONDITIONS

The first through fourth paragraphs of **Subsection 102.04** are hereby deleted, and the following substituted therefore:

To become an eligible bidder, prospective bidders must be registered to bid in Arkansas with Bid Express. Prospective bidders must also contact the Program Management Division at (501) 569-2261 during regular business hours between the date the project is advertised and 4:30 p.m. on the day prior to the scheduled bid opening to request to become eligible to bid specific projects. Only prequalified contractors or their authorized representative may request to become an eligible bidder.

If the prospective bidder's prequalification rating is not "unlimited", the bidder shall file a certification with the Department citing all contracts in force and the unfinished value of such work. A prospective bidder will not be allowed to submit a proposal until a certification for the current bidding period is on file and the amount of work the contractor may be allowed to undertake is determined. The contractor's prequalification rating, less the unfinished value of all contracts in force, will determine the amount of additional work that the contractor may be allowed to undertake. A contractor will not be allowed to submit a proposal on an individual project for which the estimated cost is more than the amount that the contractor may be allowed to undertake, but the contractor will be allowed to submit a proposal on more than one project, providing that the estimated cost of each project is not more than the amount that the contractor may be allowed to undertake. In the event a contractor submits a low bid on more than one project and the aggregate amount is greater than the amount the contractor may be allowed to undertake, the Commission will exercise its discretion in the award of a particular project or projects.

A charge will be assessed for authorization to submit a proposal, paper copies of the proposal documents, and plans issued. These services are provided during regular business hours until 4:30 p.m. on the day prior to the scheduled bid opening at the Arkansas Department of Transportation, 10324 Interstate 30, Little Rock, Arkansas 72209, (501) 569-2261. Payment shall be made at the time services are provided or upon receipt of statement therefore. No refund will be allowed for bids not submitted or for plans or proposal documents returned.

The second sentence of the first paragraph of **Subsection 102.06** is hereby deleted, and the following substituted therefore:

The bidder is expected to examine carefully the site of the proposed work, the proposal documents, plans, specifications, supplemental specifications, and special provisions before submitting a proposal.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

BIDDING REQUIREMENTS AND CONDITIONS

The first paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

The proposal shall only be submitted through the internet bidding service, Bid Express. The bidder shall specify a unit price in figures for each pay item for which a quantity is given. A unit price of "zero" (\$0.00) is a valid price and will be considered. A blank unit price is not considered valid. The unit bid price should not be carried beyond 1 cent (\$0.01). Any figures on the unit bid price beyond 1 cent will be dropped.

The second and third paragraphs of **Subsection 102.07** are hereby deleted.

The fifth paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

The bidder's proposal must be submitted with a digital signature containing the name of the individual, one or more members of the partnership, one or more members or officers of each firm representing a joint venture, or one or more officers of a corporation, or by an agent of the Contractor legally qualified and acceptable to the Department.

The sixth paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

If the proposal is submitted with a digital signature of any person who is not listed in the bidder's Prequalification Questionnaire (Questionnaire Form) as the individual, as a partner of a partnership, or as an officer of a corporation, authorization for such submittal should be on file with the Department prior to the download of bids. This authorization shall be made before the downloading of bids and be in the form of a Power of Attorney duly executed and signed by an official with power to constitute such authority.

The last sentence of the seventh paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

Those items of Asphalt Binder that are subject to a minimum bid price will bear the note "(Minimum bid price is \$120.00 per ton)" within the Schedule of Items of the proposal documents.

The first sentence of the ninth paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

The proposal documents for all federal aid projects will contain a bidders list.

The last sentence of the ninth paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

The information provided will not be used for contract awarding purposes but must be provided before the Contractor will be given authorization to submit proposals for future lettings.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

BIDDING REQUIREMENTS AND CONDITIONS

Subsection 102.08 Irregular Proposals is hereby deleted, and the following substituted therefore:

- (a) Proposals will be considered irregular and will be rejected for the following reasons:
- (1) If the proposal does not contain a unit price for each pay item listed except in the case of authorized alternate pay items.
 - (2) If the proposal is not digitally signed by an authorized representative of the firm.
 - (3) If the proposal is not accompanied by the proper proposal guaranty.
 - (4) If a proposal is received from an individual, firm, partnership, or corporation with an interest, as principal, in another proposal for the same project.
 - (5) If the proposal is not accompanied by the Certification to Submit DBE Participation.
- (b) Proposals will be considered irregular and may be rejected for the following reasons:
- (1) If the proposal is not accompanied by a bid schedule and bid schedule narrative as required in the proposal documents.
 - (2) Unbalanced proposals in which the prices for some items are out of proportion to the reasonable costs representative of those items.
 - (3) If there are irregularities of any kind that may tend to make the proposal incomplete, indefinite, or ambiguous as to its meaning.

The first sentence of **Subsection 102.09** is hereby deleted and the following substituted therefore:

No proposal will be considered by the Commission unless a guaranty in the form of a bank draft, certified check, or cashier's check drawn on a solvent bank or trust company, or a bidder's paper bond executed by an approved surety company has been received by the Program Management Division prior to the download of bids.

The following paragraph is hereby added after the first paragraph of **Subsection 102.09**:

Electronic bid bonds are allowed. The prospective bidder should verify their bid bond in their proposal prior to submission.

Subsection 102.10 is hereby deleted and the following substituted therefore:

The proposal shall only be submitted through the internet bidding service, Bid Express.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

BIDDING REQUIREMENTS AND CONDITIONS

Subsection 102.11 is hereby deleted, and the following substituted therefore:

A bidder may withdraw or modify a proposal after it has been submitted to Bid Express, up to the time set for the deadline for proposals to be received. A proposal may also be withdrawn if the Commission fails to make an award within 40 calendar days after the date of downloading.

Subsection 102.12 is hereby deleted, renamed **Downloading of Proposals**, and the following substituted therefore:

Proposals will be downloaded and then posted on the Department's website at the time and place indicated in the Notice to Contractors.

The last sentence of **Subsection 102.15** is hereby deleted, and the following substituted therefore:

In any case, the prospective bidders will be contacted prior to the download of bids.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

MANDATORY ELECTRONIC CONTRACT

Paper Contract Documents and Forms will not be accepted.

The Department will only accept and execute an electronic contract for this project through Doc Express, a paperless contracting system. Prospective bidders will need to contact Doc Express to set up an account prior to the bid opening date. The toll-free phone number for Doc Express is 1-888-352-2439 and their website address is www.docexpress.com.

Section 103 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows.

The first sentence of **Subsection 103.06(a)** is hereby deleted, and the following substituted therefore:

The Contract shall be electronically signed by the successful bidder and electronically submitted to the Program Management Division, Construction Contract Procurement Section, together with the required bonds and proof of liability insurance, within 10 business days after the notice of award has been issued.

Subsection 103.08(d)(3)d. is hereby deleted, and the following substituted therefore:

Documentation of the bidder's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal; and

Subsection 103.08(d)(3)e. is hereby deleted, and the following substituted therefore:

Document confirmation from the DBE that it is participating in the contract as provided in the Contractor's commitment.

Subsection 103.08(d)(5) is hereby deleted, and the following substituted therefore:

The preceding information shall be submitted directly to the Arkansas Department of Transportation, Program Management Division, via Doc Express.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

MANDATORY ELECTRONIC DOCUMENT SUBMITTAL

Paper Document Submittals will not be accepted.

The Department will only accept electronically-submitted documents for consideration on this project. All correspondence and submittals to the Department shall be submitted through Doc Express, a paperless contracting system. When signed originals are required, the original shall be the document uploaded to Doc Express and the signature shall be the electronic signature applied through Doc Express. The Contractor shall use the same organizational account for project documentation as used to fulfill the requirements of the Mandatory Electronic Contract Special Provision. The toll-free phone number for Doc Express is 1-888-352-2439 and their website address is www.docexpress.com.

Any reference in the Standard Specifications to document submittal in writing or by U.S. Mail, facsimile, or in person is hereby amended to require that such documents be submitted using Doc Express with the following exceptions:

- Material delivery tickets which are used for payment or for field verification shall be submitted on paper as required by the Standard Specifications for Highway Construction, Edition of 2014.
- Any document with specific submittal requirements in state and/or federal law or federal regulations that conflict with the requirements of this Special Provision shall be submitted in accordance with such state and/or federal law or federal regulations.

A user guide is available on the Department's web page to assist Contractors with the use of Doc Express. The "Contractor Guide to Using Doc Express" is available on the Department's web page at <https://ardot.gov/divisions/construction/doc-express/>.

The Contractor may provide access for subcontractors to view and submit items in Doc Express by following the instructions provided in the "Contractor Guide to Using Doc Express". Once an organizational account is activated and the Contractor provides access to the contract, a subcontractor may submit documents to the Contractor in Doc Express by uploading the electronic documents as directed in the User Guide. Any documents uploaded by the subcontractor must be then retrieved and published by the Contractor within Doc Express for further action by the Engineer. The Engineer will not review or take any actions on any documents submitted by the subcontractor until the document has been appropriately submitted by the Contractor.

Any submittals, documents, subcontracts, proposals, working drawings, or any other items submitted by the Contractor within Doc Express are not considered approved by the Engineer until written notification of the approval is published by the Engineer in the "CON-Correspondence-From Department to Contractor" drawer in Doc Express. Any action taken by the Contractor prior to this notification is taken at the Contractor's own risk.

The Department's System Administration team has no authority to take action on any documents submitted to the system. Access for this team is for management of the application only. Knowledge of any document submitted is not imputed to the Department by the knowledge of Systems Administration.

The requirements of this Special Provision shall supersede the requirements of all other Special Provisions unless such Special Provision includes a stated exception to this Special Provision.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB 040854
OFF-SITE RESTRAINING CONDITIONS FOR INDIANA AND NORTHERN
LONG-EARED BATS

Section 107.10 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added to **Section 107.10(c)(2) Non-commercially Operated Site**:

DESCRIPTION: The Indiana Bat (IBAT), *Myotis sodalis*, and Northern Long-eared Bat (NLEB), *Myotis septentrionalis*, are protected under the Federal Endangered Species Act and may use forested areas near the project for roosting, feeding and pup rearing.

The current U.S. Fish and Wildlife Service (USFWS) guidance for the IBAT allows tree clearing activities as long as those activities do not occur during the summer active period, March 15 – November 15 or within 0.5 mile of any IBAT hibernaculum.

The current USFWS guidance for the NLEB allows tree clearing activities as long as those activities do not occur within 150 feet of any known occupied maternity roost tree during the pup rearing season (defined as May 1-July 31) or within 0.25 mile of any NLEB hibernaculum.

The Contractor shall, in all operations, make provisions to minimize any impacts to the bats resulting from work performed on off-site areas as described in the following information.

CONSTRUCTION METHODS: If an off-site area for this project will require tree cutting during the active summer season of March 15 through November 15, the Contractor shall submit a technical assistance request to the Arkansas Ecological Services Field Office of the USFWS. The recommended method for submittals is the online IPAC Information for Planning and Conservation system, which can be accessed at the following website <https://ecos.fws.gov/ipac/>. Alternatively, requests may be submitted by letter to the Arkansas Ecological Service Field Office), 110 South Amity Road Suite 300, Conway, AR 72032, phone (501) 513-4470.

The request shall include detailed project information including: (1) the off-site area location with boundaries marked and labeled in latitude and longitude points; (2) a detailed map with the limits of the off-site area clearly defined; (3) the acreage to be cleared; (4) the timing of clearing activities; and (5) a request to determine if NLEB maternity roosts or hibernacula occur in the proximity of the submitted area. Any detailed map is sufficient; however, the IPAC project design and map creator system is recommended to create the map and make requests.

The clearing of trees will be permitted unless the USFWS determines from their records that the submitted area and activity is likely to adversely affect either species.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB 040854
OFF-SITE RESTRAINING CONDITIONS FOR INDIANA AND NORTHERN
LONG-EARED BATS

The USFWS will submit a response within 30 days of receipt of the request. All clearances or responses obtained by the Contractor from USFWS shall be submitted to the Engineer for approval before site preparation begins.

The Contractor will be assessed the amount of any and all fines and penalties assessed against and costs incurred by the Department which are the result of the Contractor's failure to comply with this Special Provision. The Department will not be responsible for any delays or costs due to the Contractor's failure to comply with this Special Provision. The Contractor will not be granted additional compensation or contract time due to the procurement of an off-site location.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT: All costs incurred in complying with this Special Provision will not be measured or paid for separately, but will be considered included in the contract unit prices bid for other items of the contract.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

ASSESSMENT OF WORKING DAYS – MAINTENANCE OF TRAFFIC

DESCRIPTION: To accommodate the off peak lane closure time limits shown in the contract “Maintenance of Traffic” Special Provision, the assessment of Calendar Days or Working Days will be based upon the same conditions as a normal Working Day.

For Calendar Day or Working Day projects, the Contractor shall be permitted to begin work on Sunday evening when the allowable lane closure period begins. Sunday evening shall be the allowable off peak lane closure time defined in the contract “Maintenance of Traffic” Special Provision but not prior to 6:00 p.m. On Working Day projects, time will not be assessed for Sunday. No other work will be allowed on Sunday unless an emergency is declared by the Department.

If the Contractor elects to work Friday and complete work on Saturday in accordance with the contract “Maintenance of Traffic” Special Provision, time will be assessed as appropriate for Saturday.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

FLEXIBLE BEGINNING OF WORK – CALENDAR DAY CONTRACT

DESCRIPTION: Section 108, Prosecution and Progress, of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 108.02(b) Work Order.

(2) The bullet stating “Erection of advance warning signs.” is hereby deleted and the following substituted therefor:

- The Contractor may elect to erect advance warning signs for their convenience after the issuance of the work order but prior to the date that work will begin, provided that:
 - i. The signs are covered and kept properly covered until the work begins. Failure to cover the signs after initial installation will constitute the Contractor’s intent to begin work and time charges will be assessed starting that date. The sign covering shall cover the face completely and prevent the message from being read during both day and night conditions and shall not damage the sheeting face. The covering materials shall be heavy duty, opaque and either dark green, brown, or black in color.
 - ii. No progress payments will be made for the Signs or Mobilization until after the work begins (for the purpose of this special provision, beginning of work is defined as the beginning of contract work other than the installation of signs and other traffic control devices, such as paving operations, shoulder construction operations, cold milling, etc.)

(4) **b. Working Day Contract.** is hereby deleted and the following is substituted therefor:

b. Calendar Day Contract. Unless the Contractor is otherwise advised in writing, the Work Order for a calendar day contract shall become effective on the fifteenth calendar day following the execution of the Contract by the Department. Should the effective date fall on Sunday, a legal holiday designated in Subsection 101.01 (c), Monday following a holiday on Sunday, or Friday preceding a holiday on Saturday, the effective date shall be the next work day. The written Work Order from the Engineer will follow with the effective date being as specified.

The assessment of contract time will commence when the Contractor begins work or no later than 90 calendar days after the issuance of the work order if the contractor has not commenced work. The contractor will submit written notification to the Engineer five days prior to commencing work.

Subsection 108.02(c) is hereby deleted and the following is substituted therefor:

c. Allocation of Department Resources. The Department allocates its resources to a contract based on the total time allowed in the Contract. However, should the Contractor propose an accelerated work schedule, the Department will provide the necessary resources to meet the demands of the accelerated work schedule. Utility and/or Right of Way (ROW) related delays are exempt from impact claims for the first ninety (90) days after the work order date.

Subsection 108.02(d) is hereby deleted.

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 040854****LIQUIDATED DAMAGES PROCEDURE FOR BID LETTINGS**

Department Standard Specification **Section 102.04** and **Supplemental Specification 102-2** state that the Department reserves the right to refuse to issue, accept, or consider a proposal:

“If the prospective bidder is the Contractor on a current Contract with the Commission on which Liquidated Damages are being assessed, and there are no pending time extensions warranted to remove the project from Liquidated Damages.”

If the prospective bidder goes into liquidated damages on a current Contract with the Commission during the advertisement period for a letting, the Contractor will be notified seven business days prior to the letting that they will not be allowed to bid in the upcoming letting. This notification will be officially transmitted through Doc Express for the project in liquidated damages and via email.

Upon notification that they will not be allowed to bid in the upcoming letting, the Contractor will be provided an opportunity to request a reconsideration of this decision. This request must be transmitted in the form of a letter through Doc Express and via email to the Department for review within two (2) business days of receipt. The Department will review the reconsideration request and render a decision no later than the Friday prior to the letting.

Please note, a bid may be withdrawn at any time prior to the time specified for the bid letting. If a Contractor has been notified that they will not be allowed to bid, and they do not withdraw their bid, the bid will be considered invalid and rejected.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES

Section 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The eighth (8th) and tenth (10th) bullet within the first paragraph of **Subsection 404.01, Design of Asphalt Mixtures. (a) General** is hereby deleted and the following added:

- A one-gallon sample of performance grade asphalt binder to be used in all Section 405 Asphalt Concrete Hot Mix Base Course and Section 406 Asphalt Concrete Hot Mix Binder Course mix designs.
- Nine (9) blended aggregate samples for all Section 405 Asphalt Concrete Hot Mix Base Course and Section 406 Asphalt Concrete Hot Mix Binder Course mix designs.
- A two-gallon sample of performance grade asphalt binder to be used in all Section 407 Asphalt Concrete Hot Mix Surface Course mix designs.
- Fourteen (14) blended aggregate samples for all Section 407 Asphalt Concrete Hot Mix Surface Course mix designs.

The last sentence of the last paragraph of **Subsection 404.01 Design of Asphalt Mixtures. (a) General** is hereby deleted and the following substituted therefor:

At least fifteen (15) business days shall be allowed for the review of the mix design.

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 040854****PERCENT AIR VOIDS AND NDESIGN FOR ACHM SURFACE MIX DESIGNS**

Supplemental Specification 400-5, Percent Air Voids for ACHM Mix Designs, is hereby amended as follows:

The fourth sentence of the first paragraph of **Subsection 404.01(b), Design Requirements**, is hereby deleted and the following substituted therefor:

The optimum asphalt content is the asphalt binder content at 4.0% air voids for ACHM Base and ACHM Binder Courses. The optimum asphalt content is the asphalt binder content at 3.5% air voids for ACHM Surface Courses.

The first bullet of the first paragraph of **Subsection 404.01(b), Design Requirements**, is hereby deleted and the following substituted therefor:

- All binder grades for ACHM Base and Binder Courses will be designed using 4.0% air voids and all binder grades for ACHM Surface Courses will be designed using 3.5% air voids.

The second paragraph of **Subsection 404.01(b), Design Requirements**, of the Standard Specifications, is hereby amended and the following added:

All ACHM Surface Courses will be designed at N_{des} of 60 gyrations.

The second sentence of the second paragraph of **Subsection 404.04, Quality Control of Asphalt Mixtures**, is hereby deleted and the following substituted therefor:

Adjustments to the accepted mix design to conform to actual production values without redesign of the mixture shall be based on production of the mixture at a target value of 4.0% air voids in ACHM Base and Binder Courses specimens and an asphalt binder content not less than that specified in the accepted mix design.

Adjustments to the accepted mix design to conform to actual production values without redesign of the mixture shall be based on production of the mixture at a target value of 3.5% air voids in ACHM Surface Course specimens and an asphalt binder content not less than that specified in the accepted mix design.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

PERCENT AIR VOIDS AND NDESIGN FOR ACHM SURFACE MIX DESIGNS

Table 407--1 and Table 407--2 of **Subsection 407.04, Construction Requirements and Acceptance**, are hereby deleted and the following substituted therefor:

Table 407-1

Design Requirements for Asphalt Concrete Hot/Warm Mix Surface Course

| Sieve (mm) | Control Points Percent Passing (%) | |
|---------------------------------|---------------------------------------|--|
| | 100 | |
| | 90 - 100 | |
| | 90 max. | |
| No. 8 (2.36) | 28 - 58 | |
| No. 16 (1.18) | - | |
| No. 30 (0.60) | - | |
| No. 50 (0.30) | - | |
| No. 200 (0.075) | 3 - 7 | |
| Asphalt Binder Content | Design Value | |
| % Air Voids | 3.5 | |
| % VMA | 14.5 16.0 | |
| Minimum Water Sensitivity Ratio | 80.0 | |
| % Anti-strip | As Required | |
| Fines to Asphalt Ratio* | 0.6 1.2 | |
| Wheel Tracking Test | <u>Design PG Grade</u> | <u>Maximum Rut</u> |
| (8000 Cycles, 100 psi, 64° C) | 64-22 or 67-22 70-22 or 76-22 | 0.315 in. (8.000 mm) 0.197 in. (5.000 mm) |

*Fines to asphalt ratio shall be defined as the percent materials passing the No. 200 (0.075 mm) sieve (expressed as a percent of total aggregate weight) divided by the effective asphalt binder content.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

PERCENT AIR VOIDS AND NDESIGN FOR ACHM SURFACE MIX DESIGNS

Table 407-2

Design Requirements for Asphalt Concrete Hot/Warm Mix Surface Course

| Sieve (mm) | Control Points | |
|---------------------------------|------------------------|----------------------|
| | Percent Passing (%) | |
| | 100 | |
| | 90 - 100 | |
| No. 4 (4.75) | 90 max. | |
| No. 8 (2.36) | 32 - 67 | |
| No. 16 (1.18) | - | |
| No. 30 (0.60) | - | |
| No. 50 (0.30) | - | |
| No. 200 (0.075) | 3 - 7 | |
| Asphalt Binder Content | Design Value | |
| % Air Voids | 3.5 | |
| % VMA | 15.5 17.0 | |
| Minimum Water Sensitivity Ratio | 80.0 | |
| % Anti-strip | As Required | |
| Fines to Asphalt Ratio* | 0.6 1.2 | |
| Wheel Tracking Test | <u>Design PG Grade</u> | <u>Maximum Rut</u> |
| (8000 Cycles, 100 psi, 64° C) | 64-22 or 67-22 | 0.315 in. (8.000 mm) |
| | 70-22 or 76-22 | 0.197 in. (5.000 mm) |

*Fines to asphalt ratio shall be defined as the percent materials passing the No. 200 (0.075 mm) sieve (expressed as a percent of total aggregate weight) divided by the effective asphalt binder content.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

PERCENT AIR VOIDS AND NDESIGN FOR ACHM SURFACE MIX DESIGNS

The Table 410-1 in **Subsection 410.09(b), Acceptance of the Pavement**, of the Standard Specifications, is hereby amended as follows for ACHM Surface Courses:

**TABLE 410-1
COMPLIANCE, PRICE REDUCTION AND REJECTION LIMITS FOR ACHM SURFACE COURSES**

| Property | Compliance Limits | Price Reduction Limits | Lot Rejection Limits | Sublot Rejection Limits |
|---|----------------------------|--------------------------------------|--------------------------------------|----------------------------------|
| Asphalt Binder Content | ±0.3 from mix design value | more than ±0.3 from mix design value | more than ±0.6 from mix design value | ±0.8 from mix design value |
| Air voids (AV) | 2.5% to 4.5% | 1.9% to 2.4% 4.6% to 5.0% | 1.8% or less 5.1% or more | 1.4% or less 5.6% or more |
| Voids in Mineral Aggregate (VMA)* ACHM Surface Course | 14.0% to 16.5% | 13.5% to 13.9% 16.6% to 17.0% | 13.4% or less 17.1% or more | 12.9% or less 17.6% or more |
| ACHM Surface Course | | 14.5% to 14.9% 17.6% to 18.0% | 14.4% or less 18.1% or more | 13.9% or less 18.6% or more |
| Density (% of theoretical) | 94.0% ± 2.0% | 91.0% to 91.9% 96.1 to 97.0% | 90.9% or less 97.1% or more | 89.9% or less** 98.1% or more |
| Density (% of theoretical) where minimum specified is 90.0% | 90.0% to 96.0% | 89.0% to 89.9% 96.1% to 97.0% | 88.9% or less 97.1% or more | 87.9% or less** 98.1% or more |

*The values for $VMA_{(actual)}$ shall be determined by calculating the $VMA_{(effective)}$ and reducing it by the correction factor shown on the mix design.

**Subject to further evaluation, see text.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

SUBMISSION OF ASPHALT CONCRETE HOT MIX ACCEPTANCE TEST RESULTS

Division 106 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is hereby added to **Subsection 106.04, Acceptance of Materials**:

All ACHM Contractor Acceptance Tests shall be submitted electronically by use of the ACHM Microsoft Excel Spreadsheet for Contractors/Suppliers and on paper.

The ACHM Microsoft Excel Spreadsheet for Contractors/Suppliers can be downloaded from the following website:

<https://www.ardot.gov/divisions/construction/construction-information/contractor-achm-workbook/>.

To download this file and the supporting documentation, follow the instructions on the page linked above.

Use of this file requires Microsoft Excel 2000, 2003, or 2007.

The preferred method of transmitting the file is to e-mail the completed ACHM Microsoft Excel Spreadsheet for Contractors/Suppliers to the Department's ACHM Plant Inspector assigned to the project. It is also acceptable to transmit the file by Compact Disk (CD) or other electronic device. Regardless of the method of transmission used, the signed paper acceptance tests must be provided to the Resident Engineer via the required Document Submission system required by the Contract (Doc Express or eBuilder).

Any questions or issues arising from the use of this file should be referred to the Resident Engineer.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

PRICE ADJUSTMENT FOR ASPHALT BINDER

A price adjustment clause is included in this Contract to provide additional compensation to the Contractor or a credit to the Department for fluctuations in asphalt binder prices. This price adjustment is dependent upon a change in the average price of asphalt binder which results in an increase or decrease in the price of products utilized on this project.

Payment. Payment will be made to the Contractor for monthly fluctuation in the price of asphalt binder used in performing the applicable items of Asphalt Concrete Hot Mix and Ultrathin Bonded Wearing Course work as listed in the table below when the asphalt binder price fluctuates from the base price defined below. Payment may be positive, negative, or nonexistent depending on the circumstances. Payments or deductions for the asphalt binder price adjustment will be included in the Contractors current estimates, and the payment or deduction authorized for each estimate will be based upon the quantities for applicable items of work.

The Asphalt Binder Price Adjustment will be a dollar amount paid as compensation to the Contractor, or as a credit to the Department as reflected on the Current (or Final) Estimate Summary Report as Payment Adjustments.

Asphalt Binder Price Adjustment (ABPA). The Asphalt Binder Price Adjustment (ABPA) for the current estimate will be computed according to the following formula:

$$ABPA = Q \times D \times (IQP / 100)$$

Where

- ABPA = Asphalt binder price adjustment, in dollars;
- Q = Quantities paid for the applicable items on the current estimate; tons of mix for ACHM items or square yards for Ultrathin Bonded Wearing Course
- D = Allowable price differential, in dollars;
- IQP = Item Quantity Percent, Quantity of Indexed Material per unit of the applicable item on the current estimate.

The above formula will be applied to each individual payment of the applicable item. When the Current (or Final) estimate is generated, the sum of these individual adjustments will be included as a Payment Adjustment.

| Applicable Items of Work | | |
|--|----------------------|-----------------------|
| ITEM OF WORK | SPECIFICATION NUMBER | ITEM QUANTITY PERCENT |
| Asphalt Binder in ACHM Base Course | 405 | 100 |
| Asphalt Binder in ACHM Binder Course | 406 | 100 |
| Asphalt Binder in ACHM Surface Course | 407 | 100 |
| Ultrathin Bonded Wearing Course (Type B) | SP | 5.5 |
| Ultrathin Bonded Wearing Course (Type C) | SP | 5.4 |

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

PRICE ADJUSTMENT FOR ASPHALT BINDER

The terms of this Special Provision will apply only to the items listed in this Special Provision table above. No other items on the contract will be subject to the terms of this Special Provision.

The allowable price differential, "D", for the current estimate will be computed according to the following formula, using the appropriate binder grades:

$$D = P - P(b)$$

P, the asphalt binder current price in dollars per ton, is the Monthly Asphalt Binder Price Index for the month in which the payment entry is entered.

P(b), the asphalt binder base price in dollars per ton, is the Monthly Asphalt Binder Price Index for the month in which the bids for the work were received.

Asphalt Binder Index Determination.

PG64-22 Binders. The Monthly Asphalt Binder Price Index for PG64-22 binders will be determined by calculating the average for performance-graded binder using the Selling Price of PG 64-22 paving grade. The monthly asphalt binder price will be an average of five asphalt binder prices. The prices will be furnished by the four largest asphalt binder suppliers in the State of Arkansas as determined by the previous calendar year. For an asphalt supplier to be included in the asphalt binder price index they must supply at least ten percent of the asphalt binder in Arkansas. The final component in the asphalt binder price index will be the Asphalt Weekly Monitor® furnished by Poten & Partners, Inc. The issue of the Asphalt Weekly Monitor® used will be for the last full week in the previous month received by the Department prior to the first day of the index month. The four largest suppliers included in the asphalt binder price index shall furnish the Department with their average price on the Thursday before the Friday of the last full week of the month. If any supplier fails to submit a price by this deadline, that supplier's price will not be included in the asphalt binder price index for that month.

PG70-22 and PG76-22 Binders (including Asphalt Binder in Ultrathin Bonded Wearing Course). The monthly Asphalt Binder Price Index for PG70-22 and PG76-22 binders (including asphalt binder in Ultrathin Bonded Wearing Course) will be determined by the same method above, except that the price from the Asphalt Weekly Monitor® will not be used in the calculation of the monthly average binder price. The monthly asphalt binder price for PG70-22 and PG76-22 binders will be calculated using the average of the prices supplied by the four largest binder suppliers in the State for those grades.

Supplemental Items Subject to Adjustment. Items included in the contract that are listed in the table above are subject to adjustment in accordance with this provision, regardless of any amount of overrun to the plan quantity. Any new items of work added to the Contract by supplemental agreement that are listed in the table above will be subject to the asphalt binder price adjustments in accordance with this provision. The base asphalt binder price, P(b), for any

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PRICE ADJUSTMENT FOR ASPHALT BINDER

newly added eligible items will be the same P(b) as the eligible items in the Contract, and the new unit price established by supplemental agreement will be determined accordingly.

Viewing Asphalt Binder Price Index. Historical asphalt binder price index values will be available in the "Asphalt Binder Index Report" document located on the ARDOT website at <https://ardot.gov/divisions/construction/construction-information/> under Asphalt Binder Information.

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DESIGN OF ASPHALT MIXTURES-AGGREGATES

Section 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added to the fifth sentence of the first paragraph in the bulleted section of **Subsection 404.01 Design of Asphalt Mixtures. (b) Design Requirements:**

- Limestone aggregate will be required as a part of the mix design for this project. The minimum requirement for limestone in the coarse aggregate shall be 20% by weight of the overall amount of the cold feed.

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PRICE ADJUSTMENT FOR FUEL

A price adjustment clause is included in this Contract to provide additional compensation to the Contractor or a credit to the Department for fluctuations in diesel fuel prices. This price adjustment is dependent upon a change in the average price of fuel which results in an increase or decrease in the price of products utilized on this project. For the purposes of this specification, it is assumed that all fuel used is diesel fuel and that the fuel use factors shown in the table below cover all fuel used in delivery to the plant, production, hauling to the job site, placement, and finishing of the items of work shown.

Payment. Payment will be made to the Contractor for monthly fluctuation in the price of diesel fuel used in performing the applicable items as listed in the table below when the diesel fuel price fluctuates from the base price defined below. Payments may be positive, negative, or nonexistent depending on the circumstances. Payments or deductions for the fuel price adjustment will be included in the Contractor's current estimates, and the payment or deduction authorized for each estimate will be based upon the quantities for applicable items of work. Subcontracts should include the payment or deduction of fuel price adjustments on pay items listed in the table below when those items are included in a subcontract.

The Fuel Price Adjustment will be a dollar amount paid as compensation to the Contractor, or as a credit to the Department as reflected on the Current (or Final) Estimate Summary Report as Payment Adjustments.

Fuel Price Adjustment (FPA). The Fuel Price Adjustment (FPA) for the current estimate will be computed according to the following formula:

$$FPA = Q \times F \times D$$

Where

- FPA = Fuel price adjustment, in dollars;
- Q = Quantities paid for the applicable items on the current estimate,
- F = The Fuel Use Factor for the applicable items of work subject to this price adjustment, as listed in the table below,
- D = Allowable price differential, in dollars.

The above formula will be applied to each individual payment of the applicable item. When the Current (or Final) estimate is generated, the sum of these individual adjustments will be included as a Payment Adjustment.

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PRICE ADJUSTMENT FOR FUEL

| Fuel Use Factors | | |
|---|-----------------------------|--------------------------|
| Item of Work | Specification Numbers | Fuel Use Factor Per Unit |
| Earthwork: (Unclassified Excavation, Compacted Embankment, Selected Material) | 210,302 | 0.34 gal./C.Y. |
| Soil Stabilization | Special Provision | 2.28 gal./ton |
| Shaping: (Shaping Roadway Section, Subgrade Preparation, Trenching and Shoulder Preparation, Scarifying and Recompactng Shoulders) | 213,214,215,216 | 2.52 gal./Station |
| Base Course and Stone: (Stone Backfill, Aggregate Base Course, Soil Aggregate in Cement Treated Base Course, Aggregate in Cement Stabilized Crushed Stone Base Course, Mineral Aggregate in Asphalt Surface Treatment | 207,303,307,308,309,310,402 | 0.54 gal./ton |
| ACHM Paving: (ACHM Base Course, ACHM Binder Course, ACHM Surface Course, Open Graded Asphalt Base Course) | 405,406,407,417 | 2.36 gal./ton |
| Ultra-Thin Bonded Wearing Course (All Types) | Special Provision | 2.18 gal./ton |
| Milling: (Cold Milling Asphalt Pavement, Grinding Portland Cement Concrete Pavement) | 412, 510 | 0.18 gal./S.Y. |
| PCC Paving: (Portland Cement Concrete Base, Open Graded Portland Cement Concrete Base, Portland Cement Concrete Pavement, High Early Strength Concrete Pavement, Continuously Reinforced Concrete Pavement, Portland Cement Concrete Driveway) | 309, 310,501,503,505 | 0.44 gal./S.Y. |
| Structural Concrete (Approach Slabs, Approach Gutters, Class B Concrete-Bridge, Class S Concrete-Bridge, Class S(AE) Concrete-Bridge, Seal Concrete-Bridge, Class A Concrete-Roadway, Class S Concrete-Roadway | 504, 802 | 1.75 gal./C.Y. |
| Flatwork: (Concrete Ditch Paving, Concrete Islands, Concrete Walks, Wheelchair Ramps) | 605,632,633,641 | 0.30 gal./S.Y. |

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PRICE ADJUSTMENT FOR FUEL

When the units of measure in this contract for the items of work listed in the table do not correspond with the units shown in the table (i.e. Asphalt Concrete paid by the square yard, etc.), those items will not be subject to the terms of this special provision or any fuel price adjustment.

The allowable price differential, "D", for the current estimate will be computed according to the following formula:

$$D = P - P(b)$$

P, the current fuel price in dollars per gallon, is the Monthly Fuel Price Index for the month in which the payment entry is entered.

P(b), the fuel base price in dollars per gallon, is the Monthly Fuel Price Index for the month in which the bids for the work were received.

Fuel Price Index Determination. The Monthly Fuel Price Index will be determined by using the On-Highway retail price for No. 2 Diesel Fuel – ULS (Ultra Low Sulfur), as listed for the US Gulf Coast region on the U.S. Energy Information Administration's website. The value used will be that for either the closest Monday prior to the first calendar day of the index month or the first calendar day of the index month, if that is a Monday.

<https://www.eia.gov/opendata/qb.php?sdid=PET.EMD EPD2DXL0 PTE R30 DPG.W>

Supplemental Items Subject to Adjustment. Items included in the contract that are listed in the table above are subject to adjustment in accordance with this provision, regardless of any amount of overrun to the plan quantity. Any new items of work added to the Contract by supplemental agreement that are listed in the table above will be subject to the fuel price adjustments in accordance with this provision. The base fuel price, P(b), for any newly added eligible items will be the same P(b) as the eligible items in the Contract, and the new unit price established by supplemental agreement will be determined accordingly.

Viewing Fuel Price Index. Historical fuel price index values will be available in the "Asphalt Binder Index Report" document located on the ARDOT website under Fuel Price Information at <https://ardot.gov/divisions/construction/construction-information/>.

Opt Out Option. The Contractor, at its own discretion, can choose to opt out of the adjustments for fuel prices determined by this special provision. If the Contractor wishes to utilize this option, an authorized representative of the firm must sign the form on Page 4 of this special provision and submit it to the Department at PMD@ardot.gov prior to the time and date of the bid letting for this project. This representative must currently be listed with the Department as an officer approved to sign contracts in the firm's name.

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PRICE ADJUSTMENT FOR FUEL

OPT OUT OF PRICE ADJUSTMENTS TO FUEL

As an authorized representative of this company, I hereby choose the option to opt out of the price adjustments for fuel for all pay items allowable by this special provision for this contract. By signature of this form, my firm waives all payment adjustments for fuel indexing for the duration of this project and waives any subsequent appeals for additional compensation for fuel price fluctuations.

This action only applies to the construction contract for the job number listed in the header of this document.

Printed Name: _____ Title: _____

Signature: _____ Date: _____

Company Name: _____

NOTE: To opt out, this completed form must be submitted to the Department at PMD@ardot.gov prior to the time and date of the bid letting for this project.

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BROADBAND INTERNET SERVICE FOR ASPHALT CONCRETE PLANT

Section 409.03(h) of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following bullet is added under detailed requirements:

- Broadband Internet Service shall be provided.

The Broadband Internet Service shall be provided with an Internet Protocol (IP) address which is reachable on the global Internet (public) and which is permanently assigned (static). The Contractor is not required to provide this service if an IP address which is both static and public is not available.

If this service is not available at the beginning of a project but becomes available during the life of the project, the Contractor shall provide the service immediately from the date of availability.

The data transfer rate shall be 3 megabits per second (Mbps) download and 500 kilobits per second (kbps) upload, or higher, with latency not to exceed 150 milliseconds. If the Broadband Internet Service meets all of the requirements of this specification except for the data transfer rate and/or latency, then the best performing available connection shall be provided.

Prior to the selection of the Broadband Internet Service provider, the Contractor shall submit to the Resident Engineer, in writing, the proposed method for providing Broadband Internet Service. The Resident Engineer shall review this submittal and respond in writing regarding the acceptability of the proposed method.

The Broadband Internet Service shall be provided with equipment providing one Ethernet port.

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WARM MIX ASPHALT

DESCRIPTION: The Department will allow the use of Warm Mix Asphalt (WMA). All provisions for the production and placement of conventional HMA mixtures as stipulated in Section 410 Construction Requirements and Acceptance of Asphalt Concrete Plant Mix Courses of the Standard Specifications for Highway Construction, Edition 2014, are applicable except as noted below.

Section 410 Construction Requirements and Acceptance of Asphalt Concrete Plant Mix Courses of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Section 410.03: Replace the third sentence with “WMA production temperatures at the plant shall be according to the Contractor’s approved mix design but may be adjusted based on recommendations of the WMA additive/process manufacturer.”

Add the following paragraph: “Implementation of best management practices in the control of aggregate moisture content prior to introduction to the drying or mixing drum is highly recommended in order to achieve the maximum benefit of WMA technology.”

Section 410.07: Replace the last sentence of the first paragraph with “Spreading and finishing temperatures shall be according to the Contractor’s approved mix design, but in no case shall the WMA be placed at a temperature less than 220° F.”

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COLD MILLING - COUNTY PROPERTY

Section 412 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The second sentence of **Subsection 412.01** is hereby deleted and the following is substituted therefor:

The material generated from the milling of tapers or butt joints at the beginning and end of the project, the tapers or butt joints transitioning to an existing structure, and tapers or butt joints at adjoining county roads, city streets, or highways on the project shall be transported and stockpiled at the location shown in the plans and shall become the property of the county in which the project is located or to an adjoining county as designated by the Engineer. The location and quantity of these millings will be designated on the plans or provided by the Engineer. The millings shall be stockpiled in a trapezoidal shape, or as directed by the Engineer, which can be easily measured.

Material generated from the cold milling operations for rut milling, removal of an ACHM overlay of a bridge deck, or other conditions not designated above shall become the property of the Contractor.

The following is added as the second sentence of **Subsection 412.05, Basis of Payment**:

No direct payment will be made for loading, hauling, and stockpiling of the milled material. Full payment will be considered included in the unit price bid for Cold Milling Asphalt Pavement.

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JOB NO. 040854

MAINTENANCE OF TRAFFIC

Section 603 Maintenance of Traffic and Temporary Structures of the Standard Specifications, Edition of 2014, is hereby expanded as follows:

The Contractor shall provide additional traffic control through the project as defined below, in order to provide a safe and convenient traffic flow at all times throughout the limits of each work zone and the approaches thereto.

The Contractor shall assume full responsibility for the safe and efficient movement of traffic through the construction area for the duration of the project. Prior approval by the Engineer shall be required for any alterations of traffic patterns shown on the plans.

All traffic control devices shall be in accordance with the details shown in the plans or on Standard Drawings TC-1, TC-2, TC-3, TC-4, and TC-5. The Contractor will be responsible for furnishing, placing, maintaining, relocating, and subsequent removal of all traffic control devices within the limits of the project.

The Contractor shall notify the Engineer a minimum of 5 full business days prior to closing a lane. If the Contractor fails to give the proper notification, the lane closure will not be allowed until 5 full business days after the notification was given.

Only one (1) lane closure with a maximum work area of 1 mile will be provided for in the plans. The lane closure shall be installed such that it never exceeds the actual work area by more than ¼ mile. The Contractor shall not close any portion of a lane unless active work will begin immediately. In addition, when gainful work is not being accomplished in an area where a lane has been previously closed, steps shall be taken to return traffic to normal conditions - that is, all lanes open to traffic in each direction within 2 hours after construction operations have ceased. All additional labor, materials, and incidentals needed to return the traffic to normal conditions shall be provided, maintained, removed, and replaced, if necessary, at no cost to the Department. Traffic shall not be permitted on any milled surface.

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MAINTENANCE OF TRAFFIC

Failure to comply with this requirement will result in a lane use charge of \$500 per hour until work begins in the closed lane or the lane closure is removed. The lane use charge shall apply to all construction work and unexpected, but otherwise preventable (as determined by the Engineer), maintenance related lane closures within the prohibited times. This includes lane closures directed by the Engineer to address immediate maintenance needs resulting from a lack of proper preventative maintenance (as determined by the Engineer) within the allowable closure times. A lane closure will not be considered to be removed until all advance warning devices specific to the lane closure have been removed or revised. In assessing this lane use charge any portion of an hour will be counted as a full hour.

The Contractor shall schedule his work so that no main lane closures exist and no work requiring main lane closures will be performed for the time period of the day before the Holiday through the day after the Holiday for the following Legal Holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day & the Following Day
- Christmas Eve & Christmas Day

If the Legal Holiday is immediately prior to a weekend or immediately following a weekend, the weekend will be considered a part of the Holiday.

In addition, single lane closures of the Highway 412 main lanes will not be permitted during the following time periods:

- Monday through Sunday: 6:00 a.m. to 8:00 p.m.

Failure to comply with this requirement will result in a lane use charge of \$500 per hour until the lane closure is removed. The lane use charge shall apply to all construction work and unexpected, but otherwise preventable (as determined by the Engineer), maintenance related lane closures within the prohibited times. This includes lane closures directed by the Engineer to address immediate maintenance needs resulting from a lack of proper preventative maintenance (as determined by the Engineer) within the allowable closure times. A lane closure will not be considered to be removed until all advance warning devices specific to the lane closure have been removed or revised. In assessing this lane use charge any portion of an hour will be counted as a full hour.

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MAINTENANCE OF TRAFFIC

The Contractor shall schedule and perform the work, including the placement and removal of traffic control devices, to ensure that all Highway 412 traffic lanes are open at all times, with the aforementioned exceptions.

Special events or occurrences could cause traffic to become congested. When this occurs, the Contractor shall immediately modify the work schedule, working methods, or procedures to lessen the impact of the work on traffic or as directed by the Engineer.

The Contractor will regulate the access of work vehicles and equipment to the work area while ensuring safety to the traveling public and minimum damage to highway facilities. Any damage to the highway facility or vegetation caused by the Contractor shall be repaired at no cost to the Department. Unless operating within the area closed to traffic, the Contractor's work vehicles shall travel in the direction of the normal traffic flow. Only those vehicles necessary for the work shall be allowed in the work zone. All other vehicles shall be parked at a safe location outside the work zone, as approved by the Engineer.

General equipment storage areas or operations centers will be allowed within the limits of the right of way only where permitted by the Engineer. At the end of the work day, equipment shall be either shielded from traffic by an approved positive barrier or placed so it is not within 30 feet of any lane carrying traffic.

The Contractor shall conduct his operations so that no equipment or personnel shall occupy any portion of the roadway that remains designated for the passage of traffic.

BASIS OF PAYMENT: There shall be no direct payment for fulfilling the requirements of the Special Provision, but compensation shall be considered included in the price bid for Maintenance of Traffic.

Traffic control devices, where shown on the plans for payment, will be paid for at the contract unit price for each item involved. All additional traffic control devices beyond the contract amount shall be provided, maintained, and replaced, if necessary, at no cost to the Department.

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EXTENSION FOR PIPE CULVERTS

DESCRIPTION: This item consists of extending existing pipe culverts at selected locations designated by the Engineer by retaining the existing pipe culverts and constructing a concrete collar as a waterproof seal connection between the existing and proposed pipe culverts.

MATERIALS: Materials shall conform to the requirements of Section 802 for Class S Concrete, and Section 804 for Reinforcing Steel (Grade 40 or Grade 60), of the Standard Specifications for Highway Construction, Edition of 2014.

CONSTRUCTION REQUIREMENTS: The Contractor shall break the existing headwall down to the top of the existing pipe culvert and excavate the material at the bottom of the existing pipe culverts in such a manner that the existing pipe culverts will experience no damage and can remain in place. After placement of the new culvert, the Contractor shall construct a concrete collar as a waterproof seal connection between the existing and proposed pipe culverts. The method used for forming and placing the concrete collar shall be sufficient to seal the joint from leakage as approved by the Engineer. Adequate vibration shall be applied to the concrete to ensure consolidation. Debris from the broken headwalls shall be removed and disposed of as approved by the Engineer.

BASIS OF PAYMENT: There shall be no direct payment made for fulfilling the requirements of this Special Provision. Payment for work completed and accepted as provided above will be considered included in the price bid for the various contract items.

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JOB NO. 040854

ACTUATED CONTROLLER

Section 701 Actuated Controller of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The second paragraph of **Subsection 701.02 Materials (a) General** is hereby deleted and the following substituted therefore:

Prior to the ordering of all traffic signal equipment, the Contractor shall submit to the Engineer two (2) printed copies of the applicable brochures containing the design criteria for the equipment which the Contractor proposes to install for approval. The specific items that are proposed for use shall be clearly marked in the applicable brochures. A list shall be attached to identify the item and contain the manufacturer, quantity, model, and identifying descriptions of each item. Adequate engineering data, essential shop drawings, and schematic diagrams shall be provided for review. Partial submittals will not be accepted for consideration and shall be returned for correction without review.

- 1. Review.** For all traffic signal equipment submittals, the Engineer's review of the equipment submittals should be completed within thirty (30) days from the date of the submission unless otherwise specified. Once the Engineer has determined that the equipment submitted meets the design criteria, a written approval will be provided, in which no further action is required. If equipment submitted for use is rejected, the Contractor shall re-submit the equipment for review within fifteen (15) days of notification of equipment rejection. Resubmittal of rejected equipment for review will be considered the starting point of a new approval cycle as described.

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CABINET DRAWER ASSEMBLY

Section 701 Actuated Controller of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 701.02 (d) (10) Wiring Diagrams and Controller Manual is hereby deleted and the following substituted therefore:

Three copies of the Cabinet Wiring Diagram and one copy of the controller manual shall be supplied with each cabinet. One diagram and the manual shall be placed in the "Cabinet Drawer Assembly". The "Cabinet Drawer Assembly" shall be fabricated to the approximate dimensions shown on the plans. Included with the "Cabinet Drawer Assembly" will be all hardware necessary to fasten and install the Assembly to the underside of a cabinet shelf roughly at the midpoint of the Cabinet vertically. One diagram shall be delivered to the City or County before final inspection of the intersection. One diagram shall be given to the Engineer.

The "Cabinet Drawer Assembly" shop drawing shall be included in the traffic equipment submittal.

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RETROREFLECTIVE BACKPLATES

Section 706 Traffic Signal Head of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The ninth paragraph of **Subsection 706.02 Materials (c) Housing** is hereby deleted and the following substituted therefore:

Visors and backplates for metal signal sections shall be made from 0.050" (1.25 mm) minimum thickness aluminum alloy sheet.

- The minimum thickness of 0.050" does not include the retroreflective border.
- Backplates shall not be flexible nor of the hinged design.
- The backplate shall be louvered.
- A louvered backplate shall include louvers with no louvers closer than 0.5" from the inner or 2.5" from the outer edge. Sides are defined on how the signal head is oriented in the plans.
- The backplate shall have a 2" wide yellow (non-fluorescent) retroreflective sheeting border, placed flush with the outer edge of the backplate and placed no closer than 0.5" from all louvers. No sheeting is allowed over any louvered area.
- Sheeting shall be applied in such a manner to provide wrinkle and bubble free surfaces. Application of sheeting shall be in accordance with this special provision otherwise will be cause for rejection of materials due to workmanship.
- The sheeting shall be Type VIII, Type IX, or Type XI in accordance with ASTM D4956 or ASTM D4956-05 and listed on ARDOT's qualified product list.
- All applicable brochures containing the design criteria for the retroreflective sheeting border shall be submitted by the Contractor for approval.
- The sheeting shall be applied in the orientation for the maximum angularity according to the manufacturer's recommendations to project rectangular appearance at night.
- All backplates types shall be securely attached to the signal-head as recommended by the manufacture's specifications and methods.

The tenth paragraph of **Subsection 706.02 Materials (c) Housing** is hereby deleted and the following substituted therefore:

Visors and backplates for plastic signal faces shall be either formed from sheet plastic or assembled from one or more injection, rotational, or blow molded plastic sections with a minimum thickness of 0.10" (2.5 mm).

- The minimum thickness of 0.10" does not include the retroreflective border.
- Backplates shall not be flexible nor of the hinged design.
- The backplate shall be non-louvered.

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RETROREFLECTIVE BACKPLATES

- The backplate shall have a 2" wide yellow (non-fluorescent) retroreflective sheeting border, placed flush with the outer edge of the backplate.
- The sheeting shall be Type VIII, Type IX, or Type XI in accordance with ASTM D4956 or ASTM D4956-05 and listed on ARDOT's qualified product list.
- All applicable brochures containing the design criteria for the retroreflective sheeting border shall be submitted by the Contractor for approval.
- The sheeting shall be applied in the orientation for the maximum angularity according to the manufacturer's recommendations to project rectangular appearance at night.
- All backplate types shall be securely attached to the signal-head as recommended by the manufacture's specifications and methods.

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LED COUNTDOWN PEDESTRIAN SIGNAL HEAD

1. **DESCRIPTION.** This item shall consist of furnishing and installing Countdown Pedestrian Signal Heads and components based on Light Emitting Diode (LED) technology according to these specifications as well as **Section 707 Pedestrian Signal Head** of the Standard Specifications for Highway Construction, Edition of 2014, subject to approval of the engineer. The basic configuration consists of the “filled”, symbolic single section design. Portions of the standard specifications will be superseded by these special provisions.
2. **MATERIALS.** The LED modules shall be suitable for span wire and mast arm mounted signals. Units must meet the following specifications to be accepted.

(A) Physical and Mechanical. LED pedestrian signal modules designed shall not require special tools for installation. Retrofit replacement LED signal modules shall fit into existing pedestrian signal housings built to the VTCSH Standard without modification to the housing. Installation of a retrofit replacement LED signal module into an existing signal housing shall only require the removal of the existing optical unit components, i.e., lens, lamp, and gaskets; shall be weather tight and fit securely in the housing; and shall connect directly to existing electrical wiring utilizing spade connectors. It shall not be necessary to remove reflector or lamp module. Reflector and lamp module is not required where new housings are provided.

The countdown feature will be displayed only during the flashing “Don’t Walk” segment of the pedestrian phase. This feature should be able to restart at the correct part of the signal cycle after a power outage or a signal pre-emption has been activated.

(B) Optical Requirements. The modules shall be measured per ITE specifications, and are required to meet luminous values that are a minimum of 115 percent greater than the required minimum values in the specifications at the time of production. The YELLOW modules shall be tested for luminous output at 25°C, allowing the modules to achieve thermal equilibrium for 60 minutes, while the modules are energized at nominal operating voltage, at a 8.3% (or 1/12) duty cycle or 5 sec on/55 sec off). The yellow modules shall meet all other ITE specifications.

(C) Optical Unit. LED signal modules shall meet the following requirements:

Optical Unit Replacement - The LED module shall be constructed to allow the replacement of the outer lens and/or the light engine when needed.

Lens Surface - The external lens shall be smooth on the outside to prevent excessive dirt/dust buildup.

Chromaticity - The measured coordinates of LED signal modules shall conform to the chromaticity requirements of Section 8.04 and Figure 1 of the VTCSH standard.

Environment - The LED signal module shall be rated for use in the ambient operating temperature range, measured at the exposed rear of the module, of -40° C (-40° F) to +74°C (+165° F). The LED sign module shall be protected against dust and moisture intrusion per the requirements of NEMA Standard 250-1991, sections 4.7.2.1 and

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LED COUNTDOWN PEDESTRIAN SIGNAL HEAD

4.7.3.2, for Type 4 enclosures to protect all internal LED, electronic, and electrical components. The LED signal module lens shall be UV Stabilized.

Pre assembly - The LED signal module shall be a single, self-contained device, not requiring on-site assembly for installation into an existing pedestrian signal housing. The power supply for the LED signal module may be either integral or packaged as a separate module. The power supply may be designed to fit and mount inside the pedestrian signal housing adjacent to the LED signal module. The assembly and manufacturing process for the LED signal assembly shall be designed to assure all internal LED and electronic components are adequately supported to withstand mechanical shock and vibration from high winds and other sources.

LED Drive Circuitry (parallel) - The individual LED light sources shall be wired so that a catastrophic failure of one LED light source will result in the loss of only that one LED light source, and the loss of no more than 1% of the total LED'S within the LED signal module.

Material Composition - Materials used for the lens and signal module construction shall conform to ASTM specification for the materials where applicable. Enclosures containing either the power supply or electronic components of the signal modules shall be made of UL94VO flame retardant materials. The lens of the signal module is excluded from this requirement.

Identification Markings - Each individual LED signal module shall be identified for warranty purposes. Each LED signal module shall be identified on the backside with the manufacturer's name and serial number. The following operating characteristics shall be identified: nominal operating voltage, power consumption, and Volt-Ampere. Modules shall have a prominent and permanent vertical indexing indicator, i.e. UP ARROW or the word UP or TOP, for correct indexing and orientation inside a signal housing. Modules conforming to this specification may have the following statement: "Manufactured in Conformance with the Interim Purchase Specification of the ITE for LED vehicle Pedestrian signal Modules" on an attached label.

(D) Manufacturer's Warranty. The standard contract warranty shall apply with time extensions applied to materials. The contractor shall provide a written manufacturer's guarantee to the Agency (City, County or etc.) who provides electrical service and maintenance of the intersection. Warranty shall provide the following stipulations:

- Isolated Failures Warranty Period not less than 7 Years
- Design Failure Warranty Period not less than 5 Years

Warranty for isolated lens failure shall include replacement LED module at no cost for materials and shipping for a period of 7 years from the date the intersection is considered substantially complete by the engineer. An LED module shall be considered failed when the luminosity drops below the ITE requirements listed above.

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LED COUNTDOWN PEDESTRIAN SIGNAL HEAD

A product "Design Failure" is considered to have occurred if, within a period of 5 years or less, a total of ten percent (10%) of the LED modules supplied on a particular Job are considered failed as described above. The supplier shall then "recall" the entire shipment at no cost to the agency maintaining the equipment. This shall include labor and equipment necessary to replace the units.

3. **CONSTRUCTION REQUIREMENTS.** Construction shall be in accordance with the standard specifications. No distinction is made for span-wire installations, post mount, mast arm mount, or other mounting methods as described on the plan sheet(s).
4. **METHOD OF MEASUREMENT.**
 - A. **Pedestrian Signal Head, LED.** Work completed and accepted and measured as provided above will be measured by unit.
 - B. **Pedestrian Signal Head, LED Lens Retrofit (Ret).** Work completed and accepted and measured as provided above will be measured by unit.
5. **BASIS OF PAYMENT.**
 - A. **LED Pedestrian Signal Head.** Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per each for PEDESTRIAN SIGNAL HEAD LED of the type, display and size specified, which price shall be full compensation for furnishing and installing all materials and signs; and for all labor, equipment, tools, and incidentals necessary to complete the work.
 - B. **LED Pedestrian Signal Lens Ret.** Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per each for PEDESTRIAN SIGNAL LED LENS RET of the type, number of sections, color and display specified, which price shall be full compensation for removing existing unnecessary hardware and modifying existing housing; and for furnishing and installing all materials; and for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

| Pay Item | Pay Unit |
|---------------------------------------|-----------------|
| Countdown Pedestrian Signal Head, LED | Each |

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

ACCESSIBLE PEDESTRIAN SIGNAL (APS)

1. **DESCRIPTION.** This item shall include furnishing and installing at locations shown on the plans or as directed, an Audible-Tactile Pedestrian Signal System and shall consist of all electronic control equipment, mounting hardware, and push button stations which are designed to provide both a push button with a raised vibrating tactile arrow on the button, along with a variety of audible indications for differing pedestrian signal functions. This work shall be done in accordance with this special provision, the “LED Countdown Pedestrian Signal Head” special provision, and the Standard Specifications for Highway Construction, Edition of 2014, **Section 707 Pedestrian Signal Head.**
2. **MATERIALS AND CONSTRUCTION.**
 - A. **Design Compliance.** The System shall meet the following standards:
 1. Functionality requirements of MUTCD 2009 - 4E.
 2. NEMA TS 2 Section 2.1 Temperature & Humidity requirements.
 3. NEMA TS 2 Section 2.1 Transient Voltage Protection requirements.
 4. NEMA TS 2 Section 2.1 Mechanical Shock and Vibration requirements.
 5. IEC 61000-4-4, IEC 61000-4-5 Transient Suppression requirements.
 6. FCC Title 47, Part 15, Class A Electronic Noise requirements.
 7. The Push Button Station (PBS) Enclosure shall meet NEMA 250 - Type 4X Enclosure requirements.
 8. The Central Control Unit (CCU) & Ped Station Monitor (PSM) Enclosures shall meet NEMA 250 - Type 1 requirements.
 9. The System shall meet NEMA TS 4 - Electrical Reliability requirements (applicable portions of Section 8).
 - B. **Functional Requirements.**
 1. The System shall support from 2-16 PBS's per intersection (maximum of 4 push buttons per channel) controlled by a single base unit located in the traffic control cabinet.
 2. The System shall be able to be set to vibrate a tactile arrow button during the WALK interval following a button push and/or every time the walk comes up.
 3. The System shall have the field-selectable function known as “Locating Tone”. This means that during the FLASHING DON'T WALK and the DON'T WALK intervals, the system shall provide a locating tone that emanates from the Pedestrian Push Button Station. The system shall provide at least three different sounds to choose from.
 4. The System shall have the field selectable function known as “Extended Push Activation”. This means that the audible WALK message will only be activated and sound during the WALK interval if the button is depressed for a field selectable

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ACCESSIBLE PEDESTRIAN SIGNAL (APS)

- minimum period of time (from 0 to 6 seconds). Also, for the following walk phase, the volumes have a separately settable minimum and volume level.
5. The System shall have the field selectable function known as “Informational Message”. This means that a custom message giving the location of the street to cross and the intersection (or other information) will be vocalized only when the button is depressed for a minimum field selectable time.
 6. The System shall provide a “Wait” message that plays once the button is activated until the walk cycle goes into effect. This message must have the field selectable option of OFF or playing every 4, 6, 8 or 10 seconds.
 7. The System shall have standard “Travel Direction” options that can be selected at the time of installation.
 8. The System shall have at least five field selectable walk sound options including a cuckoo, a chirp, a rapid tick or custom voice message.
 9. The System shall provide 3 Ped-clearance sound choices including audible countdown (field selectable). The audible countdown shall represent the time remaining during the pedestrian clearance interval. Timing is automatically adjusted to CLEARANCE INTERVAL timing.
 10. The System shall provide two language capabilities, selectable by user (as a custom feature).
 11. The System shall provide Emergency preemption message in conjunction with a preemption system (selectable feature).
 12. LOCATE tone and “Walk,” Pedestrian Clearance” audible feature must have independent settable minimum and maximum volume limits.
 13. All sounds for all PBS’s must be synchronized.
 14. The system shall have an ambient sensing microphone located in the pedestrian station in a non-visible, environmentally protected housing.
 15. All sounds levels shall adjust automatically in response to ambient noise over a 60-dB range with additional control to have the sound level at ambient, 5dBA or 10dBA over ambient, to a maximum of 100 dBA.
 16. The system shall have an independent ambient adjustment setting for the locate tone that allows the locate tone volume to be set to play below the ambient noise level.
 17. The system shall utilize high quality digital audio technology by using 12-bit samples at a 16k Hz sample rate audio amplifier and must have total harmonic distortion of less than 3%.
 18. The firmware and voice messages shall be updatable via a laptop computer or smart device. There shall be no requirement for the hardware to be changed out to update.

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ACCESSIBLE PEDESTRIAN SIGNAL (APS)

19. The System shall have the option to mute sounds on all crosswalks except activated crosswalk (selectable feature).
20. The System shall have no field replaceable fuses. All fuses shall be self-resetting.
21. The System shall have the ability to have two separate program configurations with all features available that can be turned on through an external input.
22. All programming and adjustments shall be made using a laptop computer or smart device. No additional hardware or equipment shall be required. The system shall be fully compatible with the three latest versions of the Windows operating platform.

C. Central Control Unit (CCU) - The CCU is the power supply and control unit that provides power and data for the Push Button Stations.

1. Shall be installed inside the Traffic Cabinet and powered by the AC supply mains (115 VAC).
2. Shall control up to 16 PBS's in a maximum of 4 channels up to 4 PBS's per channel.
3. Shall control up to four Pedestrian channels, receiving its timing from the Walk and Don't Walk signals.
4. Shall be able to self-test all PBS's and put a channel into recall should a PBS fail the self test.
5. Shall provide optically isolated general-purpose inputs.
6. Shall be provided with a 4-cable interface harness assembly.
7. Shall be provided with an interface connection board.
8. Shall have Ethernet access to PBS's through the CCU to be able to change the settings of PBS as well as monitor the self-test Events of the PBS's and report back to the Central Control Station.
9. Shall have internal memory to store a few hundred events with a date-time stamp for each event.
10. Shall have an internal real-time clock.
11. Firmware for the CCU shall be updated by USB port on the CCU, laptop computer, or smart device.
12. The CCU shall have 2 built in conflict monitoring systems:
 - i. Monitors the PBS and the ped-head lights and powers off the channel upon a conflict.
 - ii. Processors monitor each other and reset the CCU upon loss of internal communication.
13. Shall meet NEMA 250 – Type 1 enclosures requirements.

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ACCESSIBLE PEDESTRIAN SIGNAL (APS)

- D. Pole Mounting Assembly** - This equipment is typically mounted on a pole near the start of a crossing. It is commonly referred to as the "Pedestrian Push Button Station" or "PBS").
1. PBS shall be a single fixture that contains the vibro-tactile 2" ADA-compliant pedestrian push button with directional tactile arrow, a weatherproof speaker, and the appropriate sign for each location.
 2. All audible sounds shall emanate from the PBS.
 3. The external housing shall not have any polycarbonate or plastic parts.
 4. PBS's must require only two wires coming from the traffic control cabinet for each phase / crosswalk.
 5. Each PBS shall have a system unique ID.
 6. SPEAKER: 8 Ohms, 12-Watt maximum, weatherproof.
 7. PUSH BUTTON: ADA compliant with raised arrow on the button plunger. Cast Aluminum, Nickel-plated and powder coated for color contrast. The arrow on the PBS shall be able to be changed to one of four directions.
 8. PUSH BUTTON: Uses Piezo switch technology rated to greater than 20 million operations.
 9. VIBRATOR POWER: Arrow button shall pulse at 20 Hz with a 0.003-inch displacement against an applied 2 lb force.
 10. CONFLICT WALK MONITOR: Circuitry shall have a separate microcontroller that independently monitors the main microcontroller outputs and "Walk Mode" for conflict condition, the PBS is reset in case of conflict detection.
 11. The firmware and voice messages shall be updatable by using a laptop computer or smart device. There shall be no requirement for the hardware to be changed out to update.
 12. VOLTAGE TRANSIENT PROTECTION: Meets applicable NEMA TS 2 requirements.
 13. Meets or exceeds NEMA 250 type 4X enclosure requirements.
 14. CONSTRUCTION:
 - i. FRAME: Cast Aluminum, Powder Coated.
 - ii. MESSAGE SIGN: Aluminum, Powder Coated, Ink Markings.
 - iii. PUSH BUTTON: Aluminum, Powder Coated.
 15. MESSAGE MARKING: At time of order, the customer may specify the Message Sign Markings to be the **International Walking Person** or the **Informational Explanations** for the three (3) distinct pedestrian displays (WALK, DON'T WALK, and PED CLEAR) that a pedestrian would see on an active pedestrian head.
 16. If required by the Engineer, a push button extender shall be supplied and installed to ensure the push button orientation and height requirements are met.

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ACCESSIBLE PEDESTRIAN SIGNAL (APS)

17. The APS shall be installed in accordance with the manufacturer's recommendations.

18. A field test of the APS shall be performed in the presence of the Engineer. If a unit fails to pass testing, the Contractor shall replace the unit to ensure a fully operational system at their expense.

E. Programming - The APS shall be programmable and adjustable.

1. Programming and adjustments shall be made using a laptop computer or smart device. No additional hardware or equipment shall be required. The system shall be fully compatible with the three latest versions of the Windows operating platform.

2. Shall be password protected.

3. **METHOD OF MEASUREMENT.** Completed and accepted items will be measured as follows:

A. Central Control Unit will be measured by the unit.

B. Pole Mounted Assembly will be measured by the unit.

4. **BASIS OF PAYMENT.** Work completed and accepted and measured as provided above will be paid for at the contract unit price bid as follows:

A. Central Control Unit - Price bid for Central Control Unit and associated equipment specified, shall be full compensation for furnishing all equipment listed above; meeting all functional requirements listed above, for installing, programming, wiring, and testing the unit; and for all materials, equipment, tools, labor, and incidentals necessary to complete the work.

B. Pole Mounted Assembly - Price bid for Pole Mounted Assembly shall be full compensation for furnishing the Pedestrian Push Button Station with all items including but not restricted to materials, equipment, tools, programming, software, labor, and incidentals necessary to complete the work.

Payment shall be made under:

| Pay Item | Pay Unit |
|-----------------------|-----------------|
| Central Control Unit | Each |
| Pole Mounted Assembly | Each |

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SPECIAL PROVISION

JOB NO. 040854

ELECTRICAL CONDUCTORS FOR LUMINAIRES

DESCRIPTION. This item consists of furnishing and installing electrical conductors as noted on the plans. This shall include conductors from the luminaire service point to the luminaire disconnect point and from the luminaire disconnect point to luminaires mounted on the traffic signal poles. Circuit breakers and weatherproof breaker boxes are considered subsidiary to "Electrical Conductors for Luminaires" and shall be provided and installed by the Contractor at the luminaire disconnect point.

MATERIALS. The electrical conductors shall consist of two conductor cables (#12 A.W.G.). Electrical conductors shall be stranded or solid copper UF rated 600-volt, suitable for underground duct installation in wet or dry locations. Electrical conductors shall comply to ASTM Specification B3, B-8 or B-787. The insulation shall be a color coded premium grade flame retardant PVC (polyvinyl chloride). The jacket shall be polyamide nylon. Circuit breakers shall be rated at 20 amps.

CONSTRUCTION REQUIREMENTS. The Contractor shall furnish and install a luminaire disconnect (20-amp circuit breaker assembly and weatherproof box) at the location designated on the plans that meets the requirements of the local utility company. The Contractor shall connect the circuit breaker assembly to the line side of the service point supplying the controller. Conductors for luminaires shall run directly from load side of luminaire disconnect to luminaires mounted on signal poles. Disconnect or trip of luminaire disconnect shall not effect power to controller. Luminaire disconnect shall be clearly labeled as "Street Light" circuit.

Splices are allowed at pole bases or as approved by the Engineer. Splicing methods considered acceptable are: Soldered, compression connectors of proper size employing cyclic crimping devices, terminal strips, or other method approved by the Engineer. Splices on terminal strips shall utilize proper spade lugs. All splices shall be waterproof. When taping is required, the wire shall be covered with six (6) layers of plastic electrical tape and sealed with "Scotch-Coat" or other similar electrical sealing material. Where wire nuts are used, soldering, taping and sealing is still required. Electrical insulating putty may be used to round off sharp corners of wire or connectors before applying tape. Slack cable (3 ft. min.) shall remain at each splice location or at end of luminaire arm when luminaire is not to be installed by contractor. Final connection of power from the local utility to the service point will be made by others.

METHOD OF MEASUREMENT. Electrical Conductors for Luminaires will be measured by the linear foot. Multiple conductors shall be measured together, not measured singularly.

10-18-2002
02-06-2003 Rev.
02-18-2003 Rev.
01-17-2008 Rev.
12-16-2016 Rev.
11-16-2017 Rev.
12-06-2018 Rev.

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ELECTRICAL CONDUCTORS FOR LUMINAIRES

BASIS OF PAYMENT. Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per linear foot for Electrical Conductors for Luminaires of the type and size called for on the plans, which price shall be full compensation for furnishing materials, splicing and connections and for all tools, equipment, labor, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item

Pay Unit

Electrical Conductors for Luminaires

Linear Foot

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

ELECTRICAL CONDUCTORS-IN-CONDUIT

DESCRIPTION. This item consists of furnishing and installing electrical conductors from point to point as indicated on the plan sheets.

MATERIALS. The electrical conductors shall consist of cables of the gauge and number of conductors specified on the plan sheets and shall be USE rated (single conductor) or UF rated (two conductor) with cross-link polyethylene (XLP) insulation, 600-volt rating, and suitable for underground duct installation in wet or dry locations. Electrical conductors shall be UL Listed, and shall comply with ASTM B3, B8, B787, and UL Standard 854. Multiple single conductor cables shall not be twisted. Electrical conductors shall be solid or stranded copper unless otherwise approved by the Engineer.

Where specified "With Ground" (WG), included shall be a copper safety ground of either bare copper or green insulated; of not less than two sizes less than the load carrying conductors, whichever is greater.

Where specified "Equipment Ground Conductor" (E.G.C.), conductor shall be a copper safety ground of either bare copper or green insulated of the size and quantity shown.

CONSTRUCTION REQUIREMENTS. Splices are allowed at pole bases or as approved by the Engineer. Unless waterproof quick disconnects are used, splicing methods considered acceptable are: Soldered, compression connectors of proper size employing cyclic crimping devices, terminal strips, or other method approved by the Engineer. Splices on terminal strips shall utilize proper spade lugs. All splices shall be waterproof. When taping is required, the wire shall be covered with six (6) layers of plastic electrical tape and sealed with "Scotch-Coat" or other similar electrical sealing material. Where wire nuts are used, soldering, taping and sealing is still required. Electrical insulating putty may be used to round off sharp corners of wire or connectors before applying tape. Slack cable (3 ft. min.) shall remain at each splice location.

METHOD OF MEASUREMENT. Electrical Conductors-In-Conduit shall be measured by the linear foot. Multiple conductors shall be measured together, not measured singularly.

BASIS OF PAYMENT. Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per linear foot for Electrical Conductors-In-Conduit of the type and size called for on the plans, which price shall be full compensation for furnishing materials, splicing, and connections and for all tools, equipment, labor, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item

Pay Unit

Electrical Conductors-In-Conduit (_c/_ A.W.G.,_)

Linear Foot

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

LED LUMINAIRE ASSEMBLY (BUG U0 TYPE)

1. **DESCRIPTION.** This work shall consist of furnishing and installing LED luminaire assemblies on traffic signal poles, including the accessories, in accordance with these specifications and at the locations shown on the plans or as directed.
2. **MATERIALS AND CONSTRUCTION REQUIREMENTS.**

A. Luminaire. Each luminaire assembly shall consist of a "Cobra Head", power door style; Light Emitting Diode (LED) light source capable of outputting at least minimum of 12,000 lumens and a maximum of 14,000 lumens, and optics to produce an IESNA Type-III light distribution with a BUG rating of U0. The rated Correlated Color Temperature (CCT) shall be 4000° K +/- 200°K, and the Color Rendering Index (CRI) shall be no less than 60. As a minimum, 40% of Light Flux values shall be maintained on the downward street side; with greater than 0.002 foot-candles per 1000 lamp lumens at a point of "1 x 4" mounting heights on the downward street side. Mesopic multipliers (i.e., effective luminance factors) shall not be used. All values shall assume photopic visual adaptation. Luminaires with a Light Loss Factor using the L70 Method shall have a minimum rating of 50,000 hours, and a minimum 5-year warranty. The warranty shall provide for the repair or replacement of defective electrical parts (including light source and power supplies/drivers) for a minimum of five (5) years from the date of purchase. Luminaire shall be able to operate normally in temperatures from -40° C to +40° C. LED light source(s) and driver(s) shall be RoHS compliant.

The luminaires shall be all aluminum die cast hinged construction. Each luminaire assembly shall have a photocell and receptacle in the top of the luminaire housing and shall meet the requirements of the local utility company. The luminaires shall be rated IP-66 or better and shall employ the use of borosilicate glass lenses. All luminaire internal components shall be assembled and pre-wired using modular electrical connections and shall be designed for ease of component replacement and end-of-life disassembly.

All luminaires shall contain built-in drivers with power door assembly and be of an approved streamlined design. Drivers shall be wired for line voltage as indicated on the plan sheets (plus or minus 10%-line voltage, variation), 60-cycle, single phase, multiple circuit operation, with high power factor (90% or higher). The driver shall be suitable for the proper operation of the LED array inclusive to the luminaire assembly, with a minimum open circuit voltage as specified on the plan sheets and shall be an easily replaceable part of the luminaire assembly. The luminaire shall be listed for wet locations by a U.S. Occupational Safety Health Administration (OSHA) Nationally Recognized Testing Laboratory (NRTL). The luminaire shall have lightning suppression equipment

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JOB NO. 040854

LED LUMINAIRE ASSEMBLY (BUG U0 TYPE)

capable of meeting the performance requirements for electrical immunity as specified in ANSI C136.2, using a combination wave test level of at least 10kV/5kA.

Luminaire assemblies (with accessories) shall be supplied in one style or model number from one manufacturer only. The contractor shall submit manufacturer's brochures with illustrations and data in addition to LM-79, LM-80 and TM-21 reports to the Arkansas Department of Transportation for approval of luminaires, accessories and installation details. All submitted luminaires shall be listed on the Department of Energy's LED Lighting Facts website, and all supporting calculations and test data from the LM-79, LM-80 and TM-21 reports must be in accordance with LED Lighting Facts guidance.

B. Photocell. Each luminaire assembly shall have a solid-state photocell and receptacle in the top of the luminaire housing. Photocells shall have a locking-type photoelectric control with a rating of 5,000 operations minimum (13 years) on loads of 1800VA. The photocell shall operate at the same voltage rating as the luminaire driver.

3. **METHOD OF MEASUREMENT.** Completed and accepted LED Luminaire Assembly will be measured by the unit.
4. **BASIS OF PAYMENT.** Work completed and accepted under this item and measured as provided above shall be paid for at the contract unit price bid for each LED Luminaire Assembly, which price shall be full compensation for furnishing and installing the luminaires, lamps of the type described herein, driver, photocell, and all materials, equipment, tools, labor, and incidentals necessary to complete the work.

Payment will be made under:

| Pay Item | Pay Unit |
|------------------------|-----------------|
| LED Luminaire Assembly | Each |

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

LED TRAFFIC SIGNAL HEAD

1. **DESCRIPTION.** This item shall consist of furnishing and installing 300 mm (12") diameter Traffic Signal Heads and components based on Light Emitting Diode (LED) technology according to these specifications as well as **Section 706 Traffic Signal Head** of the Standard Specifications for Highway Construction, Edition of 2014, to approval of the engineer. Portions of the standard specifications will be superseded by these special provisions.
2. **MATERIALS.** The LED modules shall be suitable for span wire and mast arm mounted signals. Units must meet the following specifications to be accepted.
 - (A) **Physical and Mechanical.** LED traffic signal modules designed shall not require special tools for installation. Retrofit replacement LED signal modules shall fit into existing traffic signal housings built to the VTCSH Standard without modification to the housing. Installation of a retrofit replacement LED signal module into an existing signal housing shall only require the removal of the existing optical unit components, i.e., lens, lamp, and gaskets; shall be weather tight and fit securely in the housing; and shall connect directly to existing electrical wiring utilizing spade connectors. It shall not be necessary to remove reflector or lamp module. Reflector and lamp module is not required where new housings are provided.
 - (B) **Optical Requirements.** The RED and GREEN modules shall be measured per ITE specifications, and are required to meet luminous values that are a minimum of 115 percent greater than the required minimum values in the specifications at the time of production. The YELLOW modules shall be tested for luminous output at 25°C, allowing the modules to achieve thermal equilibrium for 60 minutes, while the modules are energized at nominal operating voltage, at a 8.3% (or 1/12) duty cycle or 5 sec on/55 sec off). The yellow modules shall meet all other ITE specifications.
 - (C) **Optical Unit.** LED signal modules shall meet the following requirements:
 - Optical unit replacement** - The LED module shall be constructed to allow the replacement of the outer lens and/or the light engine when needed.
 - Lens Surface** - The external lens shall be smooth on the outside to prevent excessive dirt/dust buildup.
 - Tinting** - The RED, YELLOW and optionally on GREEN lens shall be tinted or shall use transparent film or materials with similar characteristics.
 - Chromaticity** - The measured coordinates of LED signal modules shall conform to the chromaticity requirements of Section 8.04 and Figure 1 of the VTCSH standard.
 - Environment** - The LED signal module shall be rated for use in the ambient operating temperature range, measured at the exposed rear of the module, of -40° C (-40° F) to +74°C (+165° F). The LED sign module shall be protected against dust and moisture

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LED TRAFFIC SIGNAL HEAD

intrusion per the requirements of NEMA Standard 250-1991, sections 4.7.2.1 and 4.7.3.2, for Type 4 enclosures to protect all internal LED, electronic, and electrical components. The LED signal module lens shall be UV Stabilized.

Pre assembly - The LED signal module shall be a single, self-contained device, not requiring on-site assembly for installation into an existing traffic signal housing. The power supply for the LED signal module may be either integral or packaged as a separate module. The power supply may be designed to fit and mount inside the traffic signal housing adjacent to the LED signal module. The assembly and manufacturing process for the LED signal assembly shall be designed to assure all internal LED and electronic components are adequately supported to withstand mechanical shock and vibration from high winds and other sources.

LED Drive Circuitry (parallel) - The individual LED light sources shall be wired so that a catastrophic failure of one LED light source will result in the loss of only that one LED light source, and the loss of no more than 1% of the total LED'S within the LED signal module.

Material Composition - Materials used for the lens and signal module construction shall conform to ASTM specification for the materials where applicable. Enclosures containing either the power supply or electronic components of the signal modules shall be made of UL94VO flame retardant materials. The lens of the signal module is excluded from this requirement.

Identification Markings - Each individual LED signal module shall be identified for warranty purposes. Each LED signal module shall be identified on the backside with the manufacturer's name and serial number. The following operating characteristics shall be identified: nominal operating voltage, power consumption, and Volt-Ampere. Modules shall have a prominent and permanent vertical indexing indicator, i.e. UP ARROW or the word UP or TOP, for correct indexing and orientation inside a signal housing. Modules conforming to this specification may have the following statement: "Manufactured in Conformance with the Interim Purchase Specification of the ITE for LED vehicle Traffic Signal Modules" on an attached label.

The first sentence of Subsection 706.02, Materials. (d) is deleted and the following substituted therefore:

The Contractor shall furnish and install the proper signs adjacent to signal heads controlling an exclusive left turn lane:

- Traffic Signal Head (3 Sec., 1-Way) (Red Arrow, Yellow Arrow, and Green Arrow) for protect only shall include a MUTCD R10-10 sign (30" x 36") (LEFT TURN SIGNAL).

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LED TRAFFIC SIGNAL HEAD

- Traffic Signal Head (3 Sec., 1-Way) (Red Arrow, Yellow Arrow, and Flashing Yellow Arrow) for permitted only shall include a MUTCD Special sign (30" x 36") (LEFT TURN YIELD ON FLASHING YELLOW ARROW).
- Traffic Signal Head (4 Sec., 1-Way) (Red Arrow, Yellow Arrow, Flashing Yellow Arrow, and Green Arrow) for protected-permitted shall include a MUTCD Special sign (30" x 36") (LEFT TURN YIELD ON FLASHING YELLOW ARROW).
- Traffic Signal Head (5 Sec., 1-Way) (Red Ball, Yellow Ball, Green Ball, Yellow Arrow, and Green Arrow) for protected-permitted shall include a MUTCD R10-12 sign (30" x 36") (LEFT TURN YIELD ON GREEN (symbolic green ball)).

The sign type, size, and layout for any additional signs shall be furnished and installed as shown in the plans. All signs shall comply with Section 723. Unless otherwise specified, the sheeting shall be by Type III or IV.

(E) Manufacturer's Warranty. The standard contract warranty shall apply with time extensions applied to materials. The contractor shall provide a written manufacturer's guarantee to the Agency (City, County or etc.) who provides electrical service and maintenance of the intersection. Warranty shall provide the following stipulations:

- Isolated Failures Warranty Period not less than 7 Years
- Design Failure Warranty Period not less than 5 Years

Warranty for isolated lens failure shall include replacement LED module at no cost for materials and shipping for a period of 7 years from the date the intersection is considered substantially complete by the engineer. An LED module shall be considered failed when the luminosity drops below the ITE requirements listed above.

A product "Design Failure" is considered to have occurred if, within a period of 5 years or less, a total of ten percent (10%) of the LED modules supplied on a particular Job are considered failed as described above. The supplier shall then "recall" the entire shipment at no cost to the agency maintaining the equipment. This shall include labor and equipment necessary to replace the units.

3. CONSTRUCTION REQUIREMENTS. Construction shall be in accordance with the standard specifications. No distinction is made for span-wire installations, post mount, mast arm mount, or other mounting methods as described on the plan sheet(s).

Whether complete head assembly is replaced or existing head is retrofitted with new lenses, contractor shall be responsible for aligning head properly with approach lanes. This does not include relocating head and bracket, but adjusting the alignment of the head to achieve maximum visibility to motorists.

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JOB NO. 040854

LED TRAFFIC SIGNAL HEAD

- 4. METHOD OF MEASUREMENT.** Units are bid as “3 Section”, “4 Section” or “5 Section”. A 3 Section unit consists of one each: Red Ball, Yellow Ball, and Green Ball or Red Arrow, Yellow Arrow, and Green Arrow or Red Arrow, Yellow Arrow, and Flashing Yellow Arrow. A 4 Section unit consists of one each: Red Ball, Yellow Ball, Green Ball, and Green Arrow or Red Arrow, Yellow Ball, Flashing Yellow Arrow, and Green Arrow. A 5 Section unit consists of one each: Red Ball, Yellow Ball, Green Ball, Yellow Arrow, and Green Arrow. No distinction shall be made in the unit based on the orientation of the arrow indications.
- A. Traffic Signal Head, LED.** Work completed and accepted and measured as provided above will be measured by unit.
- B. Traffic Signal Head, LED Lens, Retrofit (Ret).** Work completed and accepted and measured as provided above will be measured by unit.
- 5. BASIS OF PAYMENT.**
- A. LED Traffic Signal Head.** Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per each for Traffic Signal Head, LED of the type, display and size specified, which price shall be full compensation for furnishing and installing all materials and signs; and for all labor, equipment, tools, and incidentals necessary to complete the work.
- B. LED Traffic Signal Lens Ret.** Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per each for Traffic Signal Head, LED Lens, Retrofit of the type, number of sections, color and display specified, which price shall be full compensation for removing existing unnecessary hardware and modifying existing housing; and for furnishing and installing all materials; and for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

| Pay Item | Pay Unit |
|--|-----------------|
| Traffic Signal Head, LED, (___ Section, 1 Way) | Each |
| Traffic Signal Head, LED Lens, Retrofit (___ Section, 1 Way) | Each |

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**SERVICE POINT ASSEMBLY
(TRAFFIC CONTROL DEVICES)**

DESCRIPTION. This item consists of furnishing and installing a distribution panel, circuit breaker, lightning arrestor, weatherhead, clamps, wiring, ground rod, and miscellaneous fittings at locations designated on the plans and in accordance with the latest version of the National Electrical Code.

Lightning arrestor shall be SPD Type 2 (load side) per NEC and UL Code 1449.

All construction and wiring shall be in compliance with local electrical codes. The Contractor shall perform all necessary liaisons with local power companies in order to ascertain such specific requirements as the power company may apply to each location.

MATERIALS AND CONSTRUCTION REQUIREMENTS. Height of the service riser weatherhead shall be 20 feet or greater depending on street crossings or other obstructions, unless otherwise approved by the Engineer.

The required weatherhead, conduit nipples, couplings, clamps and other fittings exposed to the weather shall be hot dipped galvanized steel and shall be attached to the pole in such a manner as to facilitate the final steel conduit connecting weatherhead. Service disconnect, distribution cabinet and tie to underground circuits is paid for by Service Point Assembly. Galvanized steel conduit for riser shall be paid as a separate item.

The Contractor shall furnish and install service feeder wire from the distribution cabinet to the main breaker and from the main breaker past the weatherhead. Tie-in and splicing of the service feeder wire to the secondaries supplied by the local utility will be performed by others and shall not be considered a part of this contract. Grounding shall be as shown on the Standard Drawing SD-9 (Service Point).

Mounted at the service location shall be NEMA 3R enclosure(s), circuit breaker, distribution panel and main breaker of a design and model number suitable to the local power company and as approved by the Engineer. The circuit breaker shall be magnetic trip only and sized in accordance with the plans. If required, a meter base provided by the utility company shall be installed above the distribution panel. All enclosures and circuit breakers shall be rated for 240 V.A.C. or greater, unless otherwise designated on the plan sheets. A 30 amp breaker shall be provided.

Where lighting is included in the signal installation for intersection lighting, a 20 amp breaker shall be provided.

The Contractor shall submit to the Engineer two (2) printed copies of the applicable brochures containing the design criteria for the equipment which the Contractor proposes to install for

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**SERVICE POINT ASSEMBLY
(TRAFFIC CONTROL DEVICES)**

approval. The specific items that are proposed for use shall be clearly marked in the applicable brochures. A list shall be attached to identify the item and contain the manufacturer, quantity, model, and identifying descriptions of each item. The items to be submitted: load centers and enclosures, lightning arrestor, and all circuit breakers.

METHOD OF MEASUREMENT. Completed and accepted Service Point Assembly will be measured by the unit.

BASIS OF PAYMENT. Work completed and accepted and measured as provided above will be paid for at the contract unit price bid each for Service Point Assembly for the number of circuits specified, which price shall be full compensation for furnishing and installing a treated wood pole, enclosure(s), circuit breaker(s), main breaker, distribution panel, steel conduit, conduit fittings, wiring and ground rod; for testing the service point assembly; and for all materials, equipment, tools, labor, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item

Pay Unit

Service Point Assembly (____ Circuit(s))

Each

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**STREET NAME SIGN
(MAST ARM MOUNTED)**

DESCRIPTION. This item consists of furnishing and installing a Street Name Sign mounted on a traffic signal mast arm at locations designated on the plan sheets or as directed by the Engineer. All construction and materials shall be in accordance with the Standard Specifications for Highway Construction, Edition of 2014, with applicable supplemental specifications.

MATERIALS AND CONSTRUCTION REQUIREMENTS. Contractor shall provide all mounting hardware, sign blank, sheeting, tools, equipment and labor necessary to complete the installation. Sign design and construction shall be as shown on the plan sheets or as directed by the Engineer.

METHOD OF MEASUREMENT. Completed and accepted Street Name Sign shall be measured by the unit.

BASIS OF PAYMENT. Work completed, accepted and measured as provided above will be paid at the contract unit price bid for Street Name Sign which price shall be full compensation for furnishing the sign, mounting hardware, equipment, tools, labor, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item

Pay Unit

___" Street Name Sign

Each

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SHORING FOR CULVERTS

DESCRIPTION: Work under this item shall consist of the design, construction, and removal of a shoring or bracing system that may be required to retain the existing, temporary, or new roadway embankment and to maintain traffic during construction of culverts. The shoring system shall provide sufficient clearance for excavation and construction work and shall ensure the safety of the traveling public and workmen at all times.

WORK TO BE PERFORMED: Prior to construction of the shoring system, the Contractor shall submit the design and details of the system to the Engineer for informational and record purposes. Such submission shall include the design calculations, the kind and condition of materials to be used, working drawings showing all dimensions, and the procedure for installation of the system. The design and details submitted shall be prepared and/or approved by a Professional Engineer registered in Arkansas.

The Contractor shall be responsible for the adequacy of the temporary shoring during the entire period of construction. The Contractor shall be responsible for any and all damages and/or claims, including injury or death, arising out of the construction and use of temporary shoring.

The Contractor shall construct the shoring in accordance with the details submitted to the Engineer for informational purposes. Unless otherwise permitted by the Engineer, all components of the shoring system shall be removed upon completion of their use and shall remain the property of the Contractor.

PAYMENT: No direct payment will be made for work described in this special provision (which includes preparation of necessary design details and drawings, construction and removal of shoring, and for all materials, labor, tools, equipment, and incidentals necessary to complete the work) but shall be considered subsidiary to other pay items in the contract.

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 040854****HYBRID VIDEO/RADAR DETECTION SYSTEM**

Section 733 Video Detector with Radio Interface of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 733.01, Description. is deleted and the following substituted therefore:

This item consists of furnishing and installing a Multi-Sensor Detection System (MSDS), Central Control Unit (CCU), Video Cable, Video Monitor, Communication Interface, 8 Port SDLC Hub, harness, any hardware or accessories required, and software in accordance with these specifications, and modification or remote video monitoring site(s), at the locations shown on the plans or as directed by the Engineer, for the purpose of providing actuation to a traffic signal controller and for live video monitoring of traffic conditions at the site.

The Hybrid Video/Radar Detectors (MSDS) shall utilize two different sensors of different technologies, video imaging and radar, to detect and track vehicles on a lane-by-lane basis at a distance up to 600 feet from the sensor, CCU, Video Cable, and other associated equipment and shall detect vehicle information from the two sensors to provide highly accurate and precise detection for simultaneous stop line presence, advanced, and special detection by the means described, process the information and provide vehicle actuation to an actuated controller, system local controller, or other device as outlined in the plans or Contract. In addition, where communications are specified, live video shall be transmitted back to a central site by means of that communication. MSDS equipment and its associated components shall also meet the environmental and electrical requirements in Section 701.

Subsection 733.02, Materials is hereby amended by **adding** the following:

(h) Hybrid Video/Radar Detector – The Hybrid Video/Radar Detector shall meet the following:

- Both camera and radar sensors shall be housed in a single enclosure assembly of size not exceeding 14 inches x 15 inches x 17 inches.
- The unit shall not exceed an overall weight of 11 pounds.
- The sensors shall be housed in a weather-tight sealed enclosures conforming to IP-67 specifications. The housing shall allow the camera and radar to be adjusted for proper alignment between the camera and the traveled road surface.
- The sensor shall utilize a single shielded CAT 5E cable for power, communications, and video.

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- The unit shall operate satisfactorily in a temperature range of from -30° F to +165° F (-34° C to +74° C) and a humidity range of from 0% to 95%, non-condensing as set forth in NEMA specifications.
- The sensor shall support a minimum of 32 detection zones per camera and 16 detection zones per radar.
- The camera shall produce a useable video image of the bodies of vehicles under all roadway lighting conditions, regardless of time of day. The minimum range of scene luminance over which the camera shall produce a useable video image shall be the minimum range from nighttime to daytime, but not less than the range 0.003 lux to 10,000 lux.
- The camera enclosure shall be equipped with a sunshield. The sunshield shall include a provision for water diversion to prevent water from flowing in the camera's field of view.
- The camera sensor shall allow the user to set the focus and field of view and provide an auto-focus feature.
- System cameras shall have Tin Oxide lens heaters, with output power varying with temperature to assure proper operation of the lens functions at low temperatures and prevent moisture condensation on the optical faceplate of the enclosure.
- The radar sensor shall detect objects by utilization of four dimensions. Those dimensions shall be: Speed (Velocity), Distance (Range), Angle (Azimuth), Height (Elevation).
- The radar sensor shall detect object speed within a range of 0 to 150 miles per hour +/- 1.0 miles per hour.
- The radar sensor shall be able to detect vehicles in 1 to 6 traffic lanes.
- The radar detection range shall be a minimum of 600 feet from the sensor placement.
- The radar sensor shall be able to track up to 64 independent objects simultaneously.
- The sensors shall detect vehicles in real time as they travel across each detection zone.

(i) Video Detector (IP) – The Video Detector (IP) shall meet the following:

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- The camera imager shall employ wide dynamic range (WDR) technology to compensate for wide dynamic outdoor lighting conditions. The dynamic range shall be greater than 100 dB.
- The camera shall be digital signal processor (DSP) based and shall use a CCD sensing element and shall output color video with resolution of not less than 540 TV lines. The color CCD imager shall have a minimum effective area of 811(h) x 508(v) pixels.
- The camera sensor shall allow the user to set the focus and field of view via the software. Camera sensor control from the controller cabinet shall communicate over a single Cat-5e or CAT6 cable. No additional wires shall be required.
- The camera shall produce a useable video image of the features of vehicles under all roadway lighting conditions, regardless of time of day. The minimum range of scene luminance over which the camera shall produce a useable video image shall be the minimum range from nighttime to daytime, but not less than the range 0.003 lux to 10,000 lux
- The camera electronics shall include automatic gain control (AGC) to produce a satisfactory image at night for the VDS algorithms
- The camera shall include an electronic shutter control based upon average scene luminance and shall be equipped with an auto-iris lens that operates in tandem with the electronic shutter. The electronic shutter shall operate between the range of 1/60th to 1/90,000th second
- The camera shall include a variable focal length lens with variable focus that can be adjusted, without opening up the camera housing, to suit the site geometry by means of a portable interface device designed for that purpose and manufactured by the detection system supplier
- The camera enclosure shall include a proportionally controlled Indium Tin Oxide (ITO) lens coating for the heating element of the front glass that maximizes heat transfer to the lens. The output power of the heater shall vary with temperature, to assure proper operation of the lens functions at low temperatures and prevent moisture condensation on the optical faceplate of the enclosure. The transparent coating shall not impact the visual acuity and shall be optically clear.

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(j) Central Control Unit – The CCU shall be supplied in a Standard One 19” Rack Unit or a Shelf-Mount Unit. The CCU shall utilize non-volatile memory technology to store on board firmware and operational data and shall meet the following:

- Standard One 19” Rack Unit:
 - There shall be brackets to allow the CCU to be mounted under the shelves where a 19” frame is not available.
 - The CCU shall be powered from an 110V or 230V, 50Hz or 60Hz supply.
 - The CCU power consumption shall not exceed 20 Watts.
- Shelf-Mount Unit:
 - The CCU shall be in compliance with NEMA TS-2 specifications.
 - The CCU shall be powered from 48V DC power supply.
 - The CCU power consumption shall not exceed 150 Watts.
- Surge Suppression:
 - The CCU shall incorporate surge suppression for each sensor input.
 - The CCU shall incorporate power surge suppression on both the input power and on the power supplied to the sensors.
 - The CCU shall be appropriately grounded to the cabinet ground rod using 14 A.W.G. minimum.
- Interface:
 - The CCU shall support up to four camera sensors.
 - The CCU shall communicate through an SDLC connection to the traffic signal controller. The connector shall be a ‘D-15’ type, in compliance with NEMA TS-2 specifications.
 - The CCU shall provide an indicator when the SDLC port is active.
 - An Ethernet communications port shall be provided on the front panel. The Ethernet port shall be compliant with IEEE 802.3 and shall use a RJ-45 type connector mounted on the front panel of the CCU. The Ethernet communications interface shall allow the user to remotely configure the system and/or to extract calculated vehicle/roadway information. The interface protocol shall be documented, or interface software shall be provided.
 - The CCU shall be IP addressable.
 - The CCU shall provide output to a monitor. The native resolution of the monitor port shall be 1024 x 768.
 - The CCU shall provide 2 USB ports to be utilized for various functions including keyboard and mouse as well as USB storage devices.
 - The CCU shall provide an indicator when the unit has power.
 - The CCU shall provide an indicator when the unit is online.

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- The CCU shall provide a Wi-Fi connection. The connection shall be over a standard 2.4GHz connection. The Wi-Fi connection shall be enabled and disabled by a switch on the CCU. The CCU shall provide an indicator when the Wi-Fi connection is active.
- The CCU shall provide system status via an on-board Organic Light Emitting Diode display. The display shall indicate various system parameters, such as camera health and VDP health, firmware version and camera air temperature. The display will be enabled and disabled with a switch on the CCU.

(k) Video Cable (Exterior Cat 5E) - The Ethernet Cable shall meet the following:

- The Ethernet cable shall be environmentally hardened, outdoor rated 350 MHz Category 5e cable. The cable shall be riser rated, 24 AWG solid copper, have Polyolefin insulation, UV and oil resistant PVC jacket. Pair 1 shall be Blue, White/Blue, Pair 2 shall be Orange, White/Orange, Pair 3 shall be Green, White/Green and Pair 4 shall be Brown, White/Brown. The operating temperature shall be from -40° C to +70° C. The cable shall conform to the following standards: ISO/IEC 11801 Category 5e, NEMA WC 63, and ANSI/TIA/EIA 568-B.2 Category 5e. The cable shall be without splicing or joints for a single run. The contractor shall obtain instructions from the manufacturer about alternate architecture when length of a single run of CAT 5e cable exceeds 1000 feet.
- The RJ-45 plug connectors shall be used at both the camera and cabinet ends. The supplier of the video detection systems shall approve the Category 5e cable, RJ-45 connectors and crimping tool and the manufacturer's instructions must be followed to insure proper connection.

(l) Video Monitor (CLR) – Where called or in the plans, a video monitor meeting the following shall be provided:

- Display –Color (CLR)
- Light Source - LED
- Size – 10" Diagonal
- HDMI – 2 Inputs
- VGA Input
- USB Input
- Video Input/Output

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- Input Power – 12V DC

(m) 8 Port SDLC Hub – An 8 port SDLC hub shall be provided to support all needs of the system. The 8 port SDLC hub as be compatible with TS-2 NEMA cabinets. The 8 port SDLC hub shall be supplied from the same manufacturer as the detectors.

(n) Harness – This shall be any harness or wiring for the system to work properly. Any harness used shall be supplied from the same manufacturer as the detectors.

(o) Manufacturer's Warranty – The following shall be provided:

- The supplier shall provide a limited three-year warranty and shall apply with time extensions applied to materials. The contractor shall provide a written manufacturer's guarantee to the Agency (City, County or etc.) who provides electrical service and maintenance of the intersection.
- During the warranty period, technical support shall be available from the supplier via telephone with 4 business hours of the time a call is made by the user, and this support shall be available from factory-certified personnel or factory-certified installers.
- The supplier shall maintain an adequate inventory of parts to support maintenance and repair of the detection system.
- During the warranty period, updates to the system software shall be available from the supplier without charge.

Subsection 733.03 Construction Requirements (C) Software is hereby **deleted** and the following substituted therefore: Subsection 733.03 Construction Requirements (C) Software is hereby deleted and the following substituted:

(C) Software – Software required for monitoring, setup, and programming of the system shall be supplied as subsidiary to this special provision for the item "Central Control Unit", of the number of channels specified. Two licensed copies shall be required for the job. Software shall be Windows based and operate from and IBM compatible, laptop with Windows XP or later operating system. If other programming devices are required, one unit shall be supplied and shall be considered subsidiary to this special provision.

Subsection 733.04 Method of Measurement is hereby amended by **adding** the following:

- (i)** Hybrid Video/Radar Detector shall be measured by the unit.

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- (j) Video Detector (IP) shall be measured by the unit
- (k) Central Control Unit of the number of channels specified shall be measured by the unit.
- (l) Video Cable (Exterior Cat 5E) of the type specified shall be measured by the linear foot.
- (m) Video Monitor (CLR) shall be measured by the unit.
- (n) 8 Port SDLC Hub is included in other items of the contract.
- (o) Harness is included in other items of the contract.

Subsection 733.05 Basis of Payment. is hereby amended by **adding** the following:

- (i) **Hybrid Video/Radar Detector** – Work completed and accepted under this item and measured as provided above, shall be paid for at the contract unit price Hybrid Video/Radar Detector; which price shall be full compensation for providing and installing the device, wiring, configuring, and testing the device; and shall also be for all labor, equipment, tools, and incidentals necessary to complete the work.
- (j) **Video Detector (IP)** - Work completed and accepted under this item and measured as provided above, shall be paid for at the contract unit price for Video Detector (IP); which price shall be full compensation for providing and installing the device, wiring, configuring, and testing the device; and shall also be for all labor, equipment, tools and incidentals necessary to complete the work.
- (k) **Central Control Unit** – Work completed and accepted under this item and measured as provided above, shall be paid for at the contract unit price Central Control Unit of the number of channels specified; which price shall be full compensation for providing and installing the device, wiring, configuring, and testing the device; and shall also be for all labor, equipment, tools, and incidentals necessary to complete the work.
- (l) **Video Cable (Exterior Cat 5E)** – Price bid for Video Cable (Exterior Cat 5E) of the type specified shall be full compensation for furnishing, installing, and testing the cable; and shall also be for all labor, equipment, tools, and incidentals necessary to complete the work.
- (m) **Video Monitor (CLR)** – Work completed and accepted under this item and measured as provided above, shall be paid for at the contract unit price Video Monitor (CLR); which price shall be full compensation for providing and installing the device, wiring, configuring,

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and testing the device; and shall also be for all labor, equipment, tools, and incidentals necessary to complete the work.

(n) 8 Port SDLC Hub - Work completed and accepted under this item will not be paid separately but shall be included in the cost of other items in the contract.

(o) Harness - Work completed and accepted under this item will not be paid separately but shall be included in the cost of other items in the contract.

Payment will be made under:

| Pay Item | Pay Unit |
|-------------------------------------|-----------------|
| Hybrid Video/Radar Detector | Each |
| Video Detector (IP) | Each |
| Central Control Unit (___ Channel) | Each |
| Video Cable (Exterior Cat 5E) | Linear Foot |
| Video Monitor (CLR) | Each |

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SITE USE (A+C METHOD) - CALENDAR DAY CONTRACT

1. General. The process for bidding will take into account not only the contract amount bid but also the bidder's stated delivery time in which the Specified Site Use Work will be substantially complete. This method shall be used to determine the successful bidder and to establish the contract time (calendar days). It shall not be used to determine the award amount nor final payment to the Contractor when the project is completed.

2. Definition of Terms. (a) Specified Site Use Work. The specified site use work, referred to herein as Part C, shall consist of all items of work in the Contract.

(b) Contract Amount. The summation of the products of the quantities shown in the bid schedule multiplied by the unit bid price.

(c) Calendar day. As defined in Subsection 101.01 of the Standard Specifications. Calendar days will be assessed in accordance with Subsection 108.06.

(d) Contract Time. The number of calendar days established by the bidder to complete the project.

(e) Substantially Complete. The date at which time charges cease due to the completion of all pay items. The Engineer will be the sole authority in determining when the work is substantially complete. Part C Site Use Work will be considered complete on this date.

(f) Daily Road User Cost. The amount which represents the average daily cost to the road user, including but not limited to, user delay costs, vehicle operating costs, crash costs, and emission costs. The daily road user cost for Part C is \$4500.

(g) Bid Site Use Time. The number of calendar days specified in the bid by the bidder as the time required to substantially complete the Specified Site Use Work for Part C.

(h) Punch List. A list of items and/or areas of the project requiring correction, replacement, repair, or general cleanup which is furnished by the Engineer following the declaration of the project as Substantially Complete.

3. Preparation of Proposal. The bidder shall establish the number of calendar days to be used to substantially complete the Specified Site Use Work for Part C.

The product of the number of calendar days established by the bidder for Part C multiplied by the daily road user cost of \$4500 per calendar day will be added to the contract amount bid. The sum of the two amounts will be the amount used for consideration of bids for award.

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SITE USE (A+C METHOD) - CALENDAR DAY CONTRACT

4. Consideration of Bids. Each bid submitted shall consist of two parts:

(A) The Contract amount.

(C) Total number of calendar days proposed by the bidder to substantially complete the Specified Site Use Work for Part C.

The successful bid will then be determined by the Department as the lowest combination of (A) and (C) according to the following formula:

$$\begin{aligned} & \text{(A)} \\ & + [(C) \times (\text{daily road user cost of } \$4500)] \\ & = \text{Bid amount for award consideration.} \end{aligned}$$

The preceding formula shall be used only to determine the successful bidder and shall not be used to determine the contract award amount nor final payment to the Contractor, except as may be adjusted under sections 6 and 7 below.

5. Assessment of Site Use Time. Site use time will begin in accordance with contract time detailed in the special provision "Flexible Beginning of Work – Calendar Day Contract".

Subsection 108.06 is hereby deleted and the following is substituted therefore:

108.06 Determination of Time of Completion and Extension of Contract Time.

(a) **General.** The time bid by the Contractor for the completion of the work included in the Contract will be stated in the proposal and Contract, and will be known as the "Contract Time". The contract time will be specified as calendar days.

The Contractor shall provide sufficient materials, equipment, and labor to guarantee the completion of the project according to the plans and specifications within the contract time. The Contractor shall advance the work so that the available time is appropriately utilized in order to complete the work within the contract time.

Unless an emergency is declared or unless allowed by other job provisions, the Contractor shall not perform work that requires inspection on Sundays, legal holidays designated in Subsection 101.01 of the Standard Specifications, Edition of 2014, and Monday following a holiday on Sunday or Friday preceding a holiday on Saturday. If the Commission declares Friday following Thanksgiving Day as a Departmental holiday, the Contractor shall not perform work that requires inspection on this day. These days will be charged in a "Calendar Day" contract.

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No claim for an extension of time will be considered as a result of failure of the Engineer to furnish interpretations of the plans and specifications until 30 calendar days after receipt of such demand in writing as required by Subsection 105.01, and not then unless such request for an interpretation is clearly presented for understanding, reasonable and made in good faith.

The Engineer will determine the date upon which the Contract is substantially complete and time assessment will cease. In the event cleanup is necessary or items found at the final inspection are to be corrected, the Contractor shall complete this work in a timely manner or the Engineer will resume time charges.

(b) Calendar Days. When the contract time is specified in calendar days, time will be assessed for each calendar day in accordance with the Special Provision "Flexible Beginning of Work - Calendar Day Contract". A calendar day is defined under Subsection 101.01.

The Contractor shall take into consideration all normal conditions considered unfavorable to the progress of the work and place a sufficient work force and equipment on the project to ensure completion of the work with the contract time. Inaccessibility to a portion of the work due to utility conflict or utility work will be considered as an adverse condition for time exceeding that specified in the Contract for the utility adjustment.

Contract time will not be assessed during a full suspension of the work as ordered by the Engineer. Contract time will be assessed during a Partial Work Order period according to Subsection 108.02(b)(3). During a partial suspension of the work as ordered by the Engineer, the contract time will be assessed in direct proportion to the ratio of the money value of the items not suspended to the total contract amount.

(c) Extensions to the Contract Time. The Contractor shall immediately notify the Engineer of a delay once the Contractor becomes aware of the delay, not at the conclusion of the delay. The Contractor waives entitlement to a time extension or compensation for delay or costs incurred before the Contractor notified the Engineer of the delay.

Only Department responsible delays in activities that affect the contract completion date, as determined by the Engineer, will be considered for a time extension.

The Contractor's plea that the contract time was insufficient is not a valid reason for an extension of time. When the time as extended by the Department falls on a date that is a Sunday or holiday, the Engineer will extend the contract time to the next business day.

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SITE USE (A+C METHOD) - CALENDAR DAY CONTRACT

The Department will evaluate the Contractor's documentation and analysis, and determine the time extension due, if any. The Department will not evaluate a request for an extension of the contract time or revise the contract time unless the Contractor notifies the Department in accordance with the contract documents and specifications.

In the event that the Department extends the contract time into a period of the year during which the working conditions are less favorable, the Department will consider a further extension of time based on the nature of the work the Contractor scheduled to perform during the less favorable period. Conversely, if the Department extends the contract time into a period of the year during which the working conditions are more favorable, the Department will consider reducing the contract time extension. If the Department reduces the work required to complete the project or relaxes phase or stage requirements, the Department may reduce the contract time.

(d) Administration of Time Extensions. For a Calendar Day project, the Department will provide a time extension by adding calendar days to the contract time.

(e) Excusable, Non-Compensable Delays. Excusable, non-compensable delays are unforeseeable and unavoidable delays that are not the Contractor's or the Department's fault or responsibility. The Contractor is entitled to a contract time extension but not entitled to compensation for delay costs associated with an excusable, non-compensable delay. The following are excusable, non-compensable delays:

- Delays due to floods, tornadoes, earthquakes, or other natural disasters that affect the project in regions which are declared as disaster areas by governing authorities.
- Delays due to utility or railroad work when the Contractor is required to alter operations due to conflicts with utility facilities not shown in the plans or railroads not shown in the plans.
- Utilities exceeding estimated completion dates noted in the contract that cause a change in the Contractor's planned sequence of construction operations as determined by the Engineer.
- The Contract requires the furnishing of critical materials and the Contractor experiences a delay in delivery because of Federal priorities for defense needs or because of nationwide shortages. Additional contract time may be allowed in an amount equal to the actual lost time resulting from such delay. To obtain additional contract time, the Contractor shall document and file with the Engineer all evidence pertaining to the original agreement with the material supplier or manufacturer. This evidence must indicate that delivery would be made at or before the time the materials would be needed in the normal sequence of construction operations for incorporation in the work.
- In the event that no prior agreement has been made for furnishing a critical material, and the Contractor is unable to locate a supplier or manufacturer that can deliver the

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material when needed, the Engineer shall be advised of this situation in writing, indicating the date that delivery will be made and the date of the original request for such material. In either of these situations, when work has progressed to the point that critical materials not delivered are delaying progress of the project, the Contractor may make a written request to the Engineer for additional contract time.

- Delays due to civil disturbances or acts of war or terror.
- Delays due to epidemics or quarantines.
- Delays due to labor strikes that are beyond the control of the Contractor, subcontractors, or suppliers and are not caused by the improper acts or failures of the Contractor, subcontractor, or supplier.

(f) Excusable, Compensable Delays. Excusable, compensable delays are delays that are not the Contractor's fault or responsibility but are the Department's fault or responsibility. The Contractor is entitled to a contract time extension and to compensation for delay costs associated with an excusable, compensable delay that affects the Contractor's planned sequence of construction operations as determined by the Engineer. The Department will determine compensation for an excusable, compensable delay. The following are excusable, compensable delays:

- Delays due to an Engineer-ordered suspension.
- Delays due to the Department's neglect.
- Delays due to subsection 104.02(b) "Significant Changes in the Character of Work" that directly delays the Contractor's planned sequence of construction operations as determined by the Engineer. Compensation will be as allowed under subsection 104.02(b).
- Delays due to subsection 104.02(c) "Differing Site Conditions" that directly delays the Contractor's planned sequence of construction operations as determined by the Engineer. Compensation will be as allowed under subsection 104.02(c).

(g) Non-Excusable Delays. Non-excusable delays are delays that are the Contractor's fault or responsibility or delays that the Contractor could have foreseen or avoided, and weather delays not covered by the events listed in the "Excusable, Non-Compensable Delays" subsection of this special provision. Delays due to the Contractor's, subcontractors', or suppliers' insolvency or performance are neither excusable, nor compensable. The Contractor is not entitled to a time extension or compensation for a non-excusable delay.

(h) Concurrent Delays. Concurrent delays are separate delays to construction operations occurring at the same time. When a non-excusable delay is concurrent with an excusable delay, the Contractor is not entitled to a time extension for the period the non-excusable delay is concurrent with the excusable delay. When a non-compensable delay is concurrent with a compensable delay, the Contractor is entitled to a contract time

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

SITE USE (A+C METHOD) - CALENDAR DAY CONTRACT

extension but not entitled to compensation for the period the non-compensable delay is concurrent with the compensable delay.

6. Early Completion of Specified Site Use Work. The Contractor will be paid \$4500 for each calendar day the Specified Site Use Work is substantially complete before the number of calendar days stated by the Contractor in the bid, including extensions granted in accordance with paragraph 5 above. The maximum number of calendar days for which this payment will be made is 5 days. Payment for early completion will be made after all items identified on the punch list have been completed to the satisfaction of the Engineer.

7. Failure to Substantially Complete the Specified Site Use Work in the Time Bid. Failure to substantially complete the Specified Site Use Work within the number of calendar days stated by the Contractor in the bid, including extensions granted in accordance with paragraph 5 above, will result in the Daily Road User Cost of \$4500 being assessed for every calendar day in excess of the stated number, up to the time in which the Specified Site Use Work is substantially complete.

This assessment will be deducted from any compensation due the Contractor or recovered if sufficient compensation is not due.

The Engineer will be the sole authority in determining when the Specified Site Use Work is substantially complete.

8. Contract Time and Liquidated Damages. Determination of calendar days charged, extensions of Contract Time, and assessment of liquidated damages for failure to complete all work within the Contract Time limit will be made in accordance with 108.06(b) of this Special Provision and the Standard Specifications Section 108. Liquidated Damages under Section 108 of the Standard Specifications are ***separate and in addition*** to the Daily Road User Cost assessed under this Special Provision.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 040854
CONSTRUCTION IN SPECIAL FLOOD HAZARD AREAS

GENERAL: This special provision limits the temporary construction operations in Special Flood Hazard Areas (SFHA) as required by the National Flood Insurance Program (NFIP).

Temporary construction operations include all work and material necessary to access and construct the permanent bridge(s), culvert(s) and roadway embankment within the SFHA. These operations may include work ramps, haul roads, temporary crossings, detour roads, levees, diversion channels, retaining walls, cofferdams, forms, storage of materials, storage of large equipment, and other related work.

This project crosses a regulatory floodway, regulatory floodplain, or SFHA as shown on the community's Flood Insurance Rate Map published by the FEMA. The regulatory floodway, regulatory floodplain, or SFHA limits are shown on the plan and profile drawings.

The project is designed to comply with the NFIP's regulations set forth in Title 44, Chapter 1, Parts 59-77, of the United States Code of Federal Regulations (CFR).

The following special conditions must be complied with:

- Temporary operations are to be used during the low flow season when possible.
- Temporary operations shall be designed and constructed so as not to result in a significant increase in flood elevations within the community during passage of a major flood.
- Temporary operations shall not obstruct a significant portion of an existing or proposed waterway opening.
- All temporary operations shall meet the requirements of the Corps of Engineers' Section 404 Permit issued for this project.
- All temporary fills and temporary obstructions to the existing or proposed bridge(s) or box culvert(s) must be removed in their entirety, and the affected areas returned to their preconstruction or designed elevation and condition.
- The contractor is responsible for preventing equipment and materials within the floodplain from becoming buoyant and floating downstream during a significant flood event. In the event this flood starts to occur, the contractor shall remove and/or anchor materials and equipment by means approved by the Engineer at the Preconstruction Conference.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT: All work, including labor, materials, tools, and equipment necessary to complete the requirements of this special provision shall not be paid for directly, but will be considered subsidiary to other items in the contract.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 040854

UTILITY ADJUSTMENTS

Utility facilities at the approximate locations noted in Appendix A will be removed, relocated and/or adjusted in accordance with separate agreements between the Arkansas Department of Transportation and the respective utility owners.

In accordance with Subsection 105.07, Cooperation with Utilities, of the Standard Specifications, Edition of 2014, the Contractor is forewarned that such work may be underway concurrently with the work under this contract.

1. Owner – AT&T Arkansas
Contact Bryan Williams, 479-249-5194, 700 W. Walnut St., Rogers, AR 72756.

AT&T Arkansas has advised that no adjustments are necessary.

2. Owner – Black Hills Energy
Contact James Koch, 479-530-7372, PO Box 13288, Fayetteville, AR 72703.

Black Hills Energy has advised that no adjustments are necessary.

3. Owner – Cox Communications
Contact Kip Smith, 479-871-8806, 4901 South 48th St., Springdale, AR 72762.

Cox Communications has advised that their adjustments are complete.

4. Owner – Ozarks Electric Coop. Corp.
Contact William Dick, 501-521-2900, 3641 Wedington Dr., Fayetteville, AR 72704.

Ozark Electric Coop. Corp. has advised that their adjustments are complete.

5. Owner – Ozarks Go LLC
Contact Mike Bubulka, 479-684-4936, 3641 Wedington Dr., Fayetteville, AR 72704.

OzarksGo LLC has advised that no adjustments are necessary.

6. Owner – Tontitown Water
Contact Zak Johnston, 479-435-4270, PO Box 305, Tontitown, AR 72770.

The City of Tontitown has advised that no adjustments are necessary.

The utility status were based on information received from the utility companies and the most current information available at this time; therefore, the information is subject to change.

In case there is a delay beyond the information as set forth above, and should such delay necessarily cause a delay in the Contractor's prosecution of the work, an equitable extension of contract time will be granted to the Contractor. No claim for extra compensation will be allowed, however, because of such delay.

An approved Highway-Utility Agreement, a letter of commitment, or other appropriate document evidencing satisfactory arrangements for the orderly removal, relocation, and/or adjustment of separately owned utility facilities located within the limits and interfering with the construction under this contract is on file with the Arkansas Department of Transportation.

The Contractor is required to make every effort to locate buried utilities including, but not limited to, calling Arkansas One Call Center (800) 482-8998.

Job 040854
 May 1, 2024

Approximate Utility Locations

| Utility Owner | Facility Type | Location | Station Number | Est. Comp. Date |
|---------------------------|---------------------------|-----------------------|----------------|----------------------|
| AT&T Arkansas | Buried Telecommunications | Parallels Hwy. 412 RT | Throughout | No Adjustments |
| | | Parallels Hwy. 412 LT | Throughout | |
| | | | | |
| Black Hills Energy | Gas Main | Parallels Hwy. 412 LT | Throughout | No Adjustments |
| | | | | |
| | | | | |
| Cox Communication | Buried Telecommunications | Parallels Hwy. 412 RT | Throughout | Adjustments Complete |
| | | | | |
| | | | | |
| Ozarks Electric | Aerial Electric | Parallels Hwy. 412 | Throughout | Adjustments Complete |
| | | Crosses Hwy. 412 | 13+80 | |
| | | | | |
| OzarksGo | Aerial Telecommunications | Parallels Hwy. 412 RT | Throughout | No Adjustments |
| | | | | |
| | | | | |
| Tontitown Water | Water Main | Parallels Hwy. 412 | Throughout | No Adjustments |
| | | | | |
| | | | | |

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
LIQUIDATED DAMAGES

As specified in the Contract, liquidated damages for this project will be as shown in the following table:

WORKING DAY PROJECTS

| ORIGINAL CONTRACT AMOUNT | | |
|---------------------------------|-------------------------|-------------|
| FROM MORE THAN | TO AND INCLUDING | RATE |
| \$ 0 | \$ 100,000 | \$ 140 |
| 100,000 | 500,000 | 400 |
| 500,000 | 1,000,000 | 660 |
| 1,000,000 | 2,000,000 | 800 |
| 2,000,000 | 5,000,000 | 1,380 |
| 5,000,000 | 10,000,000 | 1,800 |
| 10,000,000 | 15,000,000 | 2,620 |
| 15,000,000 | 20,000,000 | 2,720 |
| 20,000,000 | 30,000,000 | 2,940 |
| 30,000,000 | ----- | 3,500 |

FIXED DATE PROJECTS

| ORIGINAL CONTRACT AMOUNT | | |
|---------------------------------|-------------------------|-------------|
| FROM MORE THAN | TO AND INCLUDING | RATE |
| \$ 0 | \$ 100,000 | \$ 60 |
| 100,000 | 500,000 | 80 |
| 500,000 | 1,000,000 | 220 |
| 1,000,000 | 2,000,000 | 300 |
| 2,000,000 | 5,000,000 | 420 |
| 5,000,000 | 10,000,000 | 1,000 |
| 10,000,000 | 15,000,000 | 1,200 |
| 15,000,000 | 20,000,000 | 1,300 |
| 20,000,000 | 30,000,000 | 1,400 |
| 30,000,000 | ----- | 1,520 |

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

CONTRACTOR'S LICENSE

Section 102 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The third paragraph of **Subsection 102.01, Prequalification of Bidders**, is hereby deleted and the following substituted thereof:

The attention of prospective bidders is directed to Ark. Code Ann. §17-25-101 et seq., Act 150 of the 1965 Acts of Arkansas, being an "Act Regulating the Practice of Contracting in the State of Arkansas", and any subsequent amendments made thereto. When the work offered is financed in whole with State funds and is estimated to cost \$50,000 or more, the prospective bidder must show evidence of its license and evidence of registration or license of its subcontractors with the Contractors Licensing Board for the State of Arkansas before being furnished with a proposal form.

The third paragraph of **Subsection 108.01, Subletting of Contract**, is hereby deleted and the following substituted thereof:

It shall be the responsibility of the Contractor to determine that all parties performing work amounting to \$50,000 or more are currently licensed or registered by the Contractors Licensing Board for the State of Arkansas.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
DEPARTMENT NAME CHANGE

All references to the Arkansas State Highway and Transportation Department contained within the Standard Specifications for Highway Construction (Edition of 2014), the Qualified Products List, the Manual of Field Sampling and Testing Procedures, plan sheets, Supplemental Specifications, and all Special Provisions contained in this proposal are hereby deleted and replaced with the title of Arkansas Department of Transportation.

All references to AHTD contained within the Standard Specifications for Highway Construction (Edition of 2014), the Qualified Products List, the Manual of Field Sampling and Testing Procedures, plan sheets, Supplemental Specifications, and all Special Provisions contained in this proposal are hereby deleted and replaced with the abbreviation ARDOT.

All references to the Arkansas State Highway Commission contained within the Standard Specifications for Highway Construction (Edition of 2014), the Qualified Products List, the Manual of Field Sampling and Testing Procedures, the Standard Drawings, plan sheets, Supplemental Specifications, and all Special Provisions contained in this proposal remain in effect.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
ISSUANCE OF PROPOSALS

Section 102 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 102.04(j) is hereby deleted and the following is substituted therefore:

(j) If the prospective bidder is the Contractor on a current Contract with the Commission on which Liquidated Damages are being assessed, and there are no pending time extensions warranted to remove the project from Liquidated Damages.

Subsection 102.04(k) is hereby deleted and the following is substituted therefore:

(k) If the prospective bidder has a current Contract in default.

Subsection 102.04(n) is hereby added:

(n) If the prospective bidder has an individual, as an officer/owner/partner of any firm, partnerships or corporation, that has entered into a previous or current contract with the Commission that in the Department's sole discretion, is subject to any of the reasons listed in Subsection 102.04(a)-(m).

**ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
PREQUALIFICATION OF BIDDERS**

Section 102 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following paragraph has been added to **Subsection 102.01**:

A contractor with common officers/owners/partners of any firm, partnerships, joint ventures, or corporations that is seeking prequalification, has been prequalified, or has entered into a previous or current contract with the Commission may have the prequalification denied, limited, or revoked for the reasons listed in Subsection 102.04(a)-(m).

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

CONTACT INFORMATION FOR MOTORIST DAMAGE CLAIMS

Section 103, AWARD AND EXECUTION OF CONTRACT, of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added as the fourth paragraph of **Subsection 103.05(b), Liability Insurance**:

Prior to beginning construction, the Contractor shall provide the Engineer with the name, phone number and e-mail address for the individual within their organization responsible for submission of claims for damages to motorists' vehicles inside the work zones. This information shall be updated annually or whenever this responsibility changes within the Contractor's organization. The information will be made available to the public on the Department's webpage.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
MAINTENANCE DURING CONSTRUCTION

Division 100 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 105.15 is hereby modified as follows:

The first paragraph of **Subsection 105.15** is hereby deleted and the following substituted therefor:

105.15 Maintenance During Construction. The Contractor shall maintain the work during construction and until the project is accepted. For contracts containing a Flexible Beginning of Work special provision, the responsibility for maintenance by the Contractor will begin at the earlier date of the following:

- when the Contractor begins work, or
- on the date of the beginning of time charges in accordance with the Work Order if the Contractor has not commenced work.

This maintenance shall constitute continuous and effective work prosecuted day by day, with adequate equipment and forces, to the end that the roadway or structures are kept in satisfactory condition at all times.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
RESTRAINING CONDITIONS

Section 107 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is hereby added after the first bullet of the first paragraph of **Subsection 107.10 Restraining Conditions (a), General**:

- Human remains, burials, and/or associated burial artifacts

The following is hereby added after the second paragraph of **Subsection 107.10 (b), Restraining Conditions Within the Right-of-Way**:

When restraining conditions under (1) and (2) below are encountered, the following provisions should be executed.

(1) If archeological sites and/or historically significant cultural resources are unexpectedly impacted or subsequently discovered during construction, the Contractor shall stop work with no ground-disturbing activities occurring within a two hundred (200)-foot radius of the location of the discovery. The Engineer shall be notified immediately, who will then notify the Environmental Division. A Department staff archeologist will inspect the discovery and determine if the established buffer radius is appropriate. The radius may be decreased or increased based on the nature of the discovery at the discretion of the archeologist. Work in the buffer radius shall not resume until the Environmental Division has provided written notification to the Engineer that construction activities can proceed.

(2) If human remains, burials, and/or associated burial artifacts are encountered during construction, the Contractor shall stop work with no ground-disturbing activities occurring within a two hundred (200)-foot radius of the location of the discovery and the location secured and protected by flagging or fencing. The human remains shall be covered with a canvas tarp and shall not be removed or collected. The Engineer shall be notified immediately, who then will notify the Environmental Division. A Department staff archeologist will inspect the remains and determine if the established buffer is appropriate. The radius may be decreased or increased based on the nature of the discovery at the discretion of the archeologist. The local law enforcement and Chief Medical Examiner will be notified by the Environmental Division. Work in the buffer radius shall not resume until the Environmental Division has provided written notification to the Engineer that construction activities can proceed.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
RESTRAINING CONDITIONS

The following is hereby added after the third sentence of the first paragraph of **Subsection 107.10 (c), Restraining Conditions Outside the Right-of-Way, (2) Non-commercially Operated Site:**

The Contractor shall limit the amount of acres submitted for an off-site location to no more than 10 acres, except for commercial areas, previously approved locations, or where previous ground disturbance exists. If a Contractor requires more than 10 acres for a proposed off-site location, the Contractor may, at no cost to the Department, acquire approval for use of the site from the State Historic Preservation Officer and a qualified archeological consultant.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
WORK ALLOWED PRIOR TO ISSUANCE OF WORK ORDER

Section 108 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 108.02(b)(2) is hereby deleted and the following is substituted therefore:

(2) The delivery to the Department for execution of the Contract and bonds properly executed on behalf of the Contractor and surety and the minimum 72 hours advance notice as required above shall constitute the Contractor's authority to begin the following items of work:

- Mobilization;
- Preparation of shop drawings and other required submissions;
- Ordering, fabrication, assembly, and/or stockpiling of materials;
- Driving Test Piling; and
- Contract surveying, when Roadway and/or Bridge Construction Control is included in the Contract.
- Erection of advance warning signs.
- Installation of netting on structures to prevent nesting of migratory birds in accordance with applicable Special Provisions (if included in the Contract).
- Set up, installation, and testing of Automated Work Zone Information Systems (if included in the Contract).
- Off-site area approval process per Section 107.10(c).

Such advance work shall be subject to the Contractor's assumption of the risk of cancellation of the award and the following:

- The Contractor shall, on commencing such operations, take all precautions required for public safety and shall observe all the provisions in the Contract;
- In the event of cancellation of the award, the Contractor shall at Contractor expense do such work as necessary to leave the site in a neat condition to the satisfaction of the Engineer;
- In the event of cancellation of the award, all work performed shall be deemed to be at the Contractor's expense; and
- All work done under this subsection in accordance with the Contract before its execution by the Commission will, when the Contract is executed, be considered authorized work and will be paid for as provided in the Contract.

Unless otherwise notified in writing, no time will be assessed for work performed prior to the effective date of a Work Order.

No payments will be made prior to the date established by the Engineer under Subsection 109.07, which date will be after the effective date of a Work Order.

The Contractor shall not be entitled to any additional compensation or an extension of time for any delay, hindrance, or interference caused by or attributable to commencement of work before the effective date of a Work Order.

ARKANSAS DEPARTMENT OF TRANSPORTATION**SUPPLEMENTAL SPECIFICATION****UNCLASSIFIED EXCAVATION**

Section 200 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is hereby added after the first paragraph of **Subsection 210.08, Excavation Operations**:

When performing excavation to construct cut slopes, the Contractor shall not excavate material below the finished slope grade. If excavation is performed more than 8 inches below the finished cut slope grade, overcut material shall be removed at no cost to the Department and replaced with clean durable stone. The stone source and gradation shall be approved by the engineer before placement. There shall be no payment for this work.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
AGGREGATE BASE COURSE

Section 303 of the Standard Specifications for Highway Construction, Edition 2014, is hereby amended as follows:

The second paragraph of **Subsection 303.02, Materials** is hereby deleted and the following substituted therefor:

The Contractor shall have the option of using any higher numbered class Aggregate Base Course than that specified, provided that payment will be for the class specified. Acceptance criteria shall be for the class specified. Different classes of Aggregate Base Course shall not be mixed in the same location.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
QUALITY CONTROL AND ACCEPTANCE

Division 300 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The first sentence of the third paragraph **Subsection 306.03 Acceptance Testing** is hereby deleted and the following substituted therefor:

If the material being furnished is crushed stone the Department will furnish the PL, LL, and PI for the material, further tests for PL, LL, and PI are waived.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
TACK COATS

Division 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Section 401, Prime and Tack Coats and Emulsified Asphalt in Base Course, is hereby modified as follows:

The first sentence of **Subsection 401.03(a)** is hereby deleted and the following substituted therefore:

The surface to be treated with prime or tack coat shall be cleaned of dust, dirt, and loose or foreign material by sweeping with mechanical brooms immediately preceding the application of the prime or tack coat.

Third sentence of **Subsection 401.03(c)** is hereby deleted and the following is substituted therefore:

No dilution beyond that which is part of the emulsification process is permitted. The tack coat shall not be diluted, cut, or otherwise thinned after receipt from the manufacturer's facility.

The fifth sentence of **Subsection 401.03(c)** is hereby deleted and the following substituted therefore:

The rate of application shall be from 0.03 gallon to 0.10 gallon per square yard (0.1 L/sq m to 0.5 L/sq m) of residual asphalt as designated by the Engineer.

Section 410, Construction Requirements and Acceptance of Asphalt Concrete Plant Mix Courses, is hereby modified as follows:

The sixth paragraph of **Subsection 410.05** is hereby deleted and the following substituted therefore:

For foreign material, or when the time lapse between courses is more than 8 hours, the earlier course shall be cleaned and given a tack coat before placing the succeeding course. When directed, the tack coat shall be applied and paid for under Section 401. If directed by the Engineer, a tack coat shall be used even though the elapsed time has been less than 8 hours.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES

Division 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Section 404, QUALITY CONTROL OF ASPHALT MIXTURES, is hereby modified as follows:

The fifth sentence of the second paragraph of **Subsection 404.01, Design of Asphalt Mixtures, (a) General**, is hereby deleted and the following substituted therefor:

A mix design that has not been produced on an ARDOT project in the last two years is inactive. The Contractor may submit a passing field verification test for the inactive asphalt mix design to the Materials Division to be reactivated. Asphalt mix designs with an expiration date may remain in production if they are not inactive.

The third through fifth paragraphs of **Subsection 404.04, Quality Control of Asphalt Mixtures**, are hereby deleted and the following substituted therefor:

The accepted mix design shall be field verified by the Contractor at the start of mix production or after an interruption of more than 120 calendar days. Production of Department approved mix designs for placement on non-ARDOT projects may be used for mix verification. The Contractor shall be allowed two attempts to verify the mix design if being placed on an ARDOT project and three attempts to verify the mix design if being placed on a non-ARDOT project. The Contractor shall notify the Engineer sufficiently in advance for Department personnel to witness all testing of this production and shall provide copies of all test results to the Department.

Verification will begin with testing the plant produced mix using the aggregate proportions and asphalt binder content shown on the accepted mix design. After the first attempt of verification of the initial design, the Contractor may elect to adjust aggregate proportions to vary the accepted mix design gradations and bring the mix properties near the center of the compliance limits. If the mix is in subplot rejection, all future attempts will only be allowed on non-ARDOT projects.

The mix will be verified if the test values for air voids, asphalt binder content, and VMA are within the compliance limits shown in Table 410-1, and when the accepted mix design has been produced within the gradation tolerances according to Subsection 404.04.

The Contractor may request a one-time field mix design be accepted by the Engineer of Materials. The Contractor will be notified in writing if the field mix design is accepted. A field mix design allows the Contractor to use the adjusted aggregate proportions for future verification of the mix design. Cold feed adjustments will be allowed to both the initial mix design and field mix design if they do not exceed more than 10% for any single cold feed or 20% overall from the initial mix design. No individual cold feed will be allowed to be eliminated by such changes. Gradation tolerances will be based off the initial job mix formula. All cold feed adjustments exceeding the limits outlined above will require a new mix design.

Once verified, the asphalt binder content shall be adjusted at the plant to obtain the optimum asphalt binder content shown on the mix design during production based on the lot average. At no time shall the asphalt binder content be adjusted in a manner to produce an asphalt binder content lower

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES

than the design value. Adjustments to the asphalt binder content are not allowed for control of any volumetric property. All changes to be made to the asphalt binder content must first be reported to the Engineer. If adjustments do not give the intended result, production shall be stopped, and the asphalt plant and equipment shall be recalibrated and adjusted so the asphalt binder content can be successfully obtained.

The test method ARDOT 461, (NOTE 3), and (NOTE 4) in the table of the tenth paragraph of **Subsection 404.04, Quality Control of Asphalt Mixtures**, are hereby deleted.

The thirteenth and fourteenth paragraphs of **Subsection 404.04, Quality Control of Asphalt Mixtures, NOTE 3 and NOTE 4** are hereby deleted.

The eighteenth paragraph of **Subsection 404.04, Quality Control of Asphalt Mixtures**, is hereby deleted.

The fourth and fifth sentences in the nineteenth paragraph of **Subsection 404.04, Quality Control of Asphalt Mixtures**, are hereby deleted and the following substituted therefor:

Individual aggregate cold feeds should be adjusted to bring the mix design properties near the center of compliance limits. If excessive changes are required, production will be suspended, and a new mix design shall be developed according to the applicable specifications. Excessive changes are cold feed adjustments that exceed more than 10% for any single cold feed change or 20% overall from the initial mix design. No individual cold feed will be allowed to be eliminated by such changes. All cold feed adjustments exceeding the limits outlined above will require a new mix design.

Section 410, CONSTRUCTION REQUIREMENTS AND ACCEPTANCE OF ASPHALT CONCRETE PLANT MIX COURSES, is hereby modified as follows:

The first through third sentences in the first paragraph of **Subsection 410.09(a), General**, are hereby deleted and the following is substituted therefor:

The accepted mix design shall be verified by the Contractor at the start of mix production for that design or after an interruption of more than 120 calendar days. A maximum of 200 tons (200 metric tons) of materials may be placed on the roadway during the verification process. If the mix produced does not verify the mix design, the material placed on the roadway shall be declared a partial lot. If all verification attempts have been exhausted, a new mix design shall be required.

Section 411, ASPHALT CONCRETE COLD PLANT MIX, is hereby modified as follows:

The third sentence of **Subsection 411.05 (b), Acceptance**, is hereby amended and the following is substituted therefor:

The accepted mix design shall be field verified by the Contractor at the start of mix production or after an interruption of more than 120 calendar days.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
PERCENT AIR VOIDS FOR ACHM MIX DESIGNS

Division 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The fourth sentence of Paragraph 1 of **Subsection 404.01(b), Design Requirements**, is hereby deleted and the following substituted therefor:

The optimum asphalt content is the asphalt binder content at 4% Air Voids (AV).

The first bullet of Paragraph 1 is hereby deleted and the following substituted therefor:

- PG 64-22 and PG 70-22 mixes will be designed using 4% air voids;

The second sentence of Paragraph 2 of **Subsection 404.04, Quality Control of Asphalt Mixtures**, is hereby deleted and the following substituted therefor:

Adjustments to the accepted mix design to conform to actual production values without re-design of the mixture shall be based on production of the mixture at a target value of 4.0% Air Voids (AV) in specimens and an asphalt binder content not less than that specified in the accepted mix design.

Table 405-1 of **Subsection 405.03 Materials** is hereby deleted and the following substituted therefor:

| Table 405-1 | | |
|--|------------------------|----------------------|
| Design Requirements for Asphalt Concrete Hot Mix Base Course | | |
| (1-1/2" [37.5 mm]) | | |
| Control Points | | |
| Sieve (mm) | Percent Passing (%) | |
| 2" (50.0) | 100 | |
| 1½" (37.5) | 90 - 100 | |
| 1" (25.0) | 90 max. | |
| No. 4 (4.75) | - | |
| No. 8 (2.36) | 15 - 41 | |
| No. 16 (1.18) | - | |
| No. 30 (0.60) | - | |
| No. 50 (0.30) | - | |
| No. 200 (0.075) | 0 - 6 | |
| Asphalt Binder Content | Design Value | |
| % Air Voids | 4.0 | |
| % VMA | 11.5 – 13.0 | |
| Minimum Water Sensitivity Ratio | 80.0 | |
| % Anti-strip | As Required | |
| Fines to Asphalt Ratio* | 0.6 – 1.6 | |
| Wheel Tracking Test | <u>Design Gyration</u> | <u>Maximum Rut</u> |
| (8000 cycles, 100 psi, 64°C) | 75 & 115 | 0.315 in. (8.000 mm) |
| | 160 | 0.197 in. (5.000 mm) |
| | 205 | 0.197 in. (5.000 mm) |

*Fines to asphalt ratio shall be defined as the percent materials passing the No. 200 (0.075 mm) sieve (expressed as a percent of total aggregate weight) divided by the effective asphalt binder content.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
PERCENT AIR VOIDS FOR ACHM MIX DESIGNS

Table 406-1 of **Subsection 406.04, Construction Requirements and Acceptance**, is hereby deleted and the following substituted therefor:

| Table 406-1 | | |
|--|------------------------|----------------------|
| Design Requirements for Asphalt Concrete Hot Mix Binder Course (1" [25 mm]) | | |
| Control Points | | |
| Sieve (mm) | Percent Passing (%) | |
| 1½" (37.5) | 100 | |
| 1" (25.0) | 90 - 100 | |
| ¾" (19.0) | 90 max. | |
| No. 4 (4.75) | - | |
| No. 8 (2.36) | 19 - 45 | |
| No. 16 (1.18) | - | |
| No. 30 (0.60) | - | |
| No. 50 (0.30) | - | |
| No. 200 (0.075) | 1 - 7 | |
| Asphalt Binder Content | Design Value | |
| % Air Voids | 4.0 | |
| % VMA | 12.5 – 14.0 | |
| Minimum Water Sensitivity Ratio | 80 | |
| % Anti-strip | As Required | |
| Fines to Asphalt Ratio* | 0.6 – 1.6 | |
| Wheel Tracking Test (8000 cycles, 100 psi, 64°C) | <u>Design Gyration</u> | <u>Maximum Rut</u> |
| | 75 & 115 | 0.315 in. (8.000 mm) |
| | 160 | 0.197 in. (5.000 mm) |
| | 205 | 0.197 in. (5.000 mm) |

*Fines to asphalt ratio shall be defined as the percent materials passing the No. 200 (0.075 mm) sieve (expressed as a percent of total aggregate weight) divided by the effective asphalt binder content.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
PERCENT AIR VOIDS FOR ACHM MIX DESIGNS

Table 407-1 and Table 407-2 of **Subsection 407.04, Construction Requirements and Acceptance**, are hereby deleted and the following substituted therefor:

| Table 407-1 | | |
|---|------------------------|----------------------|
| Design Requirements for Asphalt Concrete Hot Mix Surface Course (1/2" [12.5 mm]) | | |
| Control Points | | |
| Sieve (mm) | Percent Passing (%) | |
| 3/4" (19.0) | 100 | |
| 1/2" (12.5) | 90 - 100 | |
| 3/8" (9.5) | 90 max. | |
| No. 8 (2.36) | 28 - 58 | |
| No. 16 (1.18) | - | |
| No. 30 (0.60) | - | |
| No. 50 (0.30) | - | |
| No. 200 (0.075) | 2 - 10 | |
| Asphalt Binder Content | Design Value | |
| % Air Voids | 4.0 | |
| % VMA | 14.0 – 16.0 | |
| Minimum Water Sensitivity Ratio | 80.0 | |
| % Anti-strip | As Required | |
| Fines to Asphalt Ratio* | 0.6 – 1.6 | |
| Wheel Tracking Test (8000 cycles, 100 psi, 64°C) | <u>Design Gyration</u> | <u>Maximum Rut</u> |
| | 75 & 115 | 0.315 in. (8.000 mm) |
| | 160 | 0.197 in. (5.000 mm) |
| | 205 | 0.197 in. (5.000 mm) |

*Fines to asphalt ratio shall be defined as the percent materials passing the No. 200 (0.075 mm) sieve (expressed as a percent of total aggregate weight) divided by the effective asphalt binder content.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
PERCENT AIR VOIDS FOR ACHM MIX DESIGNS

Table 407-2

Design Requirements for Asphalt Concrete Hot Mix Surface Course (3/8" [9.5 mm])

| | Control Points | |
|---------------------------------|------------------------|-----------------------|
| Sieve (mm) | Percent Passing (%) | |
| ½" (12.5) | 100 | |
| 3/8" (9.5) | 90 - 100 | |
| No. 4 (4.75) | 90 max. | |
| No. 8 (2.36) | 32 - 67 | |
| No. 16 (1.18) | - | |
| No. 30 (0.60) | - | |
| No. 50 (0.30) | - | |
| No. 200 (0.075) | 2 - 10 | |
| Asphalt Binder Content | Design Value | |
| % Air Voids | 4.0 | |
| % VMA | 15.0 – 17.0 | |
| Minimum Water Sensitivity Ratio | 80.0 | |
| % Anti-strip | As Required | |
| Fines to Asphalt Ratio* | 0.6 – 1.6 | |
| Wheel Tracking Test | <u>Design Gyration</u> | <u>Maximum Rut</u> |
| (8000 cycles, 100 psi, 64°C) | 75 & 115 | 0.315 in. (8.000 mm.) |
| | 160 | 0.197 in. (5.000 mm) |
| | 205 | 0.197 in. (5.000 mm) |

*Fines to asphalt ratio shall be defined as the percent materials passing the No. 200 (0.075 mm) sieve (expressed as a percent of total aggregate weight) divided by the effective asphalt binder content.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

LIQUID ANTI-STRIP ADDITIVE

Division 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Section 404, DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES, is hereby modified as follows:

The following is added as the last bullet following the first paragraph of **Subsection 404.01(b), Design Requirements**:

- All ACHM mixes must contain a liquid, anti-strip additive.

Section 409, MATERIALS AND EQUIPMENT FOR ASPHALT CONCRETE PLANT MIX COURSES, is hereby modified as follows:

The second paragraph of **Subsection 409.02 Asphalt Binder** is hereby deleted and the following substituted therefor:

The asphalt binder for all Asphalt Concrete Hot Mixes shall contain a heat-stable, liquid anti-strip additive. The additive shall be furnished from the Qualified Products List. The additive shall not harm the completed bituminous concrete mixture and must be compatible with the aggregate and asphalt binder supplied for the project. The anti-strip additive shall be added either by an in-line blending process just before introduction of the asphalt binder to the mixer or by blending with the asphalt binder at the asphalt binder terminal. If blended at the terminal, the bill of lading accompanying the load being delivered to the hot mix asphalt plant shall include the anti-strip manufacturer's name, product name, and quantity of all anti-strip additive included in the load.

The liquid anti-strip additive shall be added at rates as indicated below:

- For ACHM mixes where the use of an anti-strip additive is required as determined by the laboratory analysis and mix design procedures, the anti-strip additive shall be added at the rate of 0.5% to 0.75% (0.05% to 0.10% for organosilane based materials) by weight of asphalt binder as determined by the laboratory analysis and laboratory mix design procedures.
- For all other mixes, the manufacturer's recommended dosage of the additive shall be used, but the rate of liquid anti-strip additive shall not be less than 0.25% (0.05% for organosilane based materials) by weight of the asphalt binder.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

TRACKLESS TACK

Sections 401 and 403 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is hereby added after the second sentence of **Subsection 401.02 Materials**:

Trackless Tack meeting the requirements of this supplemental specification may be used as Tack Coat at no additional cost to the Department.

The following is hereby added after the fifth sentence of **Subsection 401.03(c), Application of Tack Coat**:

When Trackless Tack is used, the Contractor shall follow the manufacturer's recommendations for storage, application temperature, and application rate.

The following is hereby added as the second paragraph of **Subsection 401.06, Basis of Payment**:

If the Contractor elects to use Trackless Tack in lieu of Tack Coat, the application and payment for the material used will be measured and paid for at the contract unit price bid for Tack Coat per gallon (liter).

The following is hereby added after the second sentence of the first paragraph **Subsection 403.03, Asphalt Materials**:

The manufacturer shall submit certified test results for Trackless Tack to the Engineer.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

TRACKLESS TACK

The following is hereby added as **Subsection 403.03 (g), Trackless Tack:**

Trackless tack shall be an anionic or cationic asphalt emulsion conforming to the requirements below:

| | Test Method | Min | Max |
|--------------------------------------|-------------|------|-----|
| Viscosity, Saybolt Furol at 25°C SFS | AASHTO T59 | 20 | 150 |
| Storage stability test, 24-h, % | AASHTO T59 | | 1 |
| Sieve test, % | AASHTO T59 | | 0.3 |
| Residue by distillation, % | AASHTO T59 | 50 | |
| Tests on residue from distillation: | | | |
| Penetration, 25°C, 100 g, 5 s | AASHTO T59 | | 20 |
| *Solubility % | AASHTO T44 | 97.5 | |
| *Ash Content | AASHTO T111 | | 1 |
| Softening Point °C | AASHTO T53 | 65 | |

*Ash Content or Solubility may be used for testing purposes of the residue from distillation.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

DESIGN OF ASPHALT MIXTURES

Section 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added after the first sentence of paragraph 3 **Subsection 404.01 Design of Asphalt Mixtures. (b) Design Requirements:**

Any use of recycled engine oil bottoms (REOB) or other engine oil derivatives in the manufacture or modification of a binder are strictly prohibited. Ground Tire Rubber (GTR) may be added to asphalt binder with blending of GTR into asphalt occurring only at the asphalt terminal. GTR shall be Class 80-1 ground tire rubber as defined by ASTM D5603.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
ASPHALT LABORATORY FACILITY

Division 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 409.03(h), Plant Inspection, is hereby deleted and the following substituted therefor:

(h) Plant Inspection. The Engineer shall have access to all parts of the plant.

The Contractor shall provide and maintain a laboratory facility for the exclusive use of the Engineer. This facility shall be located at the plant site. The dimensions and other requirements specified herein are minimums. The facility may be built by the Contractor for the specific purposes stated. Portable structures used as lab facilities must be anchored to the ground and have adequate reinforcement to the floor to provide stability for lab equipment. It is not intended, however, to preclude the use of commercially built trailers or prefabricated buildings that may deviate in minor dimension or detail from the requirements listed but may in some features exceed these requirements and in all major respects be entirely suitable for the purpose intended. The Contractor may furnish, in lieu of a separate building, a facility having sufficient space in a building, parts of which are used for other purposes, provided that the facility furnished meets all other requirements of this subsection; is physically separated from the remainder of the building; and has an outside entrance with unrestricted access allowed and reserved for the exclusive use of the Engineer. Adequate space shall be provided for parking of at least three Department vehicles in the vicinity of the facility. The Engineer will determine the suitability of any facility furnished.

General requirements for the laboratory facility are:

- Minimum working laboratory space of 380 square feet (35.3 sq m) for building widths between 8' to 12' (2.4 to 3.7 m) or 208 square feet (19.3 sq m) with a width of 12' (3.7 m) or greater.
- Minimum designated office space of 30 square feet (2.8 sq m) shall be included in addition to the laboratory square footage.
- A ceiling height of 8' (2.4 m) or greater.
- A desk or table approximately 24" x 36" (600 mm x 900 mm), with at least two drawers, each approximately 13" x 13" x 18" (330 mm x 330 mm x 450 mm) for storing records and at least three office style rolling chairs.
- At least one door with a substantial lock and all keys placed in the possession of the Engineer. The door must be a minimum of 36" (900 mm) wide. A second entry door at the end of trailers that are greater than 30' (9.1 m) in length will be required for safety reasons.
- Access to a well-maintained restroom, with a functioning sink, within reasonable proximity to the Department laboratory facility. Portable restrooms are not acceptable.
- Floored, weatherproof, and reasonably dustproof.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
ASPHALT LABORATORY FACILITY

- Level and stable with substantial/durable structure capable of supporting required laboratory equipment. Movement in the lab shall not affect testing operations such as scale readings, etc.
- At least two glazed screened windows capable of being opened and locked only from the inside.
- Basic utility services shall be provided year-round as long as the plant is listed on the QPL. If utility services to the Department lab are voluntarily suspended at any time, the plant may be removed from the QPL.
- Equip the lab with heating and air conditioning units that maintain the ambient air temperature between 65 °F and 80 °F (18 °C and 27°C). The lab must be climate-controlled year-round.
- A work counter approximately 30" to 36" (760 to 900 mm) high with a minimum depth of 30" (760 mm). The countertop shall be metal capped with a rolled back edge of 2" (50 mm) if adjacent to the wall or other comparable durable surface. Total length of the work counter shall be approximately 35' (10.7 m) with a minimum of 12' (3.7 m) of counter length 36" (900 mm) deep.
- A minimum of 54" (1370 mm) width between parallel work counters.
- Adequate electric lights suitable for the purposes intended. At least one power outlet per every four feet of counter. At least two power outlets shall provide 220 VAC.
- An exhaust outlet with at least 3" (76 mm) inside diameter no farther than 8' (2.4 m) from the ignition oven shall be included near one of the 220 VAC outlets. Provide a surface for the ignition oven that is level, sturdy, and fireproof with at least 6" (152 mm) of clearance between the furnace and other vertical surfaces. The exhaust fumes exiting the furnace exhaust port may reach 270 °C (518 °F).
- An exhaust fan shall be installed over the equipment clean up area. The exhaust fan shall be equipped with a rheostat control and capable of exhausting in one minute a volume of air equal to the volume of the entire laboratory. The exhaust fan shall be maintained operational.
- A sink, approximately 25" (635 mm) square with a minimum depth of 9" (230 mm) with an outside drain.
- A clean water supply providing a minimum of 50 gallons (200 liters) storage capacity (or connected to a public or private water system), discharging through a faucet above the sink. A thermostat controlled hot water supply shall be provided to the laboratory sink.
- Adequate shelves and/or cabinets for storage of testing equipment that do not impede the operation of testing equipment.
- A storage area for storing nuclear equipment, complete with a substantial lock and all keys to this area placed in the possession of the Engineer.
- At least one Type ABC fire extinguisher (10-pound size minimum) with up-to-date inspection tag per 300 square feet of building.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
ASPHALT LABORATORY FACILITY

- A local access touchtone telephone line (with access to toll free telephone numbers but otherwise blocked for outgoing long-distance calls), with a landline modular jack and touchtone telephone, shall be provided in the laboratory facility for use by Department personnel.
- Reliable Broadband Internet Service shall be provided.
The Broadband Internet Service shall be provided with an Internet Protocol (IP) address which is reachable on the global Internet (public) and which is permanently assigned (static). The Contractor is not required to provide this service if an IP address which is both static and public is not available.

If this service is not available at the beginning of a project but becomes available during the life of the project, the Contractor shall provide the service immediately from the date of availability.

The data transfer rate shall be 3 megabits per second (Mbps) download and 500 kilobits per second (kbps) upload, or higher, with latency not to exceed 150 milliseconds. If the Broadband Internet Service meets all of the requirements of this specification except for the data transfer rate and/or latency, then the best performing available connection shall be provided. The Broadband Internet Service shall be provided with equipment providing a minimum of one Ethernet port.

Prior to the selection of the Broadband Internet Service provider, the Contractor shall submit to the Resident Engineer, in writing, the proposed method for providing Broadband Internet Service. The Resident Engineer shall review this submittal and respond in writing regarding the acceptability of the proposed method.

Adequate maintenance of the laboratory facility shall be required for plant inclusion on the QPL and will be included as part of the annual ACHM plant inspection. Maintenance shall include, but is not limited to, HVAC and electrical systems, and plumbing. The Resident Engineer may determine a lab is in reasonable compliance with this specification if all required testing can be accomplished with reasonable ease by the Construction Materials Inspector.

The requirements of this Supplemental Specification shall be implemented in order to receive the next scheduled ACHM Plant Certification. If the requirements are not met and the Resident Engineer determines the laboratory is not within reasonable compliance an ACHM Plant Certification will not be provided until all requirements are fulfilled and/or the Resident Engineer is satisfied with the conditions of the facilities.

The field laboratory for asphalt mixing plants and the utility services provided will not be paid for directly but will be considered a part of the asphalt mixing plant.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

**CONSTRUCTION REQUIREMENTS AND ACCEPTANCE OF
ASPHALT CONCRETE PLANT MIX COURSES**

Section 410, Construction Requirements and Acceptance of Asphalt Concrete Plant Mix Courses, of the Standard Specifications for Highway Construction, Edition of 2014, is hereby modified as follows:

Subsection 410.10 Incentives is hereby deleted.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

DEVICES FOR MEASURING DENSITY FOR ROLLING PATTERNS

Section 410 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The fourth sentence of the first paragraph of **Subsection 410.08, Rolling and Density Requirements and Joints**, is hereby deleted and the following substituted therefor:

The Engineer will observe the Contractor's use of an electromagnetic surface contact device that meets ASTM D7113/D7113M or the use of a nuclear density gauge to verify that the maximum densities possible are obtained.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

EVALUATION OF ACHM SUBLLOT REPLACEMENT MATERIAL

Section 410 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following shall be added to the second to the last paragraph of **Subsection 410.09 (a)**

General:

If the material used to replace unacceptable material is a different mix design from what was originally placed, the remaining material in the lot and the replacement material shall both be evaluated as separate partial lots.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
RECYCLED ASPHALT PAVEMENT

Division 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The fourth paragraph of **Subsection 416.03, Materials and Composition**, is hereby deleted and the following substituted therefor:

To ensure the “production” stockpile is distinguishable to anyone involved in the production of asphalt at the plant and no “unprocessed” materials are introduced into the process of ACHM mix manufacturing, the following shall be required for the use of Recycled Asphalt Pavement (RAP):

- RAP stockpiles should have only binder covered aggregates and therefore, there shall be no virgin aggregate or deleterious materials present in any RAP stockpile. Uncoated aggregate from asphalt plant produced material shall not be considered virgin aggregate as it applies to RAP. Plant startup and shut down materials will be considered binder covered and are allowed.
- Unprocessed RAP and processed RAP stockpiles shall be separated by distance and each stockpile signed accordingly.
- Only processed RAP shall be introduced into asphalt mixes. Processed is defined as efforts to create a uniform stockpile of material and may include, but is not limited to, crushing and/or fractionating. Use of the scalper screen on the plant does not define processed RAP.
- Processed RAP stockpiles shall be of adequate size for multiple operational days of asphalt mix production at the plant’s maximum production rate. Processed RAP must be stockpiled before use in plant production. Processed RAP may not be taken from underneath the crusher and placed directly into the cold feed bins. If the crusher is feeding the processed stockpile, the loader must load the cold feed bins from the opposite end of the processed stockpile.

Quality control testing for asphalt binder content and gradation of RAP shall be the contractor’s responsibility and conducted as follows:

- Tested as part of the field verification process. Field verification test results may be transferred from another ARDOT job given they are from the same mix design and were completed within 120 days of the current job’s field verification process.
- Minimum of one set of tests per job for jobs that contain at least 1,000 tons of ACHM.
- One set of tests for every 10,000 tons of ACHM produced.
- The first tests on the job must be performed within the first 3 days of production on the job.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
RECYCLED ASPHALT PAVEMENT

The Contractor has the option of quality control testing while the processed stockpile is being built in lieu of testing during production. Quality control testing for asphalt binder content and gradation of RAP shall be the Contractor's responsibility and conducted as follows:

- Tested as part of the field verification process. Field verification test results may be transferred from another ARDOT job given they are from the same mix design and were completed within 120 days of the current job's field verification process.
- One set of tests for every 1,500 tons of RAP produced for each stockpile.
- The quantity of RAP being placed in the processed stockpile must be tracked.

The Contractor shall pick only one option of quality control method per processed RAP stockpile. The Engineer shall be given the opportunity to witness all testing. Test results shall be submitted to the Engineer by the next business day. The Contractor shall keep a logbook to track the consistency of the asphalt binder content and gradation.

If testing determines the properties of the RAP have deviated significantly from the mix design, as determined by the Engineer, changes to virgin binder content and/or aggregate proportions will be required before production of the ACHM continues. Once adjustments are made and the plant produced mix has the desired properties, the Contractor may request that a field mix design be accepted by the Engineer.

To create uniform, repeatable testing for RAP binder content, asphalt binder content of the RAP shall be determined using AASHTO T 308 with the specific requirements as follows:

- Sample shall be dried to a constant mass as per AASHTO T 329 using a drying temperature of $230\text{ }^{\circ}\text{F} \pm 9\text{ }^{\circ}\text{F}$.
- The ignition oven burn temperature used during the mix design process must be used for quality control. The burn temperature shall be reported on the mix design submittal.
- Asphalt Binder Content = % loss – Aggregate Correction Factor (ACF)
- An ACF for each processed RAP stockpile shall be submitted with the mix design if used. An ACF for the job mix formula shall be submitted on the mix design if used. If multiple ignition ovens are used, an ACF for each oven shall be submitted.
- Determination of the ACF may be based on regional historical data at the time of the change. This will ensure all parties involved are aware of the correction factor and therefore avoiding disagreements pertaining to manipulation/fluctuation in aggregate correction factors that could be used to adjust binder content data.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
CEMENT

Section 501 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added as the last bullet of the first paragraph of **Subsection 501.02, Materials. (a) Cement.**

- Portland-Limestone Cement, AASHTO M240, Type 1L. Type 1L shall have a limestone constituent greater than 5 percent and less than or equal to 15 percent by mass of blended cement.

The second sentence of the third paragraph of **Subsection 501.02, Materials. (a) Cement.** is revised as follows:

The total alkalis in the cementitious material (Portland cement, Portland – Limestone cement, fly ash or slag cement) shall not exceed 5 lb/cu yd (3 kg/cu m).

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

WELDED WIRE REINFORCEMENT

Section 502 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The fourth paragraph of **Subsection 502.02** is hereby deleted and the following substituted therefor:

Welded Wire Reinforcement shall comply with AASHTO M 336.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

INCIDENTAL CONSTRUCTION

Sections 609, 611, 617, and 618 of the Standard Specifications for Highway Construction, Edition of 2014, are hereby amended as follows:

Subsection 609.02(c), Materials for Drop Inlets and Junction Boxes, is hereby deleted and the following is substituted therefor:

- (c) Steel for welded steel grates and frames shall comply with ASTM A709, Grade 36 (250).

Subsection 611.02(a)(2), Materials for Pipe Underdrains, Outlet Protectors, and Covers, is hereby deleted and the following is substituted therefor:

- (2) **Corrugated Polyethylene Tubing.** The tubing shall be the heavy duty type and shall comply with AASHTO M 252. The tubing shall have a minimum pipe stiffness of 46 psi (3.23 kg/cm²) at 5% deflection and shall be capable of 60 percent vertical deflection in parallel plate loading without splitting or cracking when tested in accordance with ASTM D 2412.

The second sentence of **Subsection 617.02(a)(2), Materials for Steel Posts**, is hereby deleted and the following is substituted therefor:

- (2) **Steel Posts.** The steel shall comply with ASTM A709, Grade 36 (250).

Subsection 617.02(b)(3), Materials for Terminal Anchor Posts, is hereby deleted and the following is substituted therefor:

- (3) The steel anchor posts shall consist of structural shapes of the section shown on the plans, or as otherwise specified, and shall comply with ASTM A709, Grade 36 (250). The upper 15" (380 mm) of the anchor assembly shall be galvanized according to AASHTO M 111.

The third sentence of the third paragraph **Subsection 618.02(a), Posts for Guard Cable**, is hereby deleted and the following is substituted therefor:

- The steel shall comply with ASTM A709, Grade 36 (250).

Subsection 618.02(d), Materials for Bolts, Nuts, and Washers, is hereby deleted and the following is substituted therefor:

ARKANSAS DEPARTMENT OF TRANSPORTATION**SUPPLEMENTAL SPECIFICATION****INCIDENTAL CONSTRUCTION**

(d) Bolts, Nuts, and Washers. Bolts, nuts, and washers shall conform to the plans and shall be steel complying with ASTM A 307, ASTM F3125, Grade A325, Heavy Hex, Type 1, or ASTM A449 (Heavy Hex), galvanized according to AASHTO M 232. Threads on bolts and nuts shall conform to Unified Coarse Thread Series Class 2A, ANSI B 1.1 (Metric Coarse Thread Series, ANSI B 1.13M, 6g tolerance).

ARKANSAS DEPARTMENT OF TRANSPORTATION**SUPPLEMENTAL SPECIFICATION****LANE CLOSURE NOTIFICATION**

Division 600 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Section 603, Maintenance of Traffic and Temporary Structures, is hereby modified as follows:

The first sentence of the third paragraph **Subsection 603.02 (d)** is hereby deleted and the following substituted therefor:

The Contractor shall provide the Engineer with a minimum of five full business days advance, written notification of any nonemergency lane closure or lane width restriction. The first full business day shall commence at midnight on the first business day following written notification to the Engineer. This advanced notification is required to allow adequate notice for the issuance of over width load permits by the Department.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
RETROREFLECTIVE SHEETING FOR
TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES

Section 604 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is inserted after the first paragraph of Subsection 604.02(b):

Retroreflective sheeting used on traffic drums shall meet the requirements of ASTM D4956 for Type III or IV with the additional requirements for Reboundable Sheeting. Retroreflective sheeting for delineators shall comply with section 728.

Retroreflective sheeting shall be applied to a properly treated substrate with mechanical equipment and in a manner specified by the sheeting manufacturer. Sign material (substrate) shall be of sufficient thickness and stability to maintain a substantial, effective sign for the duration of the project. One splice will be allowed in retroreflective sheeting on sign blanks. "Left", "Right", "Distances", and "Ahead" will be allowed on signs as inserts. All letters and numerals on inserts shall be of the same size and series as those on the sign face.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES (MASH)

Section 604 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The first paragraph of **Subsection 604.02 Materials (a) General** is hereby deleted and the following substituted therefor:

All work zone traffic control devices used on the project, including sign supports, barricades, traffic drums equipped with flashing lights, crash cushions, and impact attenuators, manufactured after December 31, 2019, shall comply with the requirements of the Manual for Assessing Safety Hardware (MASH). Such devices manufactured on or before December 31, 2019, and successfully tested to the requirements of National Cooperative Highway Research Program (NCHRP) Report 350 or the 2009 edition of MASH, may continue to be used throughout their normal service lives. The Contractor shall furnish a certification of such compliance from the manufacturer or supplier of all work zone traffic control devices prior to using the devices on the project. The certification shall state the device meets the requirements of MASH, or in the case that the device was manufactured on or before December 31, 2019, the certification shall state the device meets the requirements of NCHRP 350 or MASH. The certification shall include a copy of the Federal Highway Administration's (FHWA) approval letter with all attachments for each device. Devices shall be fabricated and installed in accordance with the plans and with the crash testing documentation provided in the FHWA approval letter which is available at:

http://safety.fhwa.dot.gov/roadway_dept/policy_guide/road_hardware/.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
FILTER SOCKS

Section 621 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added to **Subsection 621.01**:

(p) Filter Socks. This item shall consist of furnishing, installing, maintaining, and removing filter socks at locations indicated on the plans or as otherwise directed by the Engineer. Filter socks consist of filter media (compost or non-treated wood) encased in a three-dimensional fabric tube for the purposes of filtering silt, sediment, and other pollutants out of stormwater.

The following is added to **Subsection 621.02**:

(o) Compost or non-treated wood used for filter sock filter media shall be weed, disease, and pathogen free and derived from a clean source of woody organic matter. The media shall be free of any refuse, contaminants, or other materials toxic to plant growth. Test methods for the parameters shown in Table 621-2 should follow the recommendations provided in the AASHTO Standard Practice for Compost for Erosion and Sediment Control (R 51). Compost products must be supplied with a Seal of Testing Assurance (STA) by the U.S. Composting Council from the manufacturer. The Engineer may request a sample for approval prior to being used and materials must comply with all local, state, and federal regulations.

Table 621-2
Filter Sock Media Parameters

| Parameters | Reported as (units of measure) | Test Method | Required Value |
|--|--|--------------------|---|
| pH | pH Units | AASHTO R 51 | 5.0-8.5 |
| Moisture Content | %, wet weight basis | AASHTO R 51 | <60% |
| Organic Matter Content | %, dry weight basis | AASHTO R 51 | >30% |
| Particle Size | % passing a selected mesh size, dry weight basis | AASHTO R 51 | 99% passing a 2" sieve <40% passing a 3/8" sieve |
| Physical Contaminates (man-made inert material) | %, dry weight basis | N/A | <1% |

Filter sock containment shall be produced from 5-mil-thick continuous high density polyethylene (HDPE) filament or multi-filament polypropylene (MFPP), woven or knitted into a tubular mesh netting. Openings in the mesh shall range from 1/8th to 3/8th inch. This tube shall then be filled to the specified diameter of the sock with filter media which meets the specifications outlined in Table 621-2. Filter sock fabric shall have a minimum functional longevity of 9 months.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
FILTER SOCKS

Furnish filter socks with a diameter of 8-9, 12, 18, or 24 inches in diameter in variable lengths as directed by the Engineer.

Use 2" by 2" hardwood stakes of a length which will allow them to be driven at least one foot into the soil while leaving at least 3" projecting above the sock after installation. In rocky or other difficult locations steel stakes may be used if directed by the Engineer. Sandbags may be used as necessary to anchor the filter sock for installation on paved surfaces. Placement shall be as directed by the Engineer.

The following is added to **Subsection 621.03**:

(q) Trenching of filter socks is not required but woody vegetation shall be cut at ground level or otherwise removed, and uneven or rocky surfaces shall be graded or raked to ensure the socks uniformly contact the ground. The socks shall be secured with stakes driven through the center of the devices or installed as recommended by the manufacturer. For perimeter control or on slopes, stakes shall be installed on a maximum of 10 foot centers and the ends of the socks shall be directed upslope to prevent storm water from running around the end of the sock. For ditch checks and drop inlets, stakes shall be installed on a maximum of 4 foot centers. Additional stakes may be necessary as directed by the Engineer. Filter socks may be laid end to end or overlapped according to the manufacturer's directions.

Routinely maintain the socks in good condition (including staking, anchoring, etc.) Accumulated sediment shall be removed when the sediment reaches one-half the height of the sock or as directed by the Engineer. Sediment removed shall be deposited and stabilized as described in Section 110 of the Standard Specifications for Highway Construction, Edition of 2014. Repair of or complete replacement of torn or damaged socks shall be performed as required or as directed by the Engineer. Filter socks shall be carefully removed and replaced as required to facilitate construction operations.

When the required work has been completed, the area has been stabilized, and the filter socks are no longer required as approved by the Engineer, the containment material shall be cut and the core material shall be evenly distributed on the surrounding ground area. Containment shall be removed and disposed of.

The following is added to **Subsection 621.04**:

(q) Filter Socks will be measured by the linear foot (meter) complete in place; measurement will be made along the centerline of the top of the filter sock. No payment will be made for overlap. No payment will be made for additional length beyond that approved by the Engineer.

**ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
FILTER SOCKS**

The following is added to **Subsection 621.05**:

(q) Filter Socks completed and accepted and measured as provided above will be paid for at the contract unit price bid per linear foot (meter) for Filter Socks, which price shall be full compensation for furnishing all materials; for installation and maintenance of filter socks; for temporarily removing and replacing filter socks as required to facilitate construction operation; for removal and disposal of the filter socks as directed; and for all labor, equipment, tools, and incidentals necessary to complete the work.

The following is added as the last Pay Item in **Subsection 621.05**:

| Pay Item | Pay Unit |
|---------------------|---------------------|
| Filter Sock (____") | Linear Foot (Meter) |

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

CONCRETE WALKS, CONCRETE STEPS, AND HAND RAILING

Division 600, INCIDENTAL CONSTRUCTION, of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Section 633, Concrete Walks, Concrete Steps, and Hand Railing, is hereby modified as follows:

Subsection 633.02(E) Expansion Joints is hereby deleted and the following substituted therefor:

A space not less than ½” (12mm) wide shall be left between the sidewalks and adjacent structures. This space shall be filled with approved joint filler complying with AASHTO M 213 or a Semi-Rigid Closed-Cell Polypropylene Foam, Preformed Expansion joint filler that meets ASTM D8139. Materials meeting ASTM D8139 shall be accepted on the basis of the manufacturer’s certification in accordance with these specifications and acceptable performance on the project. No space or joint filler is required between the sides of the walks and adjacent curbs.

Transverse expansion joints shall be placed at a maximum interval of 45’ (13.7m). Transverse joints shall be constructed using approved joint filler complying with AASHTO M 213 or a Semi-Rigid Closed-Cell Polypropylene Foam, Preformed Expansion joint filler that meets ASTM D8139. Materials meeting ASTM D8139 shall be accepted on the basis of the manufacturer’s certification in accordance with these specifications and acceptable performance on the project.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

CURBING

Division 600, INCIDENTAL CONSTRUCTION, of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Section 634, Curbing, is hereby modified as follows:

The last paragraph of **Subsection 634.02 Materials** is hereby deleted and the following substituted therefor:

Material for the joint filler shall comply with AASHTO M 213 or a Semi-Rigid Closed-Cell Polypropylene Foam, Preformed Expansion joint filler that meets ASTM D8139. Materials meeting ASTM D8139 shall be accepted on the basis of the manufacturer's certification in accordance with these specifications and acceptable performance on the project.

ARKANSAS DEPARTMENT OF TRANSPORTATION**SUPPLEMENTAL SPECIFICATION****TRAFFIC CONTROL FACILITIES**

Sections 712, 713, 714, 715, 728 and 730 of the Standard Specifications for Highway Construction, Edition of 2014, are hereby amended as follows:

Subsection 712.02(a) Materials for Span Wire Support Pole With Foundation is hereby deleted and the following is substituted therefor:

(a) Pole shafts shall comply with ASTM A 1011, SS, Grade 50 (345), ASTM A709, Grade 50 (345), ASTM A 595 Grade A, or ASTM A 572, Grade 50 or Grade 65. Galvanizing shall comply with AASHTO M 111, Thickness Grade 100.

Subsection 712.02(c) Materials for Span Wire Support Pole With Foundation is hereby deleted and the following is substituted therefor:

(c) Anchor base plates shall comply with ASTM A709, Grade 36 (250). Galvanizing shall comply with AASHTO M 111, Thickness Grade 100.

Subsection 712.02(e) Materials for Span Wire Support Pole With Foundation is hereby deleted and the following is substituted therefor:

(e) Hex nuts shall comply with AASHTO M 292 Grade 2H or ASTM A653 Grade 2H or ASTM A653 Grade DH or DH3 (Grade 10S or 10S3). The thread series shall correspond with that of the bolt furnished. Washers shall comply with ASTM F436. Galvanizing shall comply with AASHTO M 232 or ASTM B 695 Class 40 or 50. Nuts shall be galvanized by the same process as that of the bolts.

Subsection 712.02(f) Materials for Span Wire Support Pole With Foundation is hereby deleted and the following is substituted therefor:

(f) Concrete shall comply with Section 802 for Class S concrete. The Department will perform all acceptance sampling and testing at the frequencies shown for Contractor acceptance in Subsection 802.06. Reinforcing steel shall comply with Section 804 for Grade 60 steel.

The third paragraph of **Subsection 713.02 Materials for Span Wire Assembly** is hereby deleted and the following is substituted therefor:

Suitable cable ties shall be provided to suspend the traffic control cable at intervals not to exceed 18" (450 mm). Necessary eyebolts, washers, nuts, and fittings shall be galvanized steel complying with AASHTO M 232 or ASTM B695, Class 40 or 50.

Subsection 714.02(a) Materials for Traffic Signal Mast Arm and Pole with Foundation is hereby deleted and the following is substituted therefor:

ARKANSAS DEPARTMENT OF TRANSPORTATION**SUPPLEMENTAL SPECIFICATION****TRAFFIC CONTROL FACILITIES**

(a) Poles and mast arms shall be ASTM A 1011, SS, Grade 50 (345), ASTM A709, Grade 50 (345), ASTM A 595 Grade A or ASTM A 572, Grade 50 or Grade 65. Galvanizing shall comply with AASHTO M 111, Thickness Grade 100.

Subsection 714.02(c) Materials for Traffic Signal Mast Arm and Pole With Foundation is hereby deleted and the following is substituted therefor:

(c) Anchor Base Plates shall be ASTM A709, Grade 36 (250). Galvanizing shall comply with AASHTO M 111, Thickness Grade 100.

Subsection 714.02(e) Materials for Traffic Signal Mast Arm and Pole With Foundation is hereby deleted and the following is substituted therefor:

(e) Hex nuts shall comply with AASHTO M 292 Grade 2H or ASTM A563 Grade DH or DH3 (Grade 10S or 10S3). The thread series shall correspond with that of the bolt furnished. Washers shall comply with ASTM F436. Galvanizing shall comply with AASHTO M 232 or ASTM B695, Class 40 or 50. Nuts shall be galvanized by the same process as that of the bolts.

Subsection 714.02(f) Materials for Traffic Signal Mast Arm and Pole With Foundation is hereby deleted and the following is substituted therefor:

(f) Clamp Plates shall be ASTM A709, Grade 36 (250). Galvanizing shall comply with AASHTO M 111, Thickness Grade 100.

Subsection 714.02(g) Materials for Traffic Signal Mast Arm and Pole With Foundation is hereby deleted and the following is substituted therefor:

(g) Flange and Gusset Plates shall be ASTM A709, Grade 36 (250). Galvanizing shall comply with AASHTO M 111, Thickness Grade 100.

Subsection 714.02(h) Materials for Traffic Signal Mast Arm and Pole With Foundation is hereby deleted and the following is substituted therefor:

(h) Clamp and Flange Bolts shall be ASTM F3125, Grade A325, Type 1, Heavy Hex with the requirements of Annex A2. Galvanizing shall comply with AASHTO M 232 or ASTM B695, Class 40 or 50.

Subsection 714.02(i) Materials for Traffic Signal Mast Arm and Pole With Foundation is hereby deleted and the following is substituted therefor:

ARKANSAS DEPARTMENT OF TRANSPORTATION**SUPPLEMENTAL SPECIFICATION****TRAFFIC CONTROL FACILITIES**

(i) Concrete shall comply with Section 802 for Class S concrete. The Department will perform all acceptance sampling and testing at the frequencies shown for Contractor acceptance testing in Subsection 802.06. Reinforcing steel shall comply with Section 804 for Grade 60 steel.

Subsection 715.02(c) Materials for Traffic Signal Pedestal Pole With Foundation is hereby deleted and the following is substituted therefor:

(c) Anchor Base Plates shall be ASTM A709, Grade 36 (250). Galvanizing shall comply with AASHTO M 111, Thickness Grade 100.

Subsection 715.02(e) Materials for Traffic Signal Pedestal Pole With Foundation is hereby deleted and the following is substituted therefor:

(e) Hex nuts shall comply with AASHTO M 292 Grade 2H or ASTM F436 Grade DH or DH3 (Grade 10S or 10S3). The thread series shall correspond with that of the bolt furnished. Washers shall comply with ASTM F436. Galvanizing shall comply with AASHTO M 232 or ASTM B695, Class 40 or 50. Nuts shall be galvanized by the same process as that of the bolts.

The fifth and sixth paragraphs of **Subsection 728.02 Materials for Delineators** are hereby deleted and the following are substituted therefor:

Steel posts for bridge rail installation shall be a 1" x 1" x 3/16" (25 mm x 25 mm x 4.76 mm) angle weighing 1.61 pounds per foot (2.4 kg/m), and manufactured from ASTM A709, Grade 36. Length of post and spacing of holes shall be as shown on the plans.

All delineators posts shall be hot dip galvanized in accordance with ASTM A123 and all fabrication, including punching or drilling holes, shall be completed before the posts are galvanized.

The second and third paragraphs of **Subsection 730.02 Materials for Breakaway Sign Support** are hereby deleted and the following are substituted therefor:

All structural steel, except pipe posts but including base plates on pipe posts, and steel fuse plates, shall comply with AASHTO M 270 Grade 50. Pipe posts shall be structural steel complying with ASTM A 53 Grade B pipe. Steel bolted or welded to the primary support posts and not affecting the breakaway function, may be AASHTO M 270 Grade 36.

All high strength bolts, nuts, and washers shall comply with ASTM F3125, Grade A325, Type 1, Heavy Hex with the requirements of Annex A2.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL SPECIFICATION

TRAFFIC CONTROL FACILITIES

The third paragraph of **Subsection 730.03 Fabrication for Breakaway Sign Support** is hereby deleted and the following is substituted therefor:

All structural steel shall be galvanized after fabricating according to AASHTO M 111. All bolts, nuts, and washers shall be galvanized according to AASHTO M 232 or ASTM B695, Class 40 or 50.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
CEMENT

Section 802 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added as the last bullet of the second paragraph of **Subsection 802.02, Materials. (a) Cement.**

- Portland-Limestone Cement, AASHTO M240, Type 1L. Type 1L shall have a limestone constituent greater than 5 percent and less than or equal to 15 percent by mass of blended cement.

The second sentence of the fourth paragraph of **Subsection 802.02, Materials. (a) Cement** is revised as follows:

The total alkalis in the cementitious material (Portland cement, Portland – Limestone cement, fly ash or slag cement) shall not exceed 5 lb/cu yd (3 kg/cu m).

**ARKANSAS
STATE HIGHWAY COMMISSION**



**STANDARD SPECIFICATIONS
FOR
HIGHWAY CONSTRUCTION**

EDITION OF 2014

***PROPOSAL DOCUMENTS
AND
SCHEDULE OF ITEMS***

ARKANSAS STATE HIGHWAY COMMISSION

PROPOSAL DOCUMENTS

PROPOSAL FOR CONSTRUCTING:

THE PURPOSE OF THIS PROJECT IS TO INSTALL A SIGNAL AT THE INTERSECTION OF HIGHWAY 412 AND KLENC ROAD IN THE CITY OF TONTITOWN IN WASHINGTON COUNTY. THIS PROJECT CONSISTS OF REMOVAL AND DISPOSAL ITEMS, EARTHWORK, AGGREGATE BASE COURSE, PORTLAND CEMENT CONCRETE BASE, ACHM SURFACE COURSE, COLD MILLING ASPHALT PAVEMENT, MAINTENANCE OF TRAFFIC, MINOR DRAINAGE, EROSION CONTROL, CONCRETE WALKS, CURB AND GUTTER, TRAFFIC SIGNAL ITEMS, PAVEMENT MARKING, AND MISC. ITEMS.

State Highway 412, Section 2, in **WASHINGTON** County, Arkansas, in accordance with Standard Specifications for Highway Construction, Edition of 2014; the Supplemental Specifications and Special Provisions attached hereto; and the Construction Plans on file in the Office of the State Highway Commission, designated as

Job **040854** **FEDERAL AID PROJECT STPU-0072(60)**

Job Name: **HWY. 412/KLENC RD. INTERS. IMPVTS. (TONTITOWN) (S)**

said project being approximately **NO PROJECT LENGTH**.

Proposal received until 10:00 a.m. on July 31, 2024

TO THE ARKANSAS STATE HIGHWAY COMMISSION:

Gentlemen: By submission of your bid, you agree to the following:

It is hereby certified that a careful examination has been made of the Plans, Specifications, Supplemental Specifications, Special Provisions, and Form of Contract and the site of the work throughout its whole extent. On the basis of the Plans, Specifications, Supplemental Specifications, Special Provisions, and Form of Contract, the bidder proposes to furnish all necessary machinery, equipment, tools, labor and other means of construction, and to furnish all materials as specified, in the manner and at the time prescribed, and to finish the entire project within the time hereinafter proposed. The bidder understands that the quantities of work mentioned herein are approximate only, and are subject to increase or decrease, and hereby proposes to perform all quantities of work, whether increased or decreased, in accordance with the provisions of the Specifications, and at the unit prices bid in the attached Schedule of Items.

Receipt is hereby specifically acknowledged, and complete examination expressly guaranteed of the following:

1. Standard Specifications for Highway Construction, Edition of 2014.
2. Supplemental Specifications.
3. Special Provisions.
4. Proposal Documents.
5. Schedule of Items.
6. Construction Plans.

The bidder further proposes to perform all Extra Work that may be required, on the basis provided in the Specifications, and to give such work personal attention, and to secure economical performance.

The bidder further proposes to execute the contract agreement, and to furnish satisfactory bonds within ten days after he has received notice that he has been awarded the contract. The bidder further agrees to begin work when ordered by the Engineer, or within ten days thereafter, and to complete the work **within the number of calendar days bid by the bidder in accordance with the Job Special Provision "Site Use (A+C Method)-Calendar Day Contract."**

PROPOSAL DOCUMENTS

(Continued)

The bidder also proposes to furnish a surety Performance bond or bonds in a sum equal to the full amount of the contract and a surety Payment bond or bonds in a sum equal to 80% of the full amount of the contract. These bonds shall not only serve to guarantee the completion of the work and payment of all bills and claims by the bidder, but also to guarantee the excellence of both workmanship and material until the work is finally accepted and the provisions of the Plans, Specifications and Special Provisions fulfilled.

The bidder shall furnish a Proposal Guaranty in the form specified in Subsection 102.09 of the Specifications, in the amount of five percent (5%) of the total amount bid, which is submitted as a guarantee of the good faith of the proposal, and that the Bidder will enter into written contract, as provided, to do the work should the award be made to him; and it is hereby agreed that if, at any time other than as provided in Subsection 102.11 of the Standard Specifications, Withdrawal/Modification of Proposals, the bidder should withdraw his proposal, or should fail to execute the contract and furnish satisfactory bonds as herein provided, if his proposal is accepted, the Arkansas State Highway Commission, in either of such events, shall be entitled and is hereby given the right to retain the Proposal Guaranty, not as a penalty, but as liquidated damages, it being understood and agreed by the bidder that the amount of the Proposal Guaranty is a reasonable sum to be fixed as liquidated damages considering the damages the Arkansas State Highway Commission will sustain in the event of the bidder's withdrawal of his proposal, or failure to execute the contract and furnish satisfactory bonds if his proposal is accepted, and said amount is herein agreed upon and fixed as liquidated damages because of the difficulty of ascertaining the exact amount of damage that may be sustained by reason of the above set out circumstances.

Arkansas Department of Transportation
Schedule of Items

State Job No.: 040854

Date Estimated: 4/22/2024

Job Name: HWY. 412/KLENC RD. INTERS. IMPVTS. (TONTITOWN) (S)

Date Revised:

Federal Aid Project: STPU-0072(60)

| Line Number | Item Code and Description | Estimated Quantity | Unit Bid Price | Price Extension |
|------------------------------------|--|--------------------|----------------|-----------------|
| Section 01 - PROPOSAL ITEMS | | | | |
| 0001 | 202 - REMOVAL AND DISPOSAL OF CURB AND GUTTER | 110.000 LF | | |
| 0002 | 202 - REMOVAL AND DISPOSAL OF WALKS | 37.000 SQYD | | |
| 0003 | 202 - REMOVAL AND DISPOSAL OF DROP INLETS | 1.000 EACH | | |
| 0004 | 202 - REMOVAL AND DISPOSAL OF PIPE CULVERTS | 2.000 EACH | | |
| 0005 | SPSS210 - UNCLASSIFIED EXCAVATION | 59.000 CUYD | | |
| 0006 | SP&210 - COMPACTED EMBANKMENT | 20.000 CUYD | | |
| 0007 | SPSS303 - AGGREGATE BASE COURSE (CLASS 7) | 3.000 TON | | |
| 0008 | SPSS309 - PORTLAND CEMENT CONCRETE BASE (4" UNIFORM THICKNESS) | 92.000 SQYD | | |
| 0009 | SPSS309 - PORTLAND CEMENT CONCRETE BASE (6 1/2" UNIFORM THICKNESS) | 121.000 SQYD | | |
| 0010 | SPSS309 - PORTLAND CEMENT CONCRETE BASE (10 1/2" UNIFORM THICKNESS) | 36.000 SQYD | | |
| 0011 | SS&401 - TACK COAT | 608.000 GAL | | |
| 0012 | SPSS407 - MINERAL AGGREGATE IN ACHM SURFACE COURSE (1/2") | 384.000 TON | | |
| 0013 | SPSS407 - ASPHALT BINDER (PG 70-22) IN ACHM SURFACE COURSE (1/2") (MINIMUM BID \$120.00) | 25.000 TON | | |
| 0014 | SP&412 - COLD MILLING ASPHALT PAVEMENT | 3,465.000 SQYD | | |
| 0015 | SPSS603 - MAINTENANCE OF TRAFFIC | 1.000 L.S. | | |
| 0016 | SS&604 - SIGNS | 172.000 SQFT | | |
| 0017 | SS&604 - TRAFFIC DRUMS | 21.000 EACH | | |
| 0018 | 604 - REMOVAL OF PERMANENT PAVEMENT MARKINGS | 1,197.000 LF | | |
| 0019 | SS&606 - 18" REINFORCED CONCRETE PIPE CULVERTS (CLASS III) | 10.000 LF | | |
| 0020 | SS&606 - 36" REINFORCED CONCRETE PIPE CULVERTS (CLASS III) | 42.000 LF | | |
| 0021 | SS&606 - 18" FLARED END SECTIONS FOR REINFORCED CONCRETE PIPE CULVERTS | 1.000 EACH | | |
| 0022 | SS&606 - SELECTED PIPE BEDDING | 10.000 CUYD | | |

Arkansas Department of Transportation
Schedule of Items

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Date Revised:

Federal Aid Project: STPU-0072(60)

| Line Number | Item Code and Description | Estimated Quantity | Unit Bid Price | Price Extension |
|-------------|--|--------------------|----------------|-----------------|
| 0023 | SS&609 - DROP INLETS (TYPE MO) | 2.000 EACH | | |
| 0024 | SS&609 - DROP INLET EXTENSIONS (4') | 2.000 EACH | | |
| 0025 | 620 - WATER | 2.800 MGAL | | |
| 0026 | 621 - SILT FENCE | 242.000 LF | | |
| 0027 | 621 - SAND BAG DITCH CHECKS | 66.000 BAG | | |
| 0028 | 621 - SEDIMENT REMOVAL AND DISPOSAL | 12.000 CUYD | | |
| 0029 | SS&621 - FILTER SOCK (12") | 23.000 LF | | |
| 0030 | 624 - SOLID SODDING | 216.000 SQYD | | |
| 0031 | SPSS633 - CONCRETE WALKS | 48.000 SQYD | | |
| 0032 | SS&634 - CONCRETE COMBINATION CURB AND GUTTER (TYPE A) (1' 6") | 103.000 LF | | |
| 0033 | 635 - ROADWAY CONSTRUCTION CONTROL | 1.000 L.S. | | |
| 0034 | SPSS641 - WHEELCHAIR RAMPS (TYPE 3) | 9.000 SQYD | | |
| 0035 | SP&701 - ACTUATED CONTROLLER TS2-TYPE 2 (8 PHASES) | 1.000 EACH | | |
| 0036 | SP&706 - TRAFFIC SIGNAL HEAD, LED, (3 SECTION, 1 WAY) | 8.000 EACH | | |
| 0037 | SP&706 - TRAFFIC SIGNAL HEAD, LED, (4 SECTION, 1 WAY) | 1.000 EACH | | |
| 0038 | SP&707 - CENTRAL CONTROL UNIT | 1.000 EACH | | |
| 0039 | SP&707 - POLE MOUNTED ASSEMBLY | 2.000 EACH | | |
| 0040 | SP&707 - COUNTDOWN PEDESTRIAN SIGNAL HEAD, LED | 2.000 EACH | | |
| 0041 | 708 - TRAFFIC SIGNAL CABLE (5C/12 A.W.G.) | 463.000 LF | | |
| 0042 | 708 - TRAFFIC SIGNAL CABLE (5C/14 A.W.G.) | 1,163.000 LF | | |
| 0043 | 708 - TRAFFIC SIGNAL CABLE (7C/14 A.W.G.) | 74.000 LF | | |
| 0044 | 708 - TRAFFIC SIGNAL CABLE (12C/14 A.W.G.) | 153.000 LF | | |
| 0045 | 708 - TRAFFIC SIGNAL CABLE (20C/14 A.W.G.) | 95.000 LF | | |
| 0046 | SP - ELECTRICAL CONDUCTORS-IN-CONDUIT (1C/8 A.W.G., E.G.C.) | 561.000 LF | | |
| 0047 | SP - ELECTRICAL CONDUCTORS-IN-CONDUIT (1C/12 A.W.G., E.G.C.) | 225.000 LF | | |
| 0048 | SP - ELECTRICAL CONDUCTORS-IN-CONDUIT (2C/6 A.W.G.) | 46.000 LF | | |

Arkansas Department of Transportation
Schedule of Items

State Job No.: 040854

Date Estimated: 4/22/2024

Job Name: HWY. 412/KLENC RD. INTERS. IMPVTS. (TONTITOWN) (S)

Date Revised:

Federal Aid Project: STPU-0072(60)

| Line Number | Item Code and Description | Estimated Quantity | Unit Bid Price | Price Extension |
|-------------|---|--------------------|----------------|-----------------|
| 0049 | SP - ELECTRICAL CONDUCTORS FOR LUMINAIRES | 892.000 LF | | |
| 0050 | 709 - GALVANIZED STEEL CONDUIT (2") | 20.000 LF | | |
| 0051 | 710 - NON-METALLIC CONDUIT (2") | 40.000 LF | | |
| 0052 | 710 - NON-METALLIC CONDUIT (3") | 383.000 LF | | |
| 0053 | SS&711 - CONCRETE PULL BOX (TYPE 2) | 3.000 EACH | | |
| 0054 | SS&711 - CONCRETE PULL BOX (TYPE 1 HD) | 1.000 EACH | | |
| 0055 | SS&711 - CONCRETE PULL BOX (TYPE 2 HD) | 3.000 EACH | | |
| 0056 | SS&714 - TRAFFIC SIGNAL MAST ARM AND POLE WITH FOUNDATION (0') | 1.000 EACH | | |
| 0057 | SS&714 - TRAFFIC SIGNAL MAST ARM AND POLE WITH FOUNDATION (28') | 1.000 EACH | | |
| 0058 | SS&714 - TRAFFIC SIGNAL MAST ARM AND POLE WITH FOUNDATION (34') | 1.000 EACH | | |
| 0059 | SS&714 - TRAFFIC SIGNAL MAST ARM AND POLE WITH FOUNDATION (40') | 1.000 EACH | | |
| 0060 | SP - LED LUMINAIRE ASSEMBLY | 4.000 EACH | | |
| 0061 | SS&715 - TRAFFIC SIGNAL PEDESTAL POLE WITH FOUNDATION | 2.000 EACH | | |
| 0062 | SP - SERVICE POINT ASSEMBLY (2 CIRCUITS) | 1.000 EACH | | |
| 0063 | 719 - THERMOPLASTIC PAVEMENT MARKING WHITE (6") | 739.000 LF | | |
| 0064 | 719 - THERMOPLASTIC PAVEMENT MARKING WHITE (8") | 52.000 LF | | |
| 0065 | 719 - THERMOPLASTIC PAVEMENT MARKING WHITE (12") | 204.000 LF | | |
| 0066 | 719 - THERMOPLASTIC PAVEMENT MARKING YELLOW (6") | 1,610.000 LF | | |
| 0067 | 719 - THERMOPLASTIC PAVEMENT MARKING YELLOW (8") | 177.000 LF | | |
| 0068 | 719 - THERMOPLASTIC PAVEMENT MARKING (WORDS) | 1.000 EACH | | |
| 0069 | 719 - THERMOPLASTIC PAVEMENT MARKING (ARROWS) | 2.000 EACH | | |
| 0070 | 721 - RAISED PAVEMENT MARKERS (TYPE II) | 23.000 EACH | | |
| 0071 | SP - 18" STREET NAME SIGN | 3.000 EACH | | |
| 0072 | SP&733 - VIDEO DETECTOR (IP) | 1.000 EACH | | |
| 0073 | SP&733 - HYBRID VIDEO/RADAR DETECTOR | 2.000 EACH | | |

Arkansas Department of Transportation
Schedule of Items

State Job No.: 040854

Date Estimated: 4/22/2024

Job Name: HWY. 412/KLENC RD. INTERS. IMPVTS. (TONTITOWN) (S)

Date Revised:

Federal Aid Project: STPU-0072(60)

| Line Number | Item Code and Description | Estimated Quantity | Unit Bid Price | Price Extension |
|-------------------|--|--------------------|----------------|-----------------|
| 0074 | SP&733 - VIDEO CABLE (EXTERIOR CAT 5E) | 427.000 LF | _____ | _____ |
| 0075 | SP&733 - VIDEO MONITOR (CLR) | 1.000 EACH | _____ | _____ |
| 0076 | SP&733 - CENTRAL CONTROL UNIT (8 CHANNEL) | 1.000 EACH | _____ | _____ |
| Section 01 Total: | | | | _____ |
| Subtotal: | | | | _____ |
| 0077 | 601 - MOBILIZATION (UNIT BID AMOUNT MAY NOT EXCEED 5% OF SUBTOTAL) | 1.000 L.S. | _____ | _____ |
| Bid Total: | | | | _____ |

This job requires A+C method bidding. Bidder must show total number of Calendar Days to substantially complete the specified site use work (C).

_____ Days X \$4,500/Day = \$ _____ (C)

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENT TO PROPOSAL
ANTI-COLLUSION AND DEBARMENT CERTIFICATION

**FAILURE TO EXECUTE AND SUBMIT THIS CERTIFICATION SHALL RENDER THIS
BID NONRESPONSIVE AND NOT ELIGIBLE FOR AWARD CONSIDERATION.**

As a condition precedent to the acceptance of the bidding document for this project, the bidder shall file this Affidavit executed by, or on behalf of the person, firm, association, or corporation submitting the bid. The original of this Affidavit shall be filed with the Arkansas Department of Transportation **at the time proposals are submitted.**

A F F I D A V I T

I hereby certify, under penalty of perjury under the laws of the United States and/or the State of Arkansas, that the bidder listed below has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid for this project, is not presently barred from bidding in any other jurisdiction as a result of any collusion or any other action in restraint of free competition, and that the foregoing is true and correct.

Further, that except as noted below, the bidder, or any person associated therewith in the capacity of owner, partner, director, officer, principal investigator, project director, manager, auditor, or any position involving the administration of Federal funds:

- a. is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal, State, or Local agency;
- b. has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal, State, or Local agency within the past 3 years;
- c. does not have a proposed debarment pending; and
- d. has not been indicted, convicted, or had an adverse civil judgment rendered by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

**ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENT TO PROPOSAL
ANTI-COLLUSION AND DEBARMENT CERTIFICATION**

**FAILURE TO EXECUTE AND SUBMIT THIS CERTIFICATION SHALL RENDER THIS
BID NONRESPONSIVE AND NOT ELIGIBLE FOR AWARD CONSIDERATION.**

EXCEPTIONS:

| APPLIED TO | INITIATING AGENCY | DATES OF ACTION |
|------------|-------------------|-----------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

| | |
|---|---|
| Job No. _____ _____ F.A.P. No. _____ _____ _____ (Date Executed) | _____ (Name of Bidder) _____ (Signature) _____ (Title of Person Signing) |
|---|---|

The following Notary Public certification is **OPTIONAL** and may or may not be completed at the contractor's discretion.

State of _____)
County of _____)ss.

_____, being duly sworn, deposes and says that he is

_____ of _____
(Title) (Name of Bidder)

and that the above statements are true and correct.

Subscribed and Sworn to before me this _____ day of _____, 20____.
My commission expires: _____.

(Notary Public)

(NOTARY SEAL)

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENT TO PROPOSAL
RESTRICTION OF BOYCOTT OF ISRAEL CERTIFICATION

Pursuant to Arkansas Code Annotated § 25-1-503, a public entity **shall not** enter into a contract valued at \$1,000 or greater with a company unless the contract includes a written certification that the person or company is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of Israel.

By signing below, the Contractor agrees and certifies that they do not boycott Israel and will not boycott Israel during the remaining aggregate term of the contract.

If a company does boycott Israel, see Arkansas Code Annotated § 25-1-503.

| | |
|-----------------------------------|--|
| Bid Number/Contract Number | |
| Description of product or service | |
| Contractor name | |

Contractor Signature: _____

Date: _____

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENT TO PROPOSAL
CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective contractor certifies, by signing and submitting this proposal, to the best of his or her knowledge and belief that:

1. No Federal appropriated funds have been paid or will be paid, by or on his or her behalf, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or any employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal-Aid contract, the prospective contractor shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities", in accordance with its instructions. (Available from Arkansas Department of Transportation, Program Management Division.)

This Certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. This Certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 3 1, U.S. Code.

During the period of performance of the contract, the contractor and all lower tier subcontractors must file a Form-LLL at the end of each calendar year quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any previously filed disclosure form. Any person who fails to file the required Certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

The prospective contractor also agrees by submitting his or her proposal that he or she shall require that the language of this Certification be included in all lower tier subcontracts which exceed \$100,000 and that all such subcontractors shall certify and disclose accordingly.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENT TO PROPOSAL
C E R T I F I C A T I O N

THIS CERTIFICATION SHALL BE COMPLETED BY THE BIDDER
AS PART OF THIS PROPOSAL

The bidder _____, proposed subcontractor _____, hereby certifies that he has _____, has not _____, participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114, or 11246, and that he has _____, has not _____, filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

(Currently, Standard Form 100 [EEO-1] is the only report required by the Executive Orders or their implementing regulations)

Job No. _____ (Company)
F.A.P. No. _____ By: _____
Date _____ (Title)

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

**ARKANSAS DEPARTMENT OF TRANSPORTATION
 BIDDERS LIST**

JOB NUMBER 040854 LETTING DATE July 31, 2024

JOB NAME HWY. 412/KLENC RD. INTERS. IMPVTS. (TONTITOWN) (S)

CONTRACTOR _____

➔ ENTER THE WORK CODES TO BE PERFORMED BY THE PRIME CONTRACTOR

The Department is required by 49 CFR 26.11, to create and maintain a master bidder's list of all firms attempting to participate on federally assisted projects. The Contractor shall provide the names and addresses of all subcontractors, truckers or material suppliers that bid or provided quotes on any item on the project, regardless of whether the quotes were used in preparing the proposal or not. Place an X in the box following the firm's name if DBE Contractor. Additionally, the Race and Gender of the majority owner of the firm should be indicated. Denote the firm's and annual gross receipts by checking the appropriate box. The general type of work to be performed should be indicated using the following codes; (01) removal and disposal items (including clearing and grubbing), (02) earthwork (including drainage items), (03) hauling, (04) paving (PCCP or ACHM), (05) miscellaneous concrete, (06) traffic control, (07) erosion control, (08) signals/electrical, (09) structures (includes steel suppliers), (10) material (aggregate) supplier (11) miscellaneous *items should be shown*. See <https://www.census.gov/naics/> for the NAICS codes to enter in the last column. Please contact the Department's Civil Rights Division at (501) 569-2297 with any questions.

| Firm Name Address/Phone | DBE | Race (majority Owner) | Gender (M/F) (majority owner) | Age of Firm | Annual Gross Receipts | Type of Work (Enter Code) | NAICS code (Enter Code) |
|----------------------------|-----|--------------------------|-------------------------------------|--|---|------------------------------|----------------------------|
| | | | | <input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years | <input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1-3 million <input type="checkbox"/> \$3-6 million <input type="checkbox"/> \$6-10 million <input type="checkbox"/> Greater than \$10 million | | |
| | | | | <input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years | <input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1-3 million <input type="checkbox"/> \$3-6 million <input type="checkbox"/> \$6-10 million <input type="checkbox"/> Greater than \$10 million | | |
| | | | | <input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years | <input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1-3 million <input type="checkbox"/> \$3-6 million <input type="checkbox"/> \$6-10 million <input type="checkbox"/> Greater than \$10 million | | |
| | | | | <input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years | <input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1-3 million <input type="checkbox"/> \$3-6 million <input type="checkbox"/> \$6-10 million <input type="checkbox"/> Greater than \$10 million | | |
| | | | | <input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years | <input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1-3 million <input type="checkbox"/> \$3-6 million <input type="checkbox"/> \$6-10 million <input type="checkbox"/> Greater than \$10 million | | |

ARKANSAS DEPARTMENT OF TRANSPORTATION

CERTIFICATION TO SUBMIT DBE PARTICIPATION

JOB 040854

**FAILURE TO COMPLY WITH ONE OF THE FOLLOWING SHALL RENDER THIS BID
NONRESPONSIVE AND NOT ELIGIBLE FOR AWARD CONSIDERATION**

- (1) SUBMITTAL OF REQUIRED DBE PARTICIPATION INFORMATION,**
- (2) SUBMITTAL OF DOCUMENTATION OF GOOD FAITH EFFORTS, OR**
- (3) SUBMITTAL OF THE CERTIFICATION TO SUBMIT DBE PARTICIPATION**

By submitting an internet proposal, the bidder irrevocably certifies that an amount equal to or greater than the Disadvantaged Business Enterprise (DBE) Goal established for this project will be performed by certified Disadvantaged Business Enterprise firms and the required DBE participation information will be submitted within 5 calendar days of the date of the bid opening.

Within five (5) calendar days of the date of the bid letting, all bidders shall furnish the required DBE Participation information to the Department on the forms provided to be considered a responsive bid. If a conditional award has been made and the successful bidder has not furnished the required information, the proposal will be rejected and their proposal guaranty forfeited. The proposal guaranty shall become property of the Commission, not as a penalty, but in liquidation of damages, sustained to the DBE Program. Award may then be made to the next lowest, responsive bidder or the work may be re-advertised as the Commission may decide.

Only work, materials, or services that will actually be provided by DBE firms will be credited toward the goal. The DBE firm's certification must be fully in effect at the letting date.

As an alternative, documentation of Good Faith Efforts to meet the DBE goal may be submitted to the Program Management Division prior to the deadline for proposals to be received.

