

ARKANSAS STATE HIGHWAY COMMISSION

PROPOSAL DOCUMENTS OF

FOR THE CONSTRUCTION OF

STATE JOB NO. 090384

FEDERAL AID PROJECT STPF-CA-0004(67)

PEA RIDGE NATIONAL MILITARY PARK MITIGATION (S)

STATE HIGHWAY --- SECTION ---

IN BENTON 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 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

ARKANSAS DEPARTMENT OF TRANSPORTATION

NOTICE OF NONDISCRIMINATION

The Arkansas Department of Transportation (Department) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the Department 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 the Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to Joanna P. McFadden Section Head – EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (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 090384

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	BIDDING REQUIREMENTS AND CONDITIONS
JOB SP	MANDATORY ELECTRONIC CONTRACT
JOB SP	MANDATORY ELECTRONIC DOCUMENT SUBMITTAL
JOB SP	NATIONAL PARK SERVICE SPECIAL CONDITIONS
JOB SP	OFF-SITE RESTRAINING CONDITIONS FOR INDIANA AND NORTHERN LONG-EARED BATS
JOB SP	SPECIAL CLEARING PUP SEASON REQUIREMENTS
JOB SP	SOIL STABILIZATION
JOB SP	CAVE DISCOVERY
JOB SP	REMOVING AND REPLACING TOPSOIL
JOB SP	SUBMISSION OF ASPHALT CONCRETE HOT MIX ACCEPTANCE TEST RESULTS
JOB SP	BROADBAND INTERNET SERVICE FOR ASPHALT CONCRETE PLANT
JOB SP	WARM MIX ASPHALT
JOB SP	BROADBAND INTERNET SERVICE FOR FIELD OFFICE
JOB SP	HEADWALLS
JOB SP	TEMPORARY FENCE
JOB SP	WELDED PIPE FENCE
JOB SP	CANTILEVER CHAIN LINK GATE ASSEMBLY WITH BARBED WIRE
JOB SP	SPECIAL SEEDING REQUIREMENTS
JOB SP	EROSION CONTROL BLANKET
JOB SP	SIDEWALK UNDERDRAIN
JOB SP	EXPOSED AGGREGATE CONCRETE WALKS
JOB SP	HAND RAILING (TYPE SPECIAL)
JOB SP	CONCRETE FLUME
JOB SP	WHEEL STOPS
JOB SP	WHEELCHAIR RAMPS (TYPE SPECIAL)

Arkansas Department of Transportation
Supplemental Specifications and Special Provisions Listing
State Job Number 090384

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.

JOB SP	CONCRETE PULL BOX
JOB SP	CAR BAY MARKING DOTS
JOB SP	RETAINING WALLS
JOB SP	ARCHITECTURAL FINISH (CAST-IN PLACE RETAINING WALLS)
JOB SP	SHORING FOR CULVERTS
JOB SP	OBLITERATION OF EXISTING ROADWAY
JOB SP	STORM WATER POLLUTION PREVENTION PLAN
JOB SP	VALUE ENGINEERING
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 108-2	WORK ALLOWED PRIOR TO ISSUANCE OF WORK ORDER
SS 110-1	PROTECTION OF WATER QUALITY AND WETLANDS
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 404-3	DESIGN OF ASPHALT MIXTURES
SS 410-1	CONSTRUCTION REQUIREMENTS AND ACCEPTANCE OF ASPHALT CONCRETE PLANT MIX COURSES
SS 410-2	DEVICES FOR MEASURING DENSITY FOR ROLLING PATTERNS
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 620-1	MULCH COVER
SS 621-1	FILTER SOCKS
SS 633-1	CONCRETE WALKS, CONCRETE STEPS, AND HAND RAILING
SS 634-1	CURBING
SS 723-1	GENERAL REQUIREMENTS FOR SIGNS
SS 729-1	CHANNEL POST SIGN SUPPORT

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. Nonsegregated 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. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

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 (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).

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.

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). 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 bid proposal or request for proposal 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).

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.

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. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 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 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, 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 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, 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 230, 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 (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 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 35 and 29 CFR 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.

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, 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 who 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.

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, national origin, age or disability. 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 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. 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, 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, 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 there under. 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, 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 and 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. Assurance Required by 49 CFR 26.13(b):

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor 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 contracting agency deems appropriate.

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 \$10,000 or more.

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, 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). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

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

a. All laborers and mechanics employed or working upon the site of the work, 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 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.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions

of paragraph 1.d. 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 shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). 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 classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall 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. (1) The contracting officer shall 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 shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore 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 utilized 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) 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 shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. 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.

(3) 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 shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour 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.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall 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.

c. 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 shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. 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, 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.

2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, 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.

3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, 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 section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) 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 section 1(b)(2)(B) of the Davis-

Bacon Act, the contractor shall 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. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b.(1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed 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 Regulations, 29 CFR part 3;

(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 of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, 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 may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and trainees

a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed 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 Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall 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 the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly

rate specified in the applicable wage determination. Apprentices shall 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, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. 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. 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 journeymen 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.

6. Subcontracts. The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 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.

9. Disputes concerning labor standards. 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 he or she) 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 section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

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 watchmen 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.

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. 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 watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 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.

3. Withholding for unpaid wages and liquidated damages. The FHWA or the contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or 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, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

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

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" 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:

(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.

2. 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. 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.

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

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 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.

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 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).

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 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 1, 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

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

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

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.

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.

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.

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.

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 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee 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 grantee or subgrantee 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.

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.

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. 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 Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

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. 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) 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;

(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; 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.

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

2. 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)

a. By signing and submitting this proposal, the prospective lower tier 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.

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 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 grantee or subgrantee 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 grantee or subgrantee 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.

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.

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 Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

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.

* * * * *

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

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall 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 20).

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.

ATTACHMENT A - EMPLOYMENT AND MATERIALS PREFERENCE FOR APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS ROAD CONTRACTS

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 America 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.

**ARKANSAS DEPARTMENT OF TRANSPORTATION
 SUPPLEMENTAL SPECIFICATION
 POSTERS AND NOTICES REQUIRED FOR FEDERAL-AID PROJECTS**

POSTER OR DOCUMENT REQUIRED	REQUIRED BY	WHERE TO OBTAIN
1. Equal Employment Opportunity is the Law	U.S. Department of Labor (OFCCP)	ARDOT Resident Engineer
2. "EEO is the Law" Poster Supplement	U.S. Department of Labor (OFCCP)	ARDOT Resident Engineer
3. Company EEO Policy (prepared by the Contractor on the Company's letterhead)	U. S. Department of Labor (OFCCP)	Contractor to Prepare: 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.
4. 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 Resident Engineer

**ARKANSAS DEPARTMENT OF TRANSPORTATION
 SUPPLEMENTAL SPECIFICATION
 POSTERS AND NOTICES REQUIRED FOR FEDERAL-AID PROJECTS**

POSTER OR DOCUMENT REQUIRED	REQUIRED BY	WHERE TO OBTAIN
5. "Employee Rights Under the Davis-Bacon Act" (WH 1321)	U. S. Department of Labor	ARDOT Resident Engineer
6. "Employee Rights Under the Davis-Bacon Act" (WH 1321 SPA)	U. S. Department of Labor	ARDOT Resident Engineer
7. Minimum Wage Rate (WH 1088)	U. S. Department of Labor	ARDOT Resident Engineer
8. "NOTICE" Federal Aid Projects (PR-1022)	U. S. Department of Transportation (FHWA)	ARDOT Resident Engineer
9. Job Safety and Health Protection OSHA 3165	U. S. Department of Labor (OSHA)	ARDOT Resident Engineer
10. Job Safety and Health Protection OSHA 3167	U. S. Department of Labor (OSHA)	ARDOT Resident Engineer
11. Emergency Phone Numbers of Doctors, Hospital and Ambulance near Job Site for referring injured employees.	U. S. Department of Labor (OSHA)	ARDOT Resident Engineer
12. 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

ARKANSAS DEPARTMENT OF TRANSPORTATION
 SUPPLEMENTAL SPECIFICATION
 WAGE RATE DETERMINATION

"General Decision Number: AR20200158 05/01/2020

Superseded General Decision Number: AR20190158

State: Arkansas

Construction Type: Highway

County: Benton County in Arkansas.

HIGHWAY CONSTRUCTION PROJECTS

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.80 for calendar year 2020 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, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.80 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 calendar year 2020. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2020
1	05/01/2020

* SUAR2014-030 07/21/2014

	Rates	Fringes
CARPENTER, Includes Form Work....	\$ 16.06	0.00
CEMENT MASON/CONCRETE FINISHER...	\$ 16.48	0.00
ELECTRICIAN, Includes Traffic Signalization.....	\$ 20.40	0.00
FENCE ERECTOR.....	\$ 12.94	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

ARKANSAS DEPARTMENT OF TRANSPORTATION
 SUPPLEMENTAL SPECIFICATION
 WAGE RATE DETERMINATION

LABORER: Asphalt, Includes Raker, Shoveler, Spreader and Distributor.....	\$ 14.68	0.00
LABORER: Common or General.....	\$ 11.75	0.00
LABORER: Mason Tender - Cement/Concrete.....	\$ 12.33	0.00
LABORER: Pipelayer.....	\$ 14.33	0.00
OPERATOR: Asphalt Spreader.....	\$ 15.80	0.00
OPERATOR: Backhoe/Excavator/Trackhoe.....	\$ 16.93	0.00
OPERATOR: Bobcat/Skid Steer/Skid Loader.....	\$ 16.06	0.00
OPERATOR: Broom/Sweeper.....	\$ 12.00	0.00
OPERATOR: Bulldozer.....	\$ 17.46	0.00
OPERATOR: Crane.....	\$ 22.58	0.00
OPERATOR: Drill.....	\$ 14.85	0.00
OPERATOR: Grade Checker.....	\$ 16.36	0.00
OPERATOR: Grader/Blade.....	\$ 17.28	0.00
OPERATOR: Hydroseeder.....	\$ 10.79	0.00
OPERATOR: Loader.....	\$ 14.79	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).....	\$ 18.76	0.00
OPERATOR: Post Driver (Guardrail/Fences).....	\$ 16.97	0.00
OPERATOR: Roller.....	\$ 15.80	0.00
OPERATOR: Scraper.....	\$ 16.50	0.00
OPERATOR: Screed.....	\$ 16.78	0.00
OPERATOR: Tractor.....	\$ 17.61	0.00
TRAFFIC CONTROL: Flagger.....	\$ 14.53	0.00
TRAFFIC CONTROL: Laborer-Cones/ Barricades/Barrels - Setter/Mover/Sweeper.....	\$ 12.45	0.00
TRUCK DRIVER: Dump Truck.....	\$ 16.53	0.00
TRUCK DRIVER: Flatbed Truck.....	\$ 21.03	0.00
TRUCK DRIVER: Lowboy Truck.....	\$ 19.68	0.00

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
WAGE RATE DETERMINATION

TRUCK DRIVER: Servicer.....	\$ 15.31	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.

=====

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 www.dol.gov/whd/govcontracts.

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) (ii)).

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 Regional Office for the area in which the survey was conducted because those Regional Offices have 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
Wage and Hour Division
U.S. Department of Labor

ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION
WAGE RATE DETERMINATION

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.

=====

END OF GENERAL DECISION"

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

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 090384

GOALS FOR DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

A Disadvantaged Business Enterprise (DBE) goal of 8.0% 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 090384**

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:

http://ardot.gov/Construc/DBE_Log.xls

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.

Rev. 12-13-16
Rev. 11-07-19

ARKANSAS DEPARTMENT OF TRANSPORTATION

CERTIFICATION TO SUBMIT DBE PARTICIPATION

JOB 090384

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. 090384

**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. 090384

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 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.

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.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

BIDDING REQUIREMENTS AND CONDITIONS

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.

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.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

BIDDING REQUIREMENTS AND CONDITIONS

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.

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.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

BIDDING REQUIREMENTS AND CONDITIONS

- (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.

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.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

BIDDING REQUIREMENTS AND CONDITIONS

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. 090384

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. 090384

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 this link:

http://ardot.gov/construction_division/Contractor_Guide_DocExpress.pdf.

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 NO. 090384
NATIONAL PARK SERVICE SPECIAL CONDITIONS

Section 105 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 105.04, Conformity with Plans and Specifications., add the following:

(a) Disputing Government test results. If the accuracy of Government test results is disputed, promptly inform the Engineer and NPS Representative. If the dispute is unresolved after reasonable steps are taken to resolve the dispute, further evaluation may be obtained by written request. Include a narrative describing the dispute and a proposed resolution protocol that addresses the following:

- (1) Sampling method
- (2) Number of samples
- (3) Sample transport
- (4) Test procedures
- (5) Testing laboratories
- (6) Reporting
- (7) Estimated time and costs
- (8) Validation process

(b) Alternatives to removing and replacing non-conforming work. As an alternative to removal and replacement, the Contractor may submit a written request to:

- (1) Have the work accepted at a reduced price; or
- (2) Be given permission to perform corrective measures to bring the work into conformity.

The request must contain supporting rationale and documentation. Include references or data justifying the proposal based on an evaluation of test results, effect on service life, value of material or work, quality, aesthetics, and other tangible engineering basis. The Engineer and NPS Representative will determine disposition of the nonconforming work.

The number of significant figures used in the calculations will be according to ASTM E 29, absolute method.

Where sample/testing procedures make reference to AASHTO, ASTM, or other standards (designated as FLH T), the procedure as modified in the Materials Manual shall govern. Where the specifications make reference to AASHTO Test T11, "Procedure B - Washing Using a Wetting Agent" shall be the procedure followed.

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 090384****NATIONAL PARK SERVICE SPECIAL CONDITIONS**

Where the specifications make reference to AASHTO Test T310, "Direct Transmission Method of In-Place Nuclear Density and Moisture Content" shall be the procedure followed.

Subsection 105.09, Construction Stakes, Lines and Grades., add the following:

Staking of Temporary Construction Easement (TCE) and the Construction Limits will be reviewed by Engineer and NPS Representative and field adjustments made to protect sensitive resources prior to approval for work to commence.

Reestablish missing control points and stakes before slope staking begins.

Culverts. Delete the first paragraph and substitute the following:

Field verify the location of each individual culvert with the Engineer and NPS Representative prior to surveying, designing, and staking culverts. Perform the following if the culvert design shown in the plans does not fit field conditions or when the Engineer and NPS Representative requires adjustment to a culvert location:

Recommend a revised culvert location and alignment. Plot the centerline of the proposed culvert at a clear and readable scale. Show the natural ground, the flow line, the roadway section, and the culvert including end treatments and other appurtenances. Provide the elevations, grades, culvert lengths, degree of elbows, catch points, and hinge points on the plot.

Subsection 105.10, Authority and Duties of Resident Engineer., add the following:

Resident Engineer will coordinate with the National Park Service's designated representatives throughout the duration of the construction contract prior to approval of any work. National Park Service shall have the right to inspect the work.

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

Subsection 106.01, Source of Supply and Quality Requirements., add the following:

Materials containing petroleum-based solvents such as cutback asphalts and traffic paints may be restricted from use by local laws or ordinances in certain geographic areas. Upon presenting proof of such restrictions, alternate materials considered acceptable to the Engineer and NPS Representative may be substituted for the materials specified in the contract.

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 090384****NATIONAL PARK SERVICE SPECIAL CONDITIONS**

Certify, according to Subsection 107.10 (d)(2), that sources of rock, sand, gravel, earth, subsoil, or other natural material imported into the project construction limits are noxious weed free.

Subsection 106.06, Storing and Handling Material., add the following:

For Contractor-located, non-commercial staging, storing, and material handling areas, secure environmental clearances according to Subsection 107.10.

Section 107 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 107.13, Forest Protection., add the following:

The Pea Ridge National Historic Park fire prevention plan involving emergency curtailment of operations is included in the Appendix and is in effect on this project.

Subsection 107.14, Responsibility for Damage Claims., add the following after the first sentence of the third paragraph:

Certify that policies will not be changed or canceled until 30 days written notice has been given to the Department or National Park Service.

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

Subsection 108.02, Prosecution of Work. (a) Preconstruction Conference., add the following after the first paragraph:

A preconstruction conference will be held after the contract is awarded and before beginning work. Seven days before the preconstruction conference, submit copies of the preliminary construction schedule according to Section 155, and traffic control plan according to Section 156. Be prepared to discuss both at the preconstruction conference.

Subsection 108.03, Limitation of Operation., add the following:

(a) Complete all work at the new Elkhorn Parking area and realigned Tour Road prior to obliteration of the Old Tour Road and Parking. Traffic must be maintained on the Old Tour road until traffic can be transferred to the new facility.

(b) Complete all work on the Entrance Road from the Highway 62 Intersection to the Old Park Entrance Gates under a full closure and during off peak season for the park. Entrance Road Detour will be maintained during this period on the abandoned section of

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

NATIONAL PARK SERVICE SPECIAL CONDITIONS

Highway 62 off Old Liberty Road. Obliteration of abandoned Highway 62 can begin only after traffic has been transferred onto the reconstructed Entrance Road.

(c) Work on the Visitor Center, Headquarters and Maintenance complex will need to maintain access to these facilities during construction.

Perform no work except to maintain traffic control devices, erosion control devices, the roadway driving surface, and to control dust during the listed Federal holidays and surrounding days as shown in Table 108-2.

**Table 108-2
Federal Holidays and Surrounding Days**

Federal Holiday	Time	Remarks
Memorial Day	12:00 Noon Friday to 6:00 am Tuesday	-
Independence Day	12:00 Noon July 3 to 6:00 am July 5	If July 4 falls on a weekend, Friday, or Monday, do not work the weekend.
Labor Day	12:00 Noon Friday to 6:00 am Tuesday	-
Thanksgiving	12:00 Noon Wednesday to 6:00 am Monday	-
Christmas / New Year's	12:00 Noon December 23 to 6:00 am January 2	If December 23 or January 1 falls on a Monday, do not work the adjacent weekend and do not work on December 23. If January 1 falls on a Friday, do not work the weekend.

Schedule at least 2 non-work days out of every 14 calendar days. The selected non-work days do not need to be consecutive, but they must be scheduled. Provide at least 2 week notice before changing the scheduled days off.

Exemptions to scheduled days off may be granted by written approval from the Engineer and NPS Representative for specific project operations and/or for periods of limited duration.

A Notice to Proceed must be issued before commencement of any work.

Subsection 108.02 Subcontracting. Delete the third paragraph and substitute the following:

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 090384****NATIONAL PARK SERVICE SPECIAL CONDITIONS**

Within 14 days of subcontract award, submit a completed SF 1413 and 1413S. Complete Part I for each Subcontractor, and include Part II when the Subcontractor performs on-site work. Complete other forms that may be required by the Government to show the work subcontracted and the total dollar amount of the subcontract. Submit the above required information for each Subcontractor at lower tiers.

Section 306 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 306.01 Description., add the following:

Full-time, on-site QCM.

A degree from a 4-year construction management, construction engineering, or similar program, and having at least 3 years' experience as (a) a highway construction contractor foreman, project engineer, or equivalent, or (b) a federal or state highway construction lead inspector or equivalent.

Section 501 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 501.01 Description., add the following to the first paragraph:

All minor concrete pavement items are to be integrally colored. The color of the concrete pavement shall be Brown, equal or close to Shade 10091 from Federal Color Standard 595 B.

Subsection 501.05 Construction Requirements., Add the following:

The finished pavement slope at any location within the ADA parking spaces and aisles shall not exceed 1.8% when measured with a 2 foot level.

Subsection 501.12 Incentives/Price Adjustments for Ride Smoothness., Add the following:

The finished pavement slope at any location and direction within the ADA parking spaces and aisles shall not exceed 1.8% when measured with a 2 foot level. Remove and replace any pavement steeper than 1.8% at no additional cost.

Section 603 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 603.02 Construction Requirements., add the following:

Seven days prior to the preconstruction conference, submit a traffic control plan in accordance with Section 635. Include a communications plan for emergency vehicle passage through the project

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 090384****NATIONAL PARK SERVICE SPECIAL CONDITIONS**

as part of the traffic control plan. Emergency vehicles shall be permitted unrestricted passage through the project at all times. Be prepared to discuss and amend the traffic control and communications plan at the preconstruction conference. Construct, maintain and remove the temporary traffic diversion in accordance with Section 604 and the final approved traffic control plan.

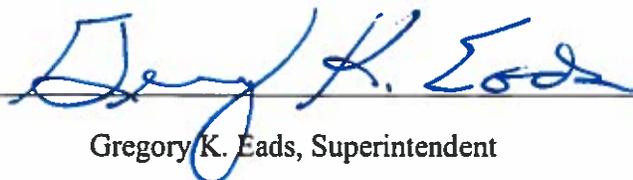
Subsection 603.02 (c) Detour or Stage Construction., add the following:

For alternate one-way traffic control, provide a minimum lane width of 14 feet. For two-way traffic, provide a minimum roadway width of 22 feet.

Visitor Center Parking lot maintain a minimum of 25 parking stalls including 2 ADA parking stalls, at all times. Submit a traffic control plan to the Engineer and NPS Representative for approval a minimum of 14 calendar days prior to any partial lot closure. Do not implement a lot closure until the traffic control plan has been approved by the Engineer and NPS Representative.

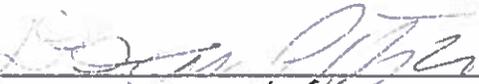
Pea Ridge National Military Park

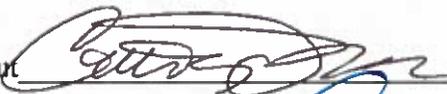
Hot Work Safety Plan/Program

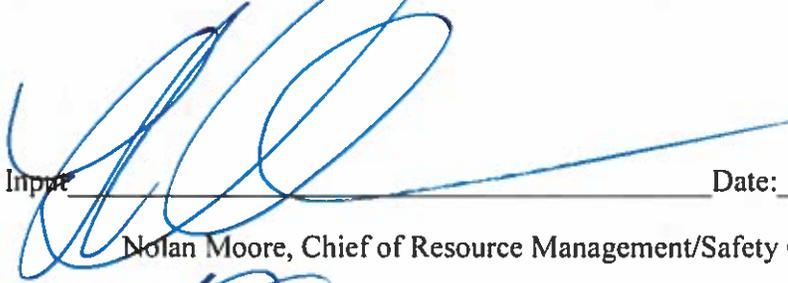
Approved:  Date 8/25/2018
Gregory K. Eads, Superintendent

Pea Ridge National Military Park – Hot Work Safety Plan/Program
Revised 7/25/2016

Reviewed/Provided Input  Date: 8/25/16
R. Sheri Nodine, Facility Manager

Reviewed/Provided Input  Date: 8-12-16
Dean Phippen, Maintenance Worker/Safety Committee

Reviewed/Provided Input  Date: 8-12-16
Curtis Tilghman, Maintenance Worker/Safety Committee

Reviewed/Provided Input  Date: 8-12-16
Nolan Moore, Chief of Resource Management/Safety Committee

Reviewed/Provided Input  Date: 8-12-16
Acting Safety Committee Chair

Developed/Reviewed/Revised  Date: 8/12/16
Aaron Artripe, Park CDSO

Pea Ridge National Military Park – Hot Work Safety Plan/Program
Revised 7/25/2016

Introduction:

Pea Ridge National Military Park (PERI) is committed to providing a safe and healthy work environment and to protecting our employees from injury or death caused by uncontrolled hazards in the workplace. PERI recognizes the potential for fire from hot work operations. The Hot Work Program has been established to help protect the safety of PERI employees and property by establishing appropriate hot work procedures and designated areas for hot work operations.

This program applies to all employees (permanent, temporary and contractors) who complete hot work or work in areas where hot work is taking place. All employees are required to follow the procedures outlined in this program. Any deviations from this program must be immediately brought to the attention of the employee's supervisor, Safety Officer and Superintendent.

The prevention and protection against fires and other hazards associated with hot work can be addressed by general requirements as specified by OSHA standard 29CFR 1910.252. This applies for employees working within a designated hot work area as well as those working outside of a designated hot work area.

Program Responsibilities

The management of PERI is committed to the overall safety of its workers and facilities. Management supports the efforts of the HOT WORK PLAN by pledging leadership, support and financial resources for this program.

All employees are responsible for following and fully implementing this program.

Division Chiefs' are responsible for:

- Identifying employees in their respective divisions who will be authorized to participate in the Hot Work program
- Providing appropriate training to all employees that perform hot work activities
- Authorizing employees, through written documentation, to participate in the hot work program, after all requirements are met.
- Ensuring that only qualified and trained employees perform hot work activities
- Identifying the proper personal protective equipment (PPE) needed for hot work procedures
- Providing outside contractors working on PERI premises with information on the Hot Work Program and procedures and ensuring that they are followed.

Pea Ridge National Military Park – Hot Work Safety Plan/Program
Revised 7/25/2016

- Reviewing the program, if hot work is conducted within their division, at least annually, or when changes are needed or new equipment is added
- Ensuring that employees comply with all procedures described in this program
- Ensuring that all hot work activities are approved prior to being performed in both designated and non- designated areas
- Completing hot work permit requests when necessary
- Identifying dangerous situations, not suitable for hot work
- Designating a fire watch employee for all hot work performed in a non-designated area during, and for no less than 30 minutes, after work is completed
- Ensuring that final inspections are conducted by designated fire watch personnel after a fire watch period has concluded
- Providing information to the Superintendent, Applicable Contract Representative(s) and Safety Officer regarding needed improvements to this program
- Providing all training records and conducted/completed hot work permits to the Safety Officer and Superintendent.

Safety Officer responsibilities:

- Recommend designated hot work areas, in consultation with the Superintendent and appropriate Division Chiefs, that meet policy and law
- Review then relay law and policy in consultation with Division Chiefs to establish procedures and permit system for performing hot work in non-designated areas
- Approving designated employees, in consultation with the Superintendent and applicable Division Chiefs, to conduct hot work activities and issue permits in non-designated areas
- Retain employee training records, and all completed/conducted hot work permits for employees, volunteers, and/or contractors.
- Review program at least annually, and when changes are needed or new equipment is added

Hot Work Approver.

An employee who has been trained to approve hot work. Duties of the include:

- Determining if the work can be completed or moved to a designated hot work area
- If the work cannot be moved, ensuring all combustible materials in the vicinity are removed

Pea Ridge National Military Park – Hot Work Safety Plan/Program
Revised 7/25/2016

- If all combustible materials cannot be removed, ensuring that guards are in place to confine the heat, sparks and slag
- Inspecting hot work areas and reviewing planned safety precautions before hot work operations begin
- Communicating to employees regarding hot work activities to ensure their safety
- If approval for hot work is granted, issuing and posting hot work permits that contain all required precautions
- Establishing a fire watch during and for no less than 30 minutes after completion of the hot work

Authorized Personnel

Authorized personnel are employees or contractors who are trained to perform hot work activities that include soldering, welding, pipe-cutting, heat-treating, grinding, thawing pipes, hot riveting, torch-applied roofing and any other application involving heat, sparks or flames.

Duties of authorized personnel include:

- Completing all required hot work training (contractors shall provide a certificate of training or a written, signed, and notarized letter stating that they are qualified to conduct hot work activities as described herein).
- Seeking approval and/or a permit, as applicable, to perform hot work prior to beginning operations
- Performing hot work activities and procedures in accordance with this program
- Inspecting designated hot work areas for combustibles and other hazards prior to beginning hot work
- Inspecting hot work equipment to ensure it is in safe operating condition before beginning work
- Retaining control of the equipment while hot work is in progress
- Documenting inspections and providing inspection reports and completed hot work permits to the appropriate Division Chief.

Fire Watch Personnel

A designated employee who monitors the hot work area for fires while work is being conducted, and for 30 minutes after its completion.

Duties of the fire watch personnel include:

- Maintaining continuous watch over hot work activity during and for 30 minutes after work has been completed
- Monitoring adjacent areas for fires
- Extinguishing small, controllable fires with extinguishing equipment available in hot work area
- Activating the fire alarm or reporting to MROCC if an uncontrollable fire occurs
- Signing the hot work permit 30 minutes after the work is complete and re-posting signed permit in hot work area
- After the hot work and mandatory 30 minute monitoring period is complete, periodically returning to the area where the hot work was completed to check for fires for up to three hours
- Ensuring that the respective Division Chief, and/or Safety Officer, has conducted a final inspection after the fire watch period has concluded and signs off on the permit
- Having a supervisor find another trained person to relieve him/her if the designated individual must leave for any reason

Other Personnel

Employees, volunteers, or contractors who are neither authorized personnel nor fire watch personnel but are still exposed to areas where hot work is performed. Other personnel will not perform hot work activities but will wear proper personal protective equipment when in a 35 foot radius of hot work.

Hot Work Designated Areas

The following areas have been designated as approved hot work areas. Hot work may be performed in these areas without the issuance of a hot work permit. Even though a permit is not required in these areas, authorized personnel must inspect the area for combustibles and other hazards before beginning hot work operations. These areas include:

- On the concrete pad outside of the Roads Grounds and Trails shop with doors closed before work begins

Pea Ridge National Military Park – Hot Work Safety Plan/Program
Revised 7/25/2016

- On the concrete pad outside of the Visitor Center Woodshop with doors closed before work begins
- At the site of the needed repair
 - With dead or cured vegetation being removed immediately around the work space
 - 35 feet away from combustible materials or shielded from work area

Authorized personnel must be certain that a functioning fire extinguisher, appropriate for the type of potential fire, is present at all times while hot work is being performed in designated areas. At the end of each shift, a Division Chief, or the hot work approver on duty, must inspect each designated hot work area to ensure no smoldering materials are present and all hot work equipment is properly shut off and stored.

Hot Work Non-Designated Area

The following areas have been designated as non-designated hot work areas. Hot work may be performed in these areas but only with the issuance of a hot work permit. A hot work approver must inspect the area and approve work prior to any hot work activity being conducted, then authorized personnel must re-inspect the area for combustibles and other hazards before beginning hot work operations.

Non-Designated Areas are:

- Rounds Grounds and Trails shop
- Fire Cache
- Wood shop
- Any other building interior location within PERI

Basic Precautions

At a minimum all of the following precautions must be met to perform hot work in a non-designated area. In addition, any fire sprinkler system must have been inspected and be documented as being operational at the hot work location before any hot work activity can be conducted (If applicable).

- All combustible materials within 35 feet of the hot work shall be moved to a safe distance or to another location.
- If combustible materials cannot be moved, they are protected by fire retardant covers or they are shielded with fire retardant or metal guards.
- Appropriate PPE is provided to, and worn by, employees performing hot work based upon an approved and current job hazard assessment.

Pea Ridge National Military Park – Hot Work Safety Plan/Program
Revised 7/25/2016

- A fire watch is initiated during, and for 30 minutes after, all hot work has stopped.
- The hot work approver has inspected the hot work area prior to beginning work.
- The hot work approver has issued and posted a hot work permit (Appendix A)

Special Precautions

Where any of the following conditions exist, additional precautions, beyond those previously listed, shall also be taken. However, final protection measures will be determined by the hot work approver prior to beginning work.

Floor Openings/Coverings

The floors shall be protected from exposure to flames, sparks, slag or other hot materials whenever there are combustible floors or materials on the floor, or floor openings or cracks are present. Protections may include:

- Fire-resistant shields or material
- Wetting down floors
- Covering floors with damp sand
- Sweeping combustibles from floor
- Additional protections deemed necessary by the hot work approver

Wall Openings

Walls shall be protected from exposure to flames, sparks, slag or other hot materials whenever there are combustible walls, wall openings, pipe penetrations or ducts.

- Protections may include:
- Fire-resistant shields or materials
- Shutting dampers
- Additional fire watch employee(s) stationed on the other side of the wall(s)
- Additional protections deemed necessary by the hot work approver

Potentially Explosive Atmospheres

If there is a potential for mixtures of flammable gases, vapors, liquids or dust in the air, no hot work will be conducted until the Safety Officer has completed a review and air monitoring has been conducted and has confirmed that there is no danger of an explosion.

Containers

No hot work will be performed on used drums, barrels, tanks or other containers until they have been cleaned thoroughly. The hot work approver must determine that no flammable materials and no substance such as greases, tars, acids or other material, which might produce flammable or toxic vapors if exposed to heat, are present.

Outside Contractors

Whenever outside contractors perform any hot work activity they will be informed of the PERI Hot Work Program and procedures by the contract representative. All outside personnel are required to obtain a permit (Appendix A) from the hot work approver. All appropriate safety information will be communicated to the contractor(s) before work begins.

Protection of Personnel

General

All personnel conducting hot work or assisting with hot work on elevated platforms, scaffolds or runways will be protected from falling. The fall protection system will consist of either full railings or a fall arrest system with a full body harness, lanyard and approved connection point. Hot work personnel will position all cables, hoses and other equipment out of passageways and emergency egress paths whenever possible.

Personal Protective Equipment (PPE)

All personnel conducting hot work, or assisting with, hot work must wear appropriate PPE. Do not begin any hot work operations without obtaining and wearing the required protection, listed below;

Welding, cutting, heating, drilling and brazing required PPE:

- Eye and face protection
- Helmet with filter lens and cover plate that complies with ANSI 287.1
- Safety glasses with side shield under helmet
- Head and ear protection
- Fire-resistant welder's cap under helmet
- Approved ear-plugs or muffs

Foot Protection

- Leather, safety-toed, high-topped boots in good condition and that meet the requirements of ASTM F2412 and ASTM F2413
- Do not wear pants with cuffs. Pant legs should be worn over the tops of boots

Hand Protection

- Dry, hole-free, insulated and flame-resistant welding gloves
- Body Protection
- Oil-free protective clothing made of wool or heavy cotton
- Clothing should allow for freedom of movement and should prevent skin exposure
- Leather aprons, leggings, capes and sleeves as needed

Equipment

- All tools and equipment used to perform hot work operations will be inspected prior to use. No person should use any tool or equipment unless trained and authorized in writing by their respective Division Chief. All safety precautions as outlined in this program will be followed at all times.

Permit System

In order to ensure that adequate controls and safety precautions are used in non-designated hot work areas, a hot work permit system will be used.

Procedures

- (1) Authorized person or Division Chief will complete and submit hot work permit request (Appendix A) to hot work approver.
- (2) Hot work approver will review planned safety precautions and inspect the hot work site using the hot work permit checklist (Appendix A) within 24 hours of receiving the request.
- (3) Hot work approver will inform employees in the immediate area that hot work is going to be conducted and to avoid the area.

Pea Ridge National Military Park – Hot Work Safety Plan/Program
Revised 7/25/2016

- (4) Hot work approver will communicate any additional special precautions that need to be taken prior to beginning operations.
- (5) If all necessary precautions have been taken and work can proceed, the hot work approver will complete the hot work permit and post the warning sign in a highly visible area.
- (6) Copies of all hot work permit information will be sent to the Safety Officer immediately upon completion of the permitted hot work.
- (7) Upon completion of the hot work operations and the 30 minute fire watch, the hot work approver will inspect the completed job and ensure the area is clear and ready to return to normal operations.
- (8) Hot work approver will inform the employees in the immediate area that work is completed and can return to normal operations.

Voiding Permits

Hot work permits will be void and all hot work must not begin or must be immediately stopped if any of the following occur:

- Fire alarm sounds
- Work has not begun within 60 minutes of approved time
- Work has been suspended for more than 60 minutes
- A work shift ends or there is a change in authorized or approval personnel
- At any time the authorized employee, Division Chief or hot work approver detects a danger or uncontrolled hazard

Whenever a hot work permit is voided, a new permit must be issued to begin or continue hot work operations.

Employee Training: (Hot Work Approvers / Authorized Personnel / Division Chiefs)

Before any designated employee (hot work approvers, authorized personnel or Division Chiefs) are allowed to perform any hot work operations, they must first receive approved training.

Periodic retraining will occur if an employee has a lack of knowledge, uses equipment improperly or if work tasks change. Training documentation should include:

- Date Trained
- Trainee Signature
- Trainer signature
- Training records are to be maintained by the respective Division Chief and Safety Officer for a period of 5 years.

Pea Ridge National Military Park – Hot Work Safety Plan/Program
Revised 7/25/2016

Training, at a minimum, will include the following subjects:

- Fire prevention and protection
 - Basic precautions
 - Special precautions
- Employee classifications and responsibilities
 - Hot work approver
 - Authorized personnel
 - Supervisors
 - Fire watch personnel
- Designated hot work areas
- Non-designated hot work procedures
- Protection of personnel
- Hot work permit system
- Handling and storage of hot work materials
- PPE selection and use

Periodic Program Review

All hot work procedures will be reviewed annually by the the Safety Officer and Division Chief(s) of employees who regularly conduct hot work. Procedures may be reviewed sooner dependent on new equipment or addition of procedures. If any inadequacies are identified, the Safety Officer will update the procedures and program.

The annual review will be documented and will include a discussion between the reviewer and each authorized employee to determine if he/she understands their responsibilities under the program. Annual inspections are documented in the form found in Appendix B.

Record Retention

- Written training records, will include trainee names, dates training occurred, employee role in the Hot Work Program (Appendix C) and the type of training provided.
- Records must be provided to the Safety Officer.
- The Safety Officer will maintain the hot work permits for 7 years and the annual program review documents indefinitely.

HOT WORK PERMIT REQUEST

Before beginning hot work, ask yourself, "Can this job be avoided? Is there a safer way?"

Hot work permits are required for any operation involving open flame, sparks or any heat-producing process. This includes, but is not limited to, brazing, cutting, drilling, welding, grinding, soldering and torch work.

The person performing the hot work must fill out this form in its entirety and submit it to the safety director for approval prior to beginning the project.

General Information

Company: _____

Responsible person: _____

Phone number: _____

Date work to be performed: _____

Start time: AM / PM _____

Building: _____

Room number/area/equipment: _____

Type of work to be performed: _____

- Welding Cutting Grinding Soldering Drilling Pipe thawing
 Brazing Torch-applied roofing Electric tools Other heat-producing process

Planned Safety Precautions

- Perform fire watch. (List designated person.) _____
- Remove flammable and combustible materials within 35 ft. of work zone.
- Guard flammable and combustible materials that cannot be removed.
- Maintain appropriate and adequate fire extinguishers.
- Sweep floors within 35-ft radius of work zone.
- Protect floors within 35-ft radius of work zone by wetting, covering with damp sand or by using fire-resistant shields.
- Protect or shut down ducts and conveyors.
- Protect walls, partitions, ceilings and roofs with fire-resistant shields or guards.
- Other

HOT WORK PERMIT

A completed and signed hot work permit is required before any hot work process can begin. Both pages of this permit and the warning page are required to be posted at the work area during the hot work process or for the approved permit period.

Hot Work Safety Checklist

- Hot work process is located in the safest location possible or in an approved area.
- Precautions are in place to protect floors, walls, open doorways or open windows within a 35-ft radius of the work zone.
- Suitable fire extinguishing devices are available at the hot work site.
- If the worksite is inside a building equipped with a sprinkler system, the system is operational.
- If the worksite is inside a building equipped with a sprinkler system, the sprinkler heads within a 3-ft radius of hot work operations have been covered with a wet rag to prevent unwanted alarms.
- If the worksite is inside a building equipped with smoke detectors, the smoke detectors within a 3-ft radius of hot work operations have been covered to prevent unwanted alarms
- Hot work equipment is in good repair.
- Fire watch personnel are trained on the proper use of extinguishing equipment and alarm operation.
- Fire watch is posted and will remain for at least 30 min after all hot work has been completed.
- No flammable or combustible fibers, dust, vapors, gasses or liquids are in the area.
- Floors are swept clean within a 35-ft radius of the work zone.
- Combustible floors are wet, covered with damp sand or protected by fire-resistant shields.
- Combustible materials are relocated at least 35 ft away from the work zone.
- Immovable combustibles are protected with flameproof covers or otherwise shielded with metal guards.
- Ducts and conveyors are protected or shut down.
- Combustible walls, partitions, ceilings and roofs are protected with fire-resistant shields or guards.
- No danger exists from conduction of heat through noncombustible walls, partitions, ceilings and roofs.
- There is adequate clearance between combustible material and pipes and other metals.
- There is adequate ventilation to remove smoke, vapor and dust from the work zone.
- All required lockout/tagout procedures are in place.
- Hot work operators are adequately trained.
- Contractors are advised about all hazardous materials and conditions they may encounter.
- Supervisors and employees are notified of nearby hot work operations.

HOT WORK PERMIT

(page 2)

Authorization

I have personally inspected the location where the above work is to be done, have checked for compliance with safety precautions listed on this permit and authorize the work to be performed.

Name: _____

Title: _____

Signature: _____ Date: _____

Permit #: _____

Authorized duration of permit: _____ To: _____

_____ Date and Time

_____ Date and Time

This permit is only valid as long as the working conditions existing at the time of issuance are maintained. The permit will automatically and immediately expire when any change in conditions adversely affects the safety of the work area while hot work is in progress. After a change occurs, another hot work permit must be issued before work can resume.

This permit and associated warning sign must be posted near the hot work site during all hot work.

WARNING

HOT WORK IN PROGRESS

WATCH FOR FIRE

Stop work immediately if an emergency alarm signals an emergency situation in or near your work area.

If you have questions about these hot work operations:

Contact:

_____ (Safety Officer)

Phone number:

WARNING

Appendix B – Annual Evaluation Report

Date of Evaluation:	Evaluated By (list all present):
Written Program Reviewed: Yes No	
Comments on Written Program:	
The following specific procedures have been reviewed:	
The following specific procedures were modified:	
The following specific procedures were added:	
A review of the PERI incident reports were made: Yes No	
The following injuries/fires resulted from failure to use correct hot work procedures:	
Comments:	

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
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 14 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 June 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 14, 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 NO. 090384

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. 090384
SPECIAL CLEARING PUP SEASON REQUIREMENTS

Section 201 Subsection 201.03 of the Standard Specifications for Highway Construction, 2014 Edition, is hereby amended by the addition of the following:

The Federally designated endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*) have the potential to occur within the project area. When not in hibernation, Indiana and northern long-eared bats utilize hardwood forests for foraging, roosting and maternal activities. In an effort to avoid potential impacts to endangered species, the clearing of trees is prohibited from May 1 through July 31. However, grubbing activities will be allowed during the entire calendar year.

The Contractor will be restricted from working in areas that were not cleared during the time period described. Failure to clear work areas will not be considered a cause for extending contract time and working days will continue to be assessed.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

SOIL STABILIZATION

Section 210 Excavation and Embankment of the Standard Specifications, Edition of 2014, is hereby amended as follows:

Subsection 210.07 Construction Requirements is expanded to include the following:

At locations that the Engineer designates the existing soils to be unstable and cannot be stabilized through normal drying and compactive efforts, the Contractor may, with the approval of the Engineer, utilize the following additives to expedite the drying process:

- Quicklime (dry) meeting the requirements of Subsection 301.03(b), or
- Portland cement and/or fly ash meeting the requirements of Subsection 307.03(b)

The Engineer shall determine which additive will be used. The rate of application shall be determined by trial mixing and shall be approved by the Engineer. The spreading and mixing procedure used shall thoroughly and uniformly disperse the material into the soil. Any procedure that results in excessive loss of material or that does not achieve the desired results shall be immediately discontinued.

Subsection 210.12 Method of Measurement is expanded to include the following:

- (g) Soil Stabilization will be measured by the ton of the additive used.

Subsection 210.13 Basis of Payment is expanded to include the following:

(d) Soil Stabilization completed and accepted and measured as provided above will be paid for at the contract unit price bid per ton for Soil Stabilization, which price shall be full compensation for furnishing, hauling and placing the material; for spreading and mixing; and for all labor, equipment, tools and incidentals necessary to complete the work.

Payment will be made under:

Pay Item	Pay Unit
Soil Stabilization	Ton

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
CAVE DISCOVERY

DESCRIPTION: This Special Provision shall be supplemental to Section 107.10 of the Standard Specifications, 2014 Edition, and concerns the procedure to be followed upon discovery of a cave.

CONSTRUCTION METHODS: In the event the construction operations encounter any indications that a cave has been discovered, the Contractor shall notify the Engineer immediately of the location, and work will be discontinued in the area. If any opening into a cave is discovered, access shall be denied and the area secured to prevent unauthorized entry. The Environmental Division shall be contacted for a determination of the proper procedures to be followed.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

REMOVING AND REPLACING TOPSOIL

DESCRIPTION: This item shall consist of excavation of a layer of topsoil from the areas to be occupied by cuts and embankments, moving the material to stockpile areas for storage, and replacing the stored material on completed slopes and ditches in accordance with these specifications and at locations shown on the plans or as directed by the Engineer.

MATERIALS: Topsoil shall be the surface layer of humus-bearing soil with no admixture of refuse or any material toxic to plant growth and shall be reasonably free from subsoil and stumps, roots, brush, stone, clay lumps, or similar objects larger than 2" in greatest diameter. Brush and other vegetation that will not be incorporated with the soil during handling operations shall be cut and removed. Ordinary sods and herbaceous growth such as grass and weeds, shall not be removed but shall be thoroughly broken up and intermixed with the soil during handling operations. Topsoil may contain a reasonable amount of waste from clearing operations, such as small twigs and roots that can be expected to reach early decay.

CONSTRUCTION REQUIREMENTS:

(a) Removing and Storing Topsoil. Upon completion of clearing and grubbing operations and prior to beginning excavation, the Engineer shall designate areas to be stripped of topsoil. The depth of the topsoil to be stripped will be 2" to 12" from the original ground level, depending on site and soil conditions, as directed by the Engineer. No effort will be made to strip where topsoil is less than 2" in depth. Sufficient quantities of topsoil shall be stripped to allow distribution over the completed slopes to a depth as shown on the plans or as designated by the Engineer. Topsoil stripping will not be required in excessively rocky areas or where the ground surface is overlain with boulders or slab rock to the extent that equipment cannot operate effectively. Material to be stripped shall include grass, leaf mold, pine straw, leaves, rotten wood, and humus of all kinds. Stripped material shall be moved to areas on the right of way, or other approved locations, that will afford easy access for loading, hauling, and replacement. When measurement is to be by the cross section method, the stockpiles shall be uniformly shaped and susceptible to ready measurement by the cross section method. The stored topsoil shall be protected from contamination and erosion from the storage site.

Topsoil stripped from within the project limits shall be removed prior to the taking of original cross sections. The Contractor shall schedule the work in coordination with the Resident Engineer so as to minimize any delay between the stripping of the topsoil, the taking of original cross sections, and the beginning of excavation and/or embankment construction. Failure of the Contractor to properly schedule the work will not be considered as grounds for extension of time nor for additional payment due to any resulting delays.

(b) Replacing Topsoil. Topsoil previously stripped and stored shall be distributed over the completed slopes to a depth as shown on the plans or designated by the Engineer. Spreading and dressing of the topsoil layer shall be uniform insofar as possible. After spreading, any remaining large roots, branches, or foreign substances shall be removed to result in a smooth and clean appearance. Light rolling, disking, or other type manipulation,

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

REMOVING AND REPLACING TOPSOIL

including sprinkling, shall be applied if necessary to cause the newly spread layer to pulverize, mix, and adhere to the slopes. Topsoil shall be placed on areas which are to receive seed or sod mulch as soon as practicable after the earthwork is completed but shall not be placed until after final cross sections are taken. The Contractor shall schedule the work in coordination with the Resident Engineer so as to minimize any delay between the completion of the earthwork, the taking of final cross sections, and the placement of topsoil. Failure of the Contractor to properly schedule the work will not be considered as grounds for extension of time nor for additional payment due to any resulting delays. If the condition of the soil is unsuitable due to excessive moisture or dryness, frost, or other conditions, the Contractor shall cease work under this item until the soil is in a suitable condition.

(c) Restoration. Additional work and materials required because of loss through erosion will be paid for under the pertinent contract items. Additional work and materials required due to the Contractor's negligence in maintaining completed work shall be accomplished at no cost to the State.

The storage sites for topsoil shall be dressed to conform to the adjacent area after the storage piles have been removed.

METHOD OF MEASUREMENT. Removing and replacing topsoil will be measured by the cubic yard in the stockpile. Measurements shall be made just prior, or as near as practicable, to removing the material from the stockpile.

BASIS OF PAYMENT. Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per cubic yard for Removing and Replacing Topsoil, which price shall be full compensation for stripping the topsoil and moving or hauling and placing in measurable windrows or stockpiles; for conserving and protecting stockpiles; for dumping, spreading, disking, sprinkling (if necessary), lightly compacting, and dressing; and for all labor, tools, equipment, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item	Pay Unit
Removing and Replacing Topsoil	Cubic Yard

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

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: http://www.ardot.gov/contracts/contractor_information/contractor.aspx.

To download this file and the supporting documentation, click on the link labeled Contractor_ACHM.exe which is listed under User Help File and Utilities on the website noted 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.

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. 090384

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.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

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.”

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

BROADBAND INTERNET SERVICE FOR FIELD OFFICE

Section 602 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added after the first paragraph of **Subsection 602.02(b)**:

Broadband Internet Service shall be provided to the field office where available.

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.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

HEADWALLS

DESCRIPTION: This item shall consist of the construction of stone masonry headwalls in accordance with these specifications and as shown on the plans or as directed by the Engineer.

MATERIALS: (a) Stone. Furnish stone that is comparable to and/or matches existing stone work within the park. Stone shall be sound and durable and free of reeds, rifts, seams, lamentations, and minerals that, by weathering, would cause discoloration or deterioration. Furnish stones in the sizes and face areas necessary to produce the general characteristics and appearances SHOWN ON THE PLANS. Type of stone shall be approved by the Engineer. **(b) Concrete and grout.** Concrete and grout shall comply with Section 802.

CONSTRUCTION REQUIREMENTS: Headwalls shall be constructed to the lines and grades at the locations shown on the plans. Prior to construction of the headwall, a sample section of wall shall be constructed showing examples of face wall, top wall and method of forming joints. The sample wall shall be approved by the Engineer prior to constructing the headwall. The area where the headwall is to be constructed shall be excavated and backfilled appropriately in accordance with Section 801. Concrete footings shall be constructed to the sizes shown on the plans in accordance with Section 802. Set the stones in a fashion necessary to produce the effect shown on the plans. Stones shall be cut and grouted. Immediately after being laid and while the grout is fresh, thoroughly clean all face stone of mortar stains, and keep it clean until work is completed. Modify the headwall when the pipes are skewed as directed by the Engineer.

Method of Measurement. Headwalls 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 per each for Headwall of the type and dimensions specified.

The contract unit price mentioned above shall be full compensation for clearing; for excavation and backfill; for furnishing materials; and for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item	Pay Unit
Headwalls	Each

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 090384****TEMPORARY FENCE**

Temporary Fence shall be as shown on the plans or as directed by the Engineer, in accordance with the plans and specifications.

Temporary Fence shall be International orange in color, 0.16 lb/ft in mass, 3.15 to 3.35 inch mesh openings and 48 inch minimum height and approved by the Engineer.

Method of Measurement. Temporary Fence will be measured by the Linear Foot along the top of the fence as shown on the plans.

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 Temporary Fence, which price shall be full compensation for all materials including posts, labor, equipment, tools, and incidentals necessary to install the fence and remove when construction is complete.

Payment will be made under:

Pay Item	Pay Unit
Temporary Fence	Linear Foot

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 090384****WELDED PIPE FENCE**

Section 619 Fences of the Standard Specifications, Edition of 2014, is hereby expanded to include the following:

Welded Pipe Fence shall be as shown on the plans or as directed by the Engineer, in accordance with the plans and specifications.

Materials: All posts and rails shall be galvanized steel pipe in accordance with A.S.T.M. Specification F-1083 schedule 40. All material as delivered shall be in condition for erection without field fitting or cutting.

Welding: Welding shall be done by competent mechanics as specified under AWS requirement, and all welds shall be ground smooth. All welds shall be primed immediately after grinding the welds smooth.

Erection: The posts shall be set in holes which shall have been formed in the concrete curb or footings, as shown on the plans or directed by the Engineer. After the posts have been set in place and properly supported to hold them to line and grade, the remaining space shall be filled with grout consisting of one (1) part cement and two (2) parts sand.

Painting: The fence or gates shall be painted with an approved exterior oil based paint. The Contractor shall furnish a small quantity of the paint for use on a designated test area. Color adjustment may be required as directed by the Engineer and may require application to additional test areas. The color of the paint shall be Brown, equal or close to Shade 10091 in the Federal Color Standard 595 B.

Submissions: Shop Drawings – Before the work begins, the Contractor shall submit shop drawings for approval by the Engineer.

Method of Measurement. (a) Fence will be measured by the linear foot in place along the midpoint in height of the fence from outside to outside of the end posts. The lengths of gates will be excluded from this measurement.

(b) Gates will be measured by the unit.

Basis of Payment. Work completed and accepted and measured as provided above will be paid for as follows:

(a) Welded Pipe Fence will be paid at the contract unit price bid per linear foot for Welded Pipe Fence of the height specified.

(b) Welded Pipe Gates will be paid for at the contract unit price bid per each for Welded Pipe Gates of the type and dimensions specified.

WELDED PIPE FENCE

The contract unit prices mentioned above shall be full compensation for clearing, grading, setting posts, painting, welding, and erecting fence; for excavation and backfill; for furnishing materials; and for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item

Welded Pipe Fence
Welded Pipe Gates (___')

Pay Unit

Linear Foot
Each

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

CANTILEVER CHAIN LINK GATE ASSEMBLY WITH BARBED WIRE

Section 619 Fences of the Standard Specifications, Edition of 2014, is hereby expanded to include the following:

The cantilever chain link gate assembly with barbed wire shall be as shown on the plans or as directed by the Engineer, in accordance with the plans and specifications. The gate shall be of cantilever type with internal or external rollers, 3 strands of barbed wire at the top of the gate and shall include a chain driven operator. The gate shall be 20' long with a nominal gate height of 8'. All surfaces shall be galvanized.

Materials: All posts and rails shall be galvanized steel pipe in accordance with A.S.T.M. Specification F-1083 schedule 40. All material as delivered shall be in condition for erection without field fitting or cutting.

Erection: The posts shall be set in holes which shall have been formed in the concrete curb or footings, as shown on the plans or directed by the Engineer. After the posts have been set in place and properly supported to hold them to line and grade, the remaining space shall be filled with grout consisting of one (1) part cement and two (2) parts sand. The gate and operator shall be installed per the manufacturer's instructions.

Painting: The gate assembly shall be painted with an approved exterior oil based paint. The Contractor shall furnish a small quantity of the paint for use on a designated test area. Color adjustment may be required as directed by the Engineer and may require application to additional test areas. The color of the paint shall be Brown, equal or close to Shade 10091 in the Federal Color Standard 595 B.

Submissions: Shop Drawings – Before the work begins, the Contractor shall submit shop drawings for approval by the Engineer.

Method of Measurement. Gates 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 per each for Cantilever Chain Link Gate Assembly With Barbed Wire of the type and dimensions specified.

The contract unit price mentioned above shall be full compensation for clearing, grading, setting posts, painting and installing the gate assembly; for excavation and backfill; for furnishing materials; and for all labor, equipment, tools, and incidentals necessary to complete the work

Payment will be made under:

Pay Item	Pay Unit
Cantilever Chain Link Gate Assembly With Barbed Wire (20')	Each

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
SPECIAL SEEDING REQUIREMENTS

Clean equipment. Prior to moving equipment used in **Section 620** Seeding, **Section 621** Temporary Erosion Control Items and Devices, and **Section 623** Second Seeding Application onto National Park Service (NPS) Land, the contractor shall clean equipment of seeds, soil, vegetative matter, and other debris that could contain or hold seeds, including thorough flushing of the hydroseeder if used.

Materials imported into the project limits, which do not include a noxious weed free certification, may be rejected and ordered by the Engineer to be removed from the project limits. Germinated seed varieties not listed in this Special Provision and found to be within the limits of the seeded area will constitute the removal of the vegetation by methods approved by the NPS and the Engineer. After removal of the vegetation, the area shall be reseeded according to the requirements of this Special Provision, and at no additional cost to the Department

Subsection 620.01 is hereby deleted and the following substituted therefore:

This item shall consist of applying seed, mulch cover, and water according to these specifications. All areas around new Elkhorn/Tour Road (Station Number 52+17.96 to Station Number 70+34.96), including the obliterated section of Elkhorn/Tour Road, shall be seeded prior to implementing seeding around the Highway 62 and Visitor Center areas. Seeding shall take place prior to any placement of erosion control blankets and installation of sediment logs or wattles. The Highway 62 obliterated section shall be recontoured, decompacted, and a cover crop will be drop seeded and cultipacked following the specifications below.

Subsection 620.02(a) and (b) are hereby deleted. No fertilizers, mycorrhizae, or other soil amendments shall be added to the project areas, unless approved by the NPS.

Subsection 620.02(c) is hereby deleted and the following substituted therefore:

(c) All permanent and temporary seed shall be furnished by the NPS. Mixed seed shall be delivered to the appropriate park location as designated by the NPS, not directly to the contractor. The Contractor shall notify the Engineer three weeks before the seed is needed to ensure timely delivery.

The seeding rate shall be 20 pounds per acre (pure live seed). Seeding rates may vary based on project location and area conditions. For example, if a slope is at 3:1 or steeper or if the area is located near a waterbody, it may be necessary to increase the amount of temporary cover crop. The temporary cover crop will also be provided by the NPS.

Subsection 620.02(d) and (e) is hereby deleted and the following substituted:

Hydromulch may be used to aid in seed establishment, in which a tackifier would be used during the application of the mulch for all areas to be seeded. Tackifier sprayed through a hydroseeder is permitted after seeding.

Subsection 620.03(a) is hereby amended and the following substituted therefore:

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
SPECIAL SEEDING REQUIREMENTS

No lime or fertilizer may be used. Seedbed preparation needs to following the specifications outlined in this Special Provision as well as the Obliteration of Existing Roadway Special Provision and the Removing and Replacing Topsoil Special Provision.

Subsection 620.03(b) is hereby deleted.

Subsection 620.03(c)(1, 2, and 3) is hereby deleted and the following substituted therefore:

Seeding shall be performed by drop seeding with cultipacking using a Truax Trillion Drop Seeder or equivalent within 24 hours after seedbed preparation. The seeder is designed to firm the seedbed with a cultipacker in front of the seed drop chute and is followed by a second cultipacker that presses the seed onto seedbed for proper seed to soil contact. Seedbed preparation is further detailed in the Obliteration of Existing Roadway Special Provision. Soil conditions must be dry such that no soil sticks to the cultipacker rollers while in use. The contractor shall demonstrate to the Engineer that the seeder is calibrated correctly immediately prior to seeding. The contractor shall frequently check the seeder to ensure that seed is present in adequate quantities for proper dispersal. The operator shall drive at a speed slow enough to allow the seeder to flow and cultipack properly.

Mowing will be necessary for seeded species establishment. Mowing shall occur when vegetation has reached 10-12" in height (typically starting in March or April). The Contractor shall perform field reconnaissance to monitor the need for mowing throughout the growing season. The vegetation shall be mowed to a height which is more than two-thirds of the total height; i.e., 6-8" for plants 10-12" tall. This schedule shall be maintained until weed pressure subsides for the season, usually in late summer or early fall (typically September). The mowing schedule will cease as determined by the Engineer. This mowing practice shall be maintained for the first two growing seasons. If mowing is performed when plants are over 12", it is likely the increased height of cut vegetation will create a mulch layer that kills or significantly stunts the remaining vegetation. If this occurs, the Contractor shall be responsible for reseeding the damaged areas.

The mower used shall be a side mounted disc mower or a side mounted flail mower. The first pass is around the perimeter in the direction that allows the mower to reach the very edge of planting. The subsequent passes using the mower will be in the opposite direction, so that the tractor drives on the vegetation that has already been mowed. The tractor should utilize turf floatation tires to minimize compaction.

Subsection 620.03(c) is hereby further amended with the addition of the following:

This Special Seeding shall be performed between December 1 and February 1 as the first preference. Seeding between February 1 and April 15 may also be allowed with Engineer approval. Any changes to the seeding window shall be approved by the Engineer in advance.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
SPECIAL SEEDING REQUIREMENTS

Subsection 620.03(d) and (e) is hereby deleted. Mulch cover and tackifier, if applicable, shall comply with the amended Subsection 620.02(d) and (e) above.

Subsection 620.05(a) is hereby deleted.

Subsection 620.05(b) is hereby deleted and the following substituted therefore:

Seeding completed and accepted and measured as provided herein will be paid for at the contract unit price per acre for Special Seeding, if deemed complete by the Resident Engineer and approved by the NPS. A site visit with the contractor, Resident Engineer, and the NPS will be scheduled in the months of August through September after the first growing season post-construction to determine if vegetative cover has been achieved. The assessment shall be done using the presence and absence method for estimating species density, which entails:

1. Using a 1 meter² quadrat
2. Taking representative pictures and GPS points at each sample site
3. Counting the stems of native vegetation present within the quadrat
4. Conducting at least one representative quadrat sample per acre
5. 70% density of native plant species overall or on average per square meter or more shall indicate successful seeding establishment and acceptance of the work.

Subsection 620.05 is hereby amended by the addition of the following Pay Item:

Pay Items	Pay Unit
Special Seeding Application	Acre (Hectare)
Special Mulch Cover	Acre (Hectare)

Subsection 621.01 (a) and (b) is hereby deleted and the following substituted therefore:

- (a) All temporary seed will be furnished by the NPS.
- (b) Mulch cover and tackifier, if applicable, shall comply with the amended Subsection 620.02(d) and (e) above.

Subsection 621.02 (a) and (b) is hereby deleted and the following substituted therefore:

- (a) All temporary seed will be furnished by the NPS.
- (b) Mulch cover and tackifier, if applicable, shall comply with the amended Subsection 620.02(d) and (e) above.

Subsection 621.03 (b) is hereby amended as follows:

The area(s) designated or directed to be temporarily seeded does not have to be brought to typical section or a final seed preparation stage, but shall be lightly tilled. All temporary cover crop seed shall be furnished by the NPS and planted at the rate and timing specified by the Engineer. Fertilizer shall not be applied. It is strongly encouraged that an application of water be applied, in accordance with Subsection 620.03(f)(1).

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
SPECIAL SEEDING REQUIREMENTS

Subsection 621.03 (c) is hereby amended as follows:

Mulch cover shall comply with the amended Subsection 620.02(d) and (e) above.

Subsection 623.01 is hereby deleted and the following substituted therefore:

This item shall consist of furnishing and applying seed on all seeded areas during the planting season following the original seeding, as directed. The Engineer will determine whether a second seeding application is required. Any areas greater than 10'x10' that do not meet the density requirement shall be re-seeded by hand, whereas areas over an acre will be re-seeded by drop seeding with cultipacking.

Subsection 623.02 is hereby deleted and the following substituted therefore:

The seed mixture, as specified and furnished by the NPS, shall be used. No fertilizer will be applied.

Subsection 623.03 is hereby deleted and the following substituted therefore:

If a second seeding application is needed, the above modified specifications under Section 620 shall be used.

Subsection 623.05 is hereby amended by the addition of the following Pay Item:

Pay Item	Pay Unit
Special Second Seeding Application	Acre (Hectare)

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

EROSION CONTROL BLANKET

DESCRIPTION. This item shall consist of furnishing an erosion control blanket composed of certified weed free processed all-natural fibers (i.e. coir, excelsior) mechanically bound between two all-natural fiber nettings to form a continuous matrix with minimum dry weight of 0.4 pounds per square yard according to ASTM D 6475. Utilize U-shaped wire staples with 6 inch long legs and No. 11 diameter or of sufficient hardness to facilitate installation without bending. Ensure materials are protected from weather and/or handling damage.

Payment will be made under:

Pay Item

Pay Unit

Erosion Control Blanket

Square Yard

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

SIDEWALK UNDERDRAIN

DESCRIPTION. This item shall consist of the construction of Sidewalk Underdrain in accordance with these specifications and in conformity with the locations, dimensions, grade and lines shown on the plans.

Sidewalk Underdrain shall consist of the concrete, steel plate, and the necessary fasteners as shown on the plans. Concrete shall comply with the requirements for Class M Concrete as provided in Section 802. The steel plate shall be 5/8" thick steel diamond plate with galvanized finish and shall comply with AASHTO M 270 (Grade 36). Fasteners shall be stainless steel. Construction requirements for subgrade, forming, placing and finishing the concrete shall comply with the requirements provided in Section 633.

METHOD OF MEASUREMENT. Sidewalk Underdrain shall be measured by the linear foot as measured by the width of sidewalk. The quantities shown on the plans for Sidewalk Underdrain will be considered as the final quantities and no further measurement will be made unless, in the opinion of the Engineer or upon evidence furnished by the Contractor, substantial variations exist between quantities shown on the plans and actual quantities due to changes in alignment or dimensions or to apparent errors.

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 Sidewalk Underdrain, which price shall be full compensation for furnishing materials; concrete; steel plate; fasteners; excavation and backfilling; and for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

PAY ITEM	PAY UNIT
Sidewalk Underdrain	Linear Foot

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

EXPOSED AGGREGATE CONCRETE WALKS

Section 633 Concrete Walks, Concrete Steps, and Hand of the Standard Specifications, Edition of 2014, is hereby expanded to include the following:

Exposed Aggregate Concrete Walks, as shown on the plans, shall be constructed by a method employing a retarding agent. The concrete shall be poured in one course to the full depth shown on the plans, screeded and finished. The concrete shall not be vibrated. Curing procedures shall begin immediately upon finishing the surface. Within one hour after the concrete is placed, the retarding agent shall be sprayed on the concrete surface according to the manufacturer's recommendation. The surfacing shall be wet-cured using a minimum 6 mil black plastic cover for 12 – 16 hours, then the aggregate shall be exposed by washing off the cement paste using a high pressure water hose. The finished surface shall be completely covered with aggregate with a uniform appearance, as determined by the Engineer. The aggregate exposed shall have a 3/16" depth of exposure. The depth of exposure shall be measured by laying a straight edge across the plane of the surface and measuring down to the concrete matrix. The surfacing shall then be wet-cured for a minimum of three (3) days, then air dried for thirty (30) days. The concrete shall then receive two (2) applications of an approved acrylic sealer in accordance with the manufacturers' recommendations.

One sample segment of exposed aggregate concrete walk measuring 5' x 5' (25 square feet) shall be constructed in a portion of the flatwork area to determine the suitability of the appearance. If the sample segment is suitable to the Engineer, the chosen sample shall become part of the finished flatwork. If the initial sample section is unsatisfactory, it shall be removed and a new sample segment shall be constructed. There will be no more than five (5) sample segments required before approval is given. Subsequent segments shall be accepted based on conformance to the approved, chosen sample segment.

Method of Measurement. Exposed Aggregate Walks will be measured by the square yard.

Basis of Payment. Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per square yard for Exposed Aggregate Walks, which price shall be full compensation for preparing the subgrade, all materials, including wire fabric reinforcement, equipment, tools, labor and incidentals necessary to complete the work.

Payment will be made under:

Pay Item	Pay Unit
Exposed Aggregate Concrete Walks	Square Yard

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

HAND RAILING (TYPE SPECIAL)

Section 633 Concrete Walks, Concrete Steps, and Hand Railing of the Standard Specifications, Edition of 2014, is hereby expanded to include the following:

Hand Railing (Type Special) shall be as shown on the plans or as directed by the Engineer, in accordance with the plans and specifications.

Submissions: Shop Drawings – Before the work begins, the Contractor shall submit shop drawings for approval by the Engineer.

Payment will be made under:

Pay Item

Hand Railing (Type Special)

Pay Unit

Linear Foot

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

CONCRETE FLUME

DESCRIPTION. This item shall consist of the construction of Concrete Flume in accordance with these specifications and in conformity with the locations, dimensions, grade and lines shown on the plans.

Concrete Flume shall consist of concrete that complies with the requirements for Class M Concrete as provided in Section 802. Construction requirements for subgrade, forming, placing and finishing the concrete shall comply with the requirements provided in Section 633.

METHOD OF MEASUREMENT. Concrete Flume (3') shall be measured by the linear foot in place and will include the distance as measured from back of curb and/or edge of sidewalk whichever may be the case as shown on the plans.

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 Concrete Flume, which price shall be full compensation for furnishing materials; concrete; steel plate; fasteners; excavation and backfilling; and for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

PAY ITEM	PAY UNIT
Concrete Flume (3')	Linear Foot

ARKANSAS DEPARTMENT OF TRANSPORTATION**SPECIAL PROVISION****JOB NO. 090384****WHEEL STOPS**

Wheel Stops shall be as shown on the plans or as directed by the Engineer, in accordance with the plans and specifications.

Wheel Stops shall be concrete and approved by the Engineer.

Method of Measurement. Wheel Stops will be measured by the unit in place as shown on the plans.

Basis of Payment. Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per each Wheel Stops, which price shall be full compensation for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item	Pay Unit
Wheel Stops	Each

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

WHEELCHAIR RAMPS (TYPE SPECIAL)

1. **DESCRIPTION.** This item shall consist of the construction of wheelchair ramps in accordance with these specifications and Standard Drawings WR-1 and WR-2 at the locations shown on the plans or as directed by the Engineer.
2. **MATERIALS.** The concrete used shall meet the requirements for Class A or S Concrete as provided by Section 802 or Paving Concrete as provided in Section 501. The maximum allowable slump shall be 4 inches (100 mm). The maximum water-cement ratio for the mix selected shall not be exceeded.

The cast-in-place tactile panels used shall be composed of a **cast iron** material. The color of the tactile panels shall conform to Federal Color No. 33538, and shall be homogeneous throughout the product. The tactile panels shall be cast into the wet concrete. Surface applied products shall not be allowed. The cast-in-place tactile panels shall meet the size and spacing requirements shown in the plans.

3. **CONSTRUCTION REQUIREMENTS.** When a wheelchair ramp is to be constructed on an existing sidewalk, any items that are planned to be retained but are damaged during the removal or construction operations shall be repaired at no cost to the Department.

Wheelchair Ramp shall be constructed in accordance with Subsection 633.03 and Standard Drawings WR-1 and WR-2.

The cast-in-place tactile panels shall be installed into the wet concrete per the manufacturer's specifications and in accordance with Standard Drawings WR-1 and WR-2.

4. **METHOD OF MEASUREMENT.** Wheelchair Ramps will be measured by the square yard.
5. **BASIS OF PAYMENT.** Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per square yard for Wheelchair Ramps (Type Special) which price shall be full compensation for excavation and backfilling; for furnishing materials including joint filler; for construction the wheelchair ramp; for furnishing and placing cast-in-place tactile panels; for repair of any damaged adjacent items; and for all equipment, tools, labor, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item	Pay Unit
Wheelchair Ramps (Type Special)	Square Yard

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

CONCRETE PULL BOX

Section 711 Concrete Pull Box of the Standard Specifications, Edition of 2014, is hereby expanded to include the following:

Remove the 9th paragraph – “The pull box shall be permanently labeled with “AHTD”, “Electric”, the manufacturer’s name and model identifier. The permanent label “AHTD” and “Electric” shall be placed on the outside of the pull box lid.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

CAR BAY MARKING DOTS

Section 721 Raised Pavement Marker of the Standard Specifications, Edition of 2014, is hereby expanded to include the following:

Car Bay Marking Dots shall be as shown on the plans or as directed by the Engineer, in accordance with the plans and specifications.

Car Bay Marking DOTS shall be by Premiere Workplace Solutions or approved equal.

Method of Measurement. Car Bay Marking DOTS will be measured by the unit in place as shown on the plans.

Basis of Payment. Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per each Car Bay Marking DOTS, which price shall be full compensation for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

Pay Item	Pay Unit
Car Bay Marking DOTS	Each

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

RETAINING WALLS

DESCRIPTION. This item shall consist of the construction of cast in place retaining walls in accordance with these specifications and in conformity with the locations, dimensions, lines, and grades shown on the plans. Modular Block wall system alternate designs will not be considered. All references to Division, Section, and Subsection refer to the Standard Specifications for Highway Construction (2014 Edition).

GENERAL. The cast in place retaining wall system shall be used at all locations.

1. The basic wall geometry, including top and bottom of wall face, grade lines, length, and limits of walls shall be as shown in the plans.
2. For retaining walls with formliner, an architectural finish as shown in the plans, or approved equivalent, will be required for the concrete wall face.
3. For retaining walls with color additive, Brown color concrete coloring agent shall be mixed with the concrete mix and a 5' x 5' test panel shall be provided for approval of the color before the retaining wall is poured. No more than five (5) samples will be required before approval is given. The color of the dye shall be Brown, equal or close to Shade 10091 from the Federal Color Standard 595 B. Concrete Coloring Agents shall conform to ASTM C979. Use only coloring agents composed of synthetic or natural inorganic iron oxides.

The Contractor shall comply with applicable Federal, State, and local laws governing safety in accordance with Subsection 107.01(b) in any and all excavation and/or shoring operations. Any shoring and additional excavation with replacement backfill outside the reinforcement zone or outside the limits and not directly over any undercut areas will not be paid for directly but will be considered subsidiary to the unit price bid per square foot for Retaining Wall.

Payment will be made under:

Pay Item	Pay Unit
Retaining Wall	Square Foot
Retaining Wall with Formliner and Color Additive	Square Foot

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

ARCHITECTURAL FINISH (CAST-IN PLACE RETAINING WALLS)

DESCRIPTION. This item shall consist of providing a pattern finish to concrete surfaces in accordance with these specifications and in conformity with the locations, dimensions, and lines shown on the plans.

GENERAL. The pattern shall be Random Width and Depth Cedar or approved equal. Prior to construction, the Contractor shall submit a work plan to the Engineer for approval showing materials, construction methods, and other features affecting the pattern construction. The work performed shall be according to the approved work plan.

(a) Random Width and Depth Cedar. The Random Width and Depth Cedar pattern shall have ridges at locations shown in the plans and shall be approximately 1/4" deep. **Concrete cover shall be increased as necessary so as concrete cover to reinforcing is no less than 1 1/2" below the impressions left by the form liner.** Before construction of the retaining wall, approval of the Random Width and Depth Cedar Architectural Finish will be required. Approval will be based on a sample panel with approximate dimensions of 6 feet by 6 feet. In lieu of a sample panel, the Engineer may accept proof of previous work performed with similar size panels and finish. The retaining wall shall be constructed according to the approved plan.

METHOD OF MEASUREMENT. Architectural Finish will be measured by the square foot. The quantities shown on the plans for Architectural Finish will be considered as the final quantities and no further measurement will be made unless, in the opinion of the Engineer or upon evidence furnished by the Contractor, substantial variations exist between quantities shown on the plans and actual quantities due to changes in alignment or dimensions or to apparent errors.

BASIS OF PAYMENT. Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per square foot for Architectural Finish, which price shall be full compensation for furnishing materials; form liners; forms; and for all labor, equipment, tools, and incidentals necessary to complete the work.

Payment will be made under:

PAY ITEM	PAY UNIT
Architectural Finish	Square Foot

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

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. 090384

OBLITERATION OF EXISTING ROADWAY

Section 210 Excavation and Embankment of the Standard Specifications for Highway Construction, 2014 Edition, is hereby expanded to include the following:

Obliteration of the existing roadway, as shown on the plans, shall be carefully controlled to restore the ground elevation to natural conditions and to prepare the site for the establishment of native vegetation. Required actions of the Contractor shall include, but are not limited to, the following:

- Asphalt pavement and base course shall be removed in areas shown as obliteration on the plans. Asphalt contaminated embankment material shall be removed and deposited at an approved upland waste site outside of the park. All waste shall be placed in an approved upland waste site. The method of obliteration and removal shall be approved by the Engineer.
- The existing parking lot, roadway, and associated roadway embankment, including roadside ditches should be removed. In areas where embankment material is removed, the remaining material shall be uniformly compacted, so the slope is in a stable condition as approved by the Engineer. The density requirements of Section 210.10 do not apply. Roadside ditches shall be removed or minimalized in order to restore natural ground elevations in areas where the existing roadway is to be obliterated.
- Any culverts present in areas shown as obliteration on the plans shall be removed. In areas where culverts are removed, grading and shaping shall take place to restore natural drainage patterns and topography.
- Topsoil shall be placed to a depth of 6 inches over the area where the existing roadway and associated embankment was removed.
- After topsoil has been placed, the new ground elevation should be equal to the natural ground elevation of the adjacent areas.
- All walkways, paths, and any other areas within the existing Pea Ridge National Military Park, which are not shown as areas of obliteration on the plans, shall not be removed.
- Areas that were underneath the parking lot, the existing roadway, and associated roadway embankment shall be ripped to a minimum depth of 18 inches. Ripping shall be done on 12 foot centers with an iron or steel shank to achieve the minimum 18 inch depth. Ripping shall occur prior to final seeding.

METHOD OF MEASUREMENT: Roadway obliteration will be measured by the cubic yard of existing material that is removed. Such measurement will include the existing asphalt pavement and base course and associated roadway embankment removed.

ARKANSAS DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

JOB NO. 090384

OBLITERATION OF EXISTING ROADWAY

Topsoil Furnished and Placed will be measured in accordance with Section 628.

BASIS OF PAYMENT: Work completed and accepted and measured as provided above will be paid for at the contract unit price bid per cubic yard for Unclassified Excavation and Compacted Embankment, which price shall be full compensation for removing the existing embankment material including existing asphalt pavement, base course, and asphalt contaminated embankment material; placing the approved embankment material; compacting the material to achieve desired natural ground elevation; removing and disposing of existing embankment material not placed to an approved upland waste site; and for all labor, equipment, tools, and incidentals necessary to complete the work.

Topsoil Furnished and Placed will be paid for in accordance with Section 628. Such payment shall include disking or otherwise manipulating the completed slopes prior to placing the topsoil.

Work for the ripping will not be paid for directly but will be considered to be included in the price bid for the items of Unclassified Excavation, Compacted Embankment, and Topsoil Furnished and Placed.

Payment will be made under:

Pay Item	Pay Unit
Unclassified Excavation	Cubic Yard
Compacted Embankment	Cubic Yard
Topsoil Furnished and Placed	Cubic Yard

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

National Pollution Discharge Elimination System
General Permit # ARR150000

Prepared for:

ARKANSAS DEPARTMENT OF TRANSPORTATION

Date: September 24, 2020

GENERAL INFORMATION:

A Storm Water Pollution Prevention Plan (SWPPP) has been developed by the ARDOT for this construction project in accordance with good engineering practice. Various items constitute the SWPPP for the project and should be provided for persons requesting to view the SWPPP, including:

- a) *The ARDOT Standard Specifications for Highway Construction, 2014 Edition, (Standard Specifications).* The following sections are in reference to water quality or sediment and erosion control: Sections 107, 110, 620, 621, 622, 623, 624, 626, and other sections pertaining to storm water controls.
- b) The Construction Plans contain temporary and permanent erosion controls and permanent storm water management measures.
- c) Contract documents provide the Contractor and ARDOT with additional specifications. These may include Supplemental Specifications and Special Provisions. Parts of the SWPPP that may be in the Contract include this Special Provision, *Storm Water Pollution Prevention Plan*.
- d) Project records including SWPPP inspection reports, the authorized Site Manager daily work report, and various pay quantity documentation, all of which detail the progression of work on the project, when erosion control measures were taken, when the Contractor was given instructions to install or maintain the erosion and sediment control (E&SC) items, and the timing and details of E&SC installation. The Contractor identification form and the Inspector identification form are included as part of the project records.
- e) Construction site posting.
 - i. For large construction sites (all sites five acres or above) – The first page of the *e-Portal* ADEQ Notice of Intent (NOI) submission, if ten business days have passed since the NOI was deemed complete, to be replaced by the completed Arkansas Department of Environmental Quality (ADEQ) Authorization Letter to Discharge Storm Water when it is sent by ADEQ.
 - ii. For small construction sites under five acres (automatic coverage sites) - the completed ADEQ Notice of Coverage for small sites from the ADEQ website.

PROJECT NAME AND LOCATION:

Job 090384, Pea Ridge National Military Park Mitigation (S)

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

OPERATOR NAME AND ADDRESS:

Arkansas Department of Transportation

Name of District Engineer Steve Lawrence

Address of District Headquarters
4590 Highway 65

Harrison, AR 72602

Name of Resident Engineer (Contact Person) David Bushey

Contact Number (479) 273-7634

A. Site Description

- 1) Pre-construction Topographic view: Refer to the plan and profile sheets for topographic and waterbody information.
- 2) Project Description and Intended Use after Notice of Termination (NOT) is filed:
This project consists of design and plans for the roadway and parking lots within Pea Ridge National Military Park. Existing Highway 62 will be obliterated.
- 3) Sequence of Activities:

The sequence of Major Soil Disturbing Activities is shown below. **Be aware that the sequence below is provided as a general course of action for the progression of construction activities. Actual sequence of construction will be determined by the Contractor's schedule and field conditions.**

- a. Clearing and Grubbing / Removal and Disposal Items.
- b. Construct Roadways and Parking Lots.
- c. Surfacing/Final Grading.
- d. Seedbed Preparation.
- e. _____

4) Total Acres Available: 36.6 Total Disturbed Area: 27.8

(*Note: Any off-site borrow or waste areas are operated by the Contractor, who is responsible for obtaining any required NPDES permits for the sites. The "total acres available" and "total disturbed areas" shown here do not include areas covered under permits obtained by another operator. The Contractor is also responsible for meeting local regulations regarding these sites, including those of a Qualifying Local Program).

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

5) Existing Site Information:

a. Runoff Coefficient Based on attachment C:

Before construction starts, the site has a runoff coefficient of 0.70

After construction is completed, the site will have a runoff coefficient of 0.75

b. Soil Information Silty Clay

B. Responsible Parties-General Contractors, Inspectors, etc:

Refer to Contractor identification form in Section Q and the Inspector identification form in Section R. This information will be completed after the Pre-construction conference.

C. Receiving Waters: (Permit Pg. 3 of Part II)

1) Location of Surface Water on Construction Site:

The following surface waters are located on the construction site. List them by name with Station Numbers.

- a. N/A
- b. _____
- c. _____

2) The following bodies of water receive runoff from the construction site:

Name of Operator of Municipal Storm Sewer and/or Receiving Stream: Overland flow to Unnamed tributary

Narrative Description of Nearest Water: Overland flow to unnamed tributary to Sugar Creek thence to Little Sugar Creek.

Name of Ultimate Receiving Water: Arkansas River

Waterbodies that would require the fifty (50) foot buffer zone are Extraordinary Resource Waters (ERW), Ecologically Sensitive Waterbodies (ESW), Natural and Scenic Waterways (NSW), waterbodies with approved TMDLs, waterbodies on the 303(d) list, and/or other uses at the discretion of the Director of ADEQ.

Above categorized waterbodies, if any on project, list both waterbody and qualifier:
N/A.

D. TMDL and 303(d) list can be found at:

[\(http://www.adeg.state.ar.us/water/planning/integrated/\)](http://www.adeg.state.ar.us/water/planning/integrated/)

1) 303(d) Listed Waters - Select the following appropriate statement utilizing information received from the Environmental Division.

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

Statement 1:

Storm water discharges from this site do not enter a waterbody on the list of waters impaired for turbidity or other pollutant which could be impacted by roadway construction on the 303(d) list.

Statement 2:

_____ Storm water discharges from this construction site enter a waterbody on the list of impaired waterbodies (303d list) for turbidity and/or other pollutant. The SWPPP has been developed with BMPs which are designed to minimize the discharge of these pollutants to the maximum extent practicable. Condition of sediment control BMPs will be monitored during regular inspections to ensure this goal is met.

2) TMDL Waters - Select the following appropriate statement utilizing information received from the Environmental Division.

Statement 1:

Storm water discharges from this site do not enter a waterbody with an approved TMDL for turbidity or other pollutant which could be impacted by roadway construction.

Statement 2:

_____ Storm water discharges from this construction site enter a waterbody with an established TMDL allocation for turbidity and/or other pollutant. A TMDL has been written for the waterbody that is applicable to the construction project. The following information documents the construction projects compliance with the TMDL:

- 1.) List TMDL assumptions and allocations: _____

- 2.) List measures taken to ensure that the discharge of pollutants from the site is consistent with the assumptions and allocations of the TMDL. _____

E. Attainment of Water Quality Standards after Authorization: (Permit Pg. 4 of Part II)

BMPs have been selected and will be installed and maintained at the construction site that will minimize the discharge of pollutants as necessary to meet applicable water quality standards.

F. Site Map: See Attachment A for items to be included. All of these items should be marked on the job plans maintained for the SWPPP.

G. Storm Water Controls

1. Initial Site Stabilization, Erosion, & Sediment Controls: (Permit Pg. 5 of Part II)

Complete descriptions and specifications for control measures may be found in the ARDOT's Standard Specifications for Highway Construction, Supplemental Specifications,

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

Special Provisions, Construction Contract, and Construction Plans. **All controls are designed and installed with the primary goal of retaining sediment on site to the maximum extent practicable.**

Insert a description below of the construction activities that are a part of the initial site disturbance and stabilization, along with the appropriate controls measures and time of installation for that activity. This information should be provided by the Contractor at the Pre-construction meeting.

Be aware that the list is general. Actual timing of erosion control installations will be determined daily based upon the construction activity occurring and actual field conditions.
(Construction Activity/Control/Timing)

- 1) Removal of Improvements/Stabilize with Temporary Seeding/ As needed
- 2) Obliterate old roadway / Maintain TEC / As needed
- 3) Install storm sewer / Install retaining walls / As needed
- 4) Finish Grading and Slopes / Place Permanent Seeding and Sodding / As needed

2. Stabilization Practices: (Permit Pg. 5 of Part II)

List of Stabilization Practices to be utilized and scheduling of implementation for that practice:

- Dust control - wet down dusty areas as needed/ongoing
- Erosion control matting - _____
- Geotextiles - _____
- Limiting disturbed area - will be limited by Engineer as discussed in Subsection 110.05(d) of Standard Specifications/ongoing
- Mulches - _____
- Mulch control netting - _____
- Off-site tracking controls (Either stabilized exits and/or wheel washing)*
- Preserving existing vegetation - as shown on the job plans/ongoing
- Sod stabilization - _____
- Temporary and permanent seeding - will be initiated within 14 days of temporarily ceasing construction activity on a portion of the site or immediately initiated where construction activities have permanently ceased.
- Natural buffer zone – (Will be established along waterbodies with at least 25 feet for any unnamed streams, creeks, rivers, lakes, or other waterbodies and at least 50 feet for an established TMDL waterbody, streams listed on the 303d list, an ERW, ESW, NSW, and any others at the discretion of the Director of ADEQ.
If encroachment is necessary within these required buffer zones, briefly describe the reason why.)

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

When encroachment occurs, additional measures will be taken to protect the waterbody, and the contractor will be required to stabilize the disturbed area within the buffer zone within 5 business days of completion of work.

Slope Tracking - _____
 Other - _____

*Stabilized exits will use either suitable sized rock as directed by the Engineer or manufactured devices designed to minimize the amount of soil being tracked off-site.

3. Structural Practices: (Permit Pg. 6 of Part II)

List of Structural Practices to be utilized and scheduling of implementation for that practice:

_____ Sediment basins* (to be utilized whenever 10 or more acres drain from common drainage locations on the site based upon 3600 cubic feet per acre or sized based on the runoff volume of a 10 year, 24 hours storm, unless not attainable. If not attainable, briefly describe reason(s) that a basin was not used) _____

Curb & gutter - As shown on plans

Ditch checks** - As shown on plans

_____ Diversion ditches - _____

_____ Drainage swales - _____

Drop inlet silt fences - As shown on plans

_____ Erosion Control Matting - _____

_____ Gabions - _____

_____ Inlet & outlet protection - _____

Silt fences - As shown on plans

_____ Slope drains - _____

Storm sewer - As shown on plans

Retaining walls - As shown on plans

_____ Temporary Silt Dikes - _____

Wattles/Sediment Logs - As shown on plans

Filter Socks - As shown on plans

_____ Other - _____

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

*Sediment will be removed from basins when design capacity is reduced by 50%. In addition, when a sediment basin is utilized per permit requirements, the procedures for the removal of a sediment basin can be found in the Standard Specifications Subsection 621.03.

**Hay/Straw bales will not be used in areas of concentrated flow.

H. Other Controls: In addition to erosion control and storm water management, our plan will include measures to properly manage solid wastes, hazardous wastes, dust generation, and all other activities that will generate wastes during the construction phase. (Permit Pg. 7 of Part II)

1) Solid material control, debris, and wastes:

All solid materials discharged to waters of the United States shall be in accordance with Section 110 of the Standard Specifications, the applicable Section 404 Special Provisions in the Job Contract, the plans, and as authorized by a USA Corps of Engineers Section 404 Permit. Litter and construction debris will be prevented from becoming a pollutant source for storm water discharges. Any debris which inadvertently enters a water of the state will be removed daily.

2) Offsite vehicle tracking:

Each vehicle exit from the construction site must either be stabilized or use wheel washing to prevent the tracking of material onto the public roadway. (If sediment escapes the construction site through tracking, it will be removed by sweeping frequently enough to minimize off-site impacts to waterbodies.)

3) Temporary sanitary facilities:

Facilities will be provided and properly maintained by the Contractor in accordance with Subsection 107.06 of the Standard Specifications.

4) Concrete waste area:

Designated concrete washout waste area(s) will be established and utilized to prevent liquid concrete waste from being discharged to a water of the state.

5) Fuel storage, hazardous materials, and truck washing areas:

The following is a list of materials which could be potential sources of pollution in storm water runoff: asphalt materials, concrete, cement, concrete wash water, paint, solvents, petroleum products, fertilizers, concrete curing compound, lime, linseed oil, asphalt additives, concrete additives, and sewage. Handling of the above materials or other potential pollutants shall be in accordance with Subsection 110.06, Pollutants, of the Standard Specifications.

I. Non-Storm Water Discharges: (Permit Pg. 11-12 of Part I)

List of Anticipated Allowable Non-Storm Water Discharges*:

- 1) Water used to wash vehicles (where detergents or other chemicals are not used) or control dust in accordance with Part II.A.4.H.2
- 2) Landscape Irrigation

**ARKANSAS DEPARTMENT OF TRANSPORTATION
 JOB NO. 090384
 STORM WATER POLLUTION PREVENTION PLAN**

- 3) Pavement wash waters where spills or leaks of toxic or hazardous material have not occurred (unless all spilled material have been removed) and where detergents or other chemicals are not used.
- 4) Uncontaminated springs, excavation dewatering, and groundwater (Part I.B.13.C). If dewatering is necessary and turbidity exists, the discharge will be managed with appropriate devices such as a sediment bag or basin prior to discharge.

*Other Allowable Non-Storm Water Discharges are listed in the Permit Part I.B.10, but there is no reasonable anticipation of these discharges at this time.

J. Post-Construction Storm Water Management: (Permit Pg. 7 of Part II)

Permanent Storm Water Management - List of devices to be utilized for storm water infiltration and management:

<input type="checkbox"/>	Channel linings	<input type="checkbox"/>	Concrete ditch paving
<input checked="" type="checkbox"/>	Culverts	<input checked="" type="checkbox"/>	Curb and gutter
<input type="checkbox"/>	Detention basins	<input checked="" type="checkbox"/>	Drop inlets
<input type="checkbox"/>	Dumped riprap	<input type="checkbox"/>	Floodgates
<input type="checkbox"/>	Gabions	<input type="checkbox"/>	Grassed swale
<input type="checkbox"/>	Inlet & outlet protection	<input checked="" type="checkbox"/>	Permanent seeding
<input type="checkbox"/>	Retention pond	<input type="checkbox"/>	Riprap
<input type="checkbox"/>	Solid sodding	<input checked="" type="checkbox"/>	Storm sewer
<input checked="" type="checkbox"/>	Topsoil replacement	<input type="checkbox"/>	Underdrains
<input type="checkbox"/>	Velocity dissipators	<input type="checkbox"/>	Wetland creation
<input type="checkbox"/>	Other-list _____		

Velocity dissipation devices:

<input type="checkbox"/>	Concrete spillways	<input type="checkbox"/>	Grouted riprap
<input checked="" type="checkbox"/>	Permanent seeding & mulch	<input type="checkbox"/>	Underdrains
<input type="checkbox"/>	Solid sodding	<input type="checkbox"/>	Concrete ditch paving
<input type="checkbox"/>	Dumped riprap	<input type="checkbox"/>	Detention basins
<input type="checkbox"/>	Velocity dissipators	<input type="checkbox"/>	Wetland infiltration
<input type="checkbox"/>	Other-list _____		

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

K. State or Local Programs: (Permit Pg. 8 of Part II)

The Arkansas State Highway Commission and the Arkansas Department of Transportation have the exclusive authority over the state highway system (See Ark. Code Ann. § 27-67-101, et al), therefore no local agencies would have authority or jurisdiction over the lands owned, controlled, and maintained by the ARDOT. The ARDOT will make every effort to address any concerns of local entities concerning storm water discharges from the state highway right of way.

This authority does not extend to the Contractor's off-site operations. The Contractor is responsible for complying with all State and Local Programs in accordance with Subsection 107.01 of the Standard Specifications.

L. Inspections: (Permit Pg. 8 of Part II)

Inspections will be conducted by a qualified inspector at the following frequency:

- Every 7 days or**
 Every 14 Days and within 24 hours after a ¼ inch or greater rainfall event.

A report of the inspection will summarize the scope of the inspection, the name of the inspector, the date of inspection, and any damages observed and repairs made to any control measure. Completed inspection forms will be kept with the SWPPP.

The following are the minimum inspection, maintenance, and reporting practices that will be used to maintain erosion and sediment controls at the construction site:

1. Inspection form (Attachment B).
2. All erosion and sediment control measures will be maintained in good working order. If repair is necessary, it will be completed **within three (3) business days of discovery**.
3. All controls will be inspected to ensure that they meet the manufacturer's specifications.
4. Controls will be replaced or modified if periodic inspections reveal the device is not performing as intended.
5. Approximate times of beginning and duration of storm events.
6. Sediment basins and sediment traps will be cleaned out when they reach 50% of the original capacity.
7. A description of any discharges during inspections.
8. Inspections are not required if snow cover exists over the entire site for an extended period of time. If there is any runoff from the site at any time during snow cover, melting conditions would be considered to be existent at the site then inspections would need to be resumed.
9. All site entrances and exits will be checked to ensure no off-site tracking.
10. All components of the SWPPP and inspection reports will be maintained for a minimum of 3 years after permit termination.
11. In addition to inspection, records will be kept of the following:
 - a. Dates when major grading activities occur,
 - b. Dates when construction activities cease in an area, temporarily or permanently,
 - c. Dates when an area is stabilized, temporarily or permanently.

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

M. Maintenance: All erosion and sediment control measures will be maintained in good working order. If a repair is necessary, it will be completed **within three (3) business days of discovery**. (Permit Pg. 9 of Part II)

However, if conditions do not permit large equipment to be used, a longer time frame is allowed if the condition is thoroughly documented on the inspection form as stated in the Permit Part II.4.M.

N. Adverse Weather Conditions: Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make inspections impractical, such as extended frozen conditions. When adverse weather conditions prevent the inspection of the site, an inspection should be completed as soon as safe and feasible. If adverse weather conditions prevent compliance with the permit, documentation of the beginning and ending date of adverse weather condition should be included. **This information will be documented in the Site Manager Program job records.**

O. Endangered Species: Endangered species clearance is obtained during the National Environmental Policy Act (NEPA) process for all ARDOT projects and is conducted in accordance with Section 7 of the Endangered Species Act. Further information about this process can be obtained by contacting the ARDOT Environmental Division at (501) 569-2522, or the U.S. Fish and Wildlife Service at (501) 513-4489.

P. Employee Training: ARDOT employees who perform inspections have received formal training in NPDES Storm Water requirements and SWPPP implementation. Training records will be available electronically or will be maintained with the SWPPP after the project commences.

ARKANSAS DEPARTMENT OF TRANSPORTATION
JOB NO. 090384
STORM WATER POLLUTION PREVENTION PLAN

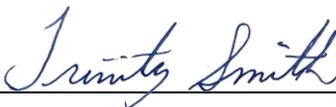
S. Plan Certification: (Permit Pg. 9 of Part II) (To be completed by a duly authorized representative or the cognizant official.)

"I certify under penalty of law that this document and all attachments such as Inspection Form were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Note: For this permit only, "this document" refers to the Storm Water Pollution Prevention Plan, "attachments" refers to the site map and inspection forms, and "system" is referencing the project site.

Printed Name: Trinity D. Smith

Printed Title: Engineer of Roadway Design

Signature:  *CLM*

Date: 9/28/2020

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
VALUE ENGINEERING

Section 104 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added as a new subsection:

104.08 Value Engineering Change Proposals (VECP).

(a) General. The Contractor may submit a Value Engineering Change Proposal at any time after execution of the Contract by the Department. Any VECP submitted before this date shall be deemed to have been submitted on the date the Contract was executed by the Department and the time allowed for consideration of the VECP shall begin on that date. Any cost savings generated to the Contract as a result of a VECP submitted by the Contractor and approved by the Department shall be shared equally between the Contractor and the Department.

The Contractor may submit a VECP for an approved subcontractor. Subcontractors may not submit a VECP except through the Contractor.

Bid prices shall not be based on the anticipated approval of a VECP. If a VECP is rejected, the Contract shall be completed at the Contract bid prices.

If the Department determines that the time for response indicated in the submittal is insufficient for review, the Contractor will be promptly notified. Based on the additional time needed by the Department for review and the effect on the Contractor's schedule occasioned by the added time, the Department will evaluate the need for a time extension.

The Contractor shall have no claim against the Department for any delay to the Contract based on the failure to respond within the time indicated in the submittal if additional information is needed to complete the review.

VECPs contemplated are those that could produce a savings to the Department without impairing essential functions and characteristics of the facility; including but not limited to, service life, economy of operation, ease of maintenance, desired appearance, and safety.

The Contractor may submit for review a "VECP Concept" provided that it contains enough information to clearly define the work involved and the benefits to be realized. Written notification by the Department that the review has been completed and that the "VECP Concept" appears to be favorable merely indicates that the engineering and plan development may continue for submittal of the VE Change Proposal and is not authorization for any construction work to begin. Should the final design not reflect the expected benefits, the Department may reject the "VECP Concept" and the VE Change Proposal without recourse by the Contractor.

(b) Submittal of Proposal. The following materials and information shall be submitted with each proposal:

1. A statement that the proposal is submitted as a VECP.
2. A description of the difference between the existing Contract and the proposed change, and the cooperative advantages and disadvantages of each, including effects on service life, economy of operations, ease of maintenance, desired appearance, and safety.

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
VALUE ENGINEERING

3. A complete set of plans and specifications showing the proposed revisions relative to the original Contract features and requirements.
4. A complete analysis indicating the final estimate costs and quantities to be replaced by the Proposal compared to the new costs and quantities generated by the Proposal.
5. A statement specifying the date by which a Change Order adopting the Proposal must be executed to obtain the maximum cost reduction during the remainder of the Contract. This is the review time.
6. A statement detailing the effect the Proposal will have on the Contract time for completing the Contract.
7. A description of any previous use or testing of the Proposal and the conditions and results. If the Proposal was previously submitted on another Department project, indicate the date, Contract number, and the action taken by the Department.

(c) Conditions. VECPs will be considered only when all the following conditions are met:

1. VECPs, approved or not approved by the Department, apply only to the ongoing Contract(s) referenced in the Proposal and become the property of the Department. The Proposal(s) shall contain no restrictions imposed by the Contractor on their use or disclosure. The Department has the right to use, duplicate, and disclose in whole or in part any data necessary for the utilization of the Proposal. The Department retains the right to utilize any accepted Proposal or part thereof on other projects without obligation to the Contractor. This provision is not intended to deny rights provided by law with respect to patented materials or processes.
2. If the Department is already considering certain revisions to the Contract or has approved certain changes in the Contract for general use that are subsequently incorporated in a VECP, the Department will reject the Proposal and may proceed without obligation to the Contractor.
3. The Contractor shall have no claim against the Department for additional costs or delays resulting from the rejection of a VECP, including but not limited to, "VECP Concept" acceptance, engineering and development costs, loss of anticipated profits, increased material or labor costs.
4. The Department will determine if a Proposal qualifies for consideration and evaluation. It may reject any Proposal that requires excessive time or costs for review, evaluation, and/or investigations, or that is not consistent with the Department's design policies and criteria for the project.
5. The Engineer will reject all or any portion of work performed under an approved VECP if unsatisfactory results are obtained. The Engineer will direct the removal of such rejected work and require construction to proceed under the original Contract requirements without reimbursement for work performed under the proposal, or for its removal. Where modifications to the VECP, other than changes to the estimated quantities, are approved to adjust to field or other conditions, reimbursement will be

ARKANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
JOB NO. 090384
VALUE ENGINEERING

limited to the total amount payable for the work at the Contract bid prices as if it were constructed under the original contract requirements. The rejection or limitation of reimbursement shall not constitute the basis of any claim against the Department for delay or for other costs.

6. The proposed work shall not contain experimental features but shall be proven features that have been used under similar or acceptable conditions on other projects or locations acceptable to the Department.

7. Proposals will not be considered if equivalent options are already provided in the Contract.

8. The savings generated by the Proposal must be sufficient to warrant a review and processing.

9. A Proposal changing the type and/or thickness of the pavement structure or revising quantities simply by adjusting grades will not be considered.

10. Additional information needed to evaluate Proposals, shall be provided in a timely manner. Untimely submittals of additional information will result in rejection of the Proposal. Where design changes are proposed, the additional information could include results of field investigations and surveys, design computations, and field change sheets. The review time shall be extended by the number of days between the request by the Department for additional information and the delivery of such additional information.

(d) Payment. If the VECP is accepted, the changes and payment will be authorized by Change Order.

Reimbursement will be made as follows:

1. The changes will be incorporated into the Contract by changes in quantities or unit prices of existing pay items, by the addition of new pay items, or any combination of these methods, as appropriate. Existing pay items are the original Contract pay items and any pay items that have been added to the Contract by Supplemental Agreement on or before the date the VECP is submitted.

2. The cost of the revised work as determined from the changes will be paid as specified in the Change Order. In addition, the Department will pay the Contractor 50 percent of the actual savings to the Department as reflected by the difference between the cost of the revised work and the cost of the related construction required by the original Contract computed at Contract bid prices. This payment will be made upon satisfactory completion of all work under the VECP.

3. Costs for "VECP Concept" acceptance, engineering and development, design, and implementation associated with the VECP are not eligible for reimbursement.

4. Payments as designated above will be made to the Contractor. If the VECP was originated by a subcontractor, the Contractor shall be responsible for any and all payments to the subcontractor arising from the approval of the VECP.

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

SPECIAL PROVISION

JOB 090384

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 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 Inc.
Contact Lenny Vohs, 816-275-4014, 1425 Oak St., Kansas City, MO 64106.
2. Owner – Carroll Electric Coop. Corp.
Contact Ryan Butler, 870-423-2161 ext. 1415, P.O. Box 4000, Berryville, AR 72616.
3. Owner – CenturyLink Communications
Contact Tracey Warden, 501-241-6346, 2616 West Main St., Jacksonville, AR 72076.

The utility status was based on information received from the utility companies and the most current information available at this time; therefore, the dates are subject to change.

In case there is a delay beyond the estimated completion dates 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 should make every effort to locate buried utilities including, but not limited to, calling Arkansas One Call Center (800) 482-8998.

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 tables:

WORKING DAY PROJECTS

ORIGINAL CONTRACT AMOUNT		RATE
FROM MORE THAN	TO AND INCLUDING	-----
\$ 0	\$ 50,000	\$ 400
50,000	100,000	700
100,000	500,000	800
500,000	1,000,000	1,100
1,000,000	2,000,000	1,300
2,000,000	5,000,000	1,500
5,000,000	10,000,000	1,900
10,000,000	15,000,000	2,000
15,000,000	20,000,000	2,100
20,000,000	-----	2,500

FIXED DATE PROJECTS

ORIGINAL CONTRACT AMOUNT		RATE
FROM MORE THAN	TO AND INCLUDING	-----
\$ 0	\$ 50,000	\$ 90
50,000	100,000	100
100,000	500,000	200
500,000	1,000,000	250
1,000,000	2,000,000	320
2,000,000	5,000,000	400
5,000,000	10,000,000	600
10,000,000	-----	750

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 license 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 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.

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

PROTECTION OF WATER QUALITY AND WETLANDS

Section 110 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is hereby added as the last paragraph of **Subsection 110.04(b)**:

On all projects let to contract after October 1, 2018, the project superintendent or supervisor (as defined in Subsection 105.06) must be certified in National Pollutant Discharge Elimination System (NPDES) through the University of Arkansas' Center for Training Transportation Professionals (CTTP). The project superintendent or supervisor must provide proof of NPDES certification before any earth disturbing activities, including clearing and grubbing, or any installation of erosion control activities are allowed to begin.

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 third paragraph **Subsection 404.04** is hereby deleted and the following substituted therefore:

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. The asphalt mixture shall be verified by testing mix that has been produced through the plant using the aggregate proportions shown on the accepted mix design. Production of Department approved mix designs for placement on non-ARDOT projects may be used for mix verification. 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.

Section 410, Construction Requirements and Acceptance of Asphalt Concrete Plant Mix Courses is hereby modified as follows:

The first and second sentence of **Subsection 410.09, Acceptance of the Payment and Adjustments in Payment**, is hereby deleted and the following is substituted therefore:

- (a) General. 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.

Section 411, Asphalt Concrete Plant Mix is hereby modified as follows:

The third sentence of Subsection 411.05 (B), Acceptance is hereby amended and the following is substituted therefore:

- (b) Acceptance. 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

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

**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

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
Mulch Cover

Section 620 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection **620.02 Materials (d)** is hereby deleted and the following substituted therefore:

(d) Mulch cover. Shall be a mulch cover system as listed on the Department's Qualified Products List (QPL) or shall consist of straw from threshed rice, oats, wheat, barley, or rye; of wood excelsior; or of hay obtained from various legumes or grasses, such as lespedeza, clover, vetch, soybeans, bermuda, carpet sedge, bahia, fescue, or other legumes or grasses; or a combination thereof. Mulch shall be dry and reasonably free from Johnson grass or other noxious weeds, and shall not be excessively brittle or in an advanced state of decomposition. All material will be inspected and approved prior to use.

The following is inserted after Subsection **620.03 Construction Requirements (c) Seeding (3) Hydro-seeding:**

(4) Mulch Cover. If a mulch cover system listed on the Department's Qualified Products List (QPL) is used then the mulch cover and the seed may be incorporated into one operation.

Subsection **620.03 Construction Requirements (d)** is hereby deleted and the following substituted therefore:

(d) Mulch Cover. If a Mulch Cover system listed on the Department's Qualified Products List (QPL) is used then refer to the application rate listed in the QPL otherwise the mulch cover shall be applied at the rate of 4000 pounds per acre (4500 kg/ha). If the mulch cover and seed are not incorporated into one operation then apply the mulch cover immediately after seeding and spread the mulch cover uniformly over the entire area by approved power mulching equipment. When approved by the Engineer, the Contractor may use hand methods to apply mulch cover to small or inaccessible areas. If the Contractor so elects, an approved mulching machine may be used, whereby the application of mulch cover and tackifier may be combined into one operation. If this method is used, no change in application rates will be allowed. In its final position, the anchored mulch shall be loose enough to allow air to circulate, but compact enough to partially shade the ground and reduce the impact of rainfall on the surface of the soil. Care shall be taken to prevent tackifier materials from discoloring or marking structures, pavements, utilities, or other plant growth. Removal of any objectionable discoloration shall be at no cost to the Department.

**ARKANSAS DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL SPECIFICATION**

Mulch Cover

The first paragraph of subsection **620.03 Construction Requirements (e)** is hereby deleted and the following substituted therefore:

(e) Mulch Anchoring. If a mulch cover system is selected from the Department's Qualified Products List (QPL) then no additional anchoring is needed. If a mulch cover system is not used then immediately following or during the application of mulch cover on seeded areas, the mulch shall be anchored by one of the following methods.

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****GENERAL REQUIREMENTS FOR SIGNS**

Section 723 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

Subsection 723.02(b) is hereby deleted and the following is substituted therefor:

(b) Sign Panels. Standard signs shall consist of a single sheet of aluminum alloy (ASTM B 209, Alloy 5052 H38) without stiffeners on the back. Minimum sign blank thickness shall be 0.080" (2.0 mm) for a sign size of 9 square feet (0.84 sq m) or less or 0.100" (2.5 mm) for a sign size greater than 9 square feet (0.84 sq m). Sign blanks shall be flat and straight and within commercial tolerances established by the aluminum industry.

Guide signs shall be fabricated using one piece extruded panels fabricated of aluminum alloy (ASTM B221, Alloy 6063 T6).

Extruded panel signs shall consist of sign panels; stringers or horizontal supporting members; necessary fasteners for assembling the units; reflective materials; letters; numerals; symbols; and border. All extrusions and fasteners shall be applied without causing objectionable projections on the sign face.

The one piece extruded aluminum panels shall be a minimum of 12" (300 mm) in width except one 6" (150 mm) panel may be used per sign face when necessary to construct the sign as shown on the plans.

All extruded panels shall be bolted together at every other hole (every 24" [610 mm]) with the faces and ends in alignment.

Single sheet and extruded panels to which reflective sheeting is to be applied shall be conversion coated as specified in ASTM B449 or ASTM B921 per the sheeting manufacturer's recommendations.

All fabrication, including cutting and punching of holes, excluding holes for demountable letters, numerals, symbols, and borders, shall be completed before conversion coating.

Sign panels shall be free of buckles, warp, dents, cockles, burrs, and defects resulting from fabrication. The surface of all sign panels shall be flat.

The Contractor shall submit a Certified Test Report to the Engineer covering the sign panels.

The first paragraph of **Subsection 723.02(c)** is hereby deleted and the following is substituted therefor:

ARKANSAS DEPARTMENT OF TRANSPORTATION**SUPPLEMENTAL SPECIFICATION****GENERAL REQUIREMENTS FOR SIGNS**

(c) Retroreflective Sheeting. The retroreflective sheeting for signs shall comply with ASTM D4956 for Type III, IV, VIII, or IX retroreflective sheeting, except that Type IX retroreflective sheeting shall be used on all W1-6, W1-8, and OM-3 signs. ASTM D4956 Type XI sheeting shall be used on all R5-1 and R5-1a signs. All retroreflective sheeting shall have either Class 1 or Class 2 backing.

Subsection 723.02(d) is hereby deleted and the following is substituted therefor:

(d) Legend. All legend, which includes letters, numerals, symbols, arrows, and border, shall have a regular outline, be clean cut and sharp, and shall have a continuous stroke and border without ragged or torn edges.

All legend on guide signs shall be of the size shown on the plans. Legend on standard signs shall comply with the latest revision of FHWA Standard Highway Signs.

The legend on freeway main lane guide signs shall be demountable. Unless otherwise specified, the legend on all other guide signs shall be manufactured using either direct application or acrylic overlay film. All other signs shall be manufactured using standard industry processes, including silk screening, acrylic overlay film, and digital printing. Digitally printed signs shall be overlaid with a clear UV film per the sheeting manufacturer's recommendation.

All demountable legend shall be of the same manufacturer. The sign area outside the corner radius shall not be trimmed to match the border radius.

Frames for border strips, corners, shields, and legend shall be fabricated from 0.063" (1.6 mm) sheet aluminum complying with the requirements of ASTM B209, Alloy 5052-H38. Mounting holes shall be provided with the frames to permit the use of screws, bolts, rivets, or other fasteners of stainless steel, galvanized steel, or aluminum to fasten the frames to the sign face, subject to the condition that dissimilar metals shall be insulated to prevent corrosion.

The aluminum frames shall comply with Subsection 723.02(b).

All border material shall be secured from the same company that furnishes the cutout letters, numerals, etc. and shall be mounted in the same manner as the cutout letters.

Transparent colors, inks, paints, and films used in the sign manufacturing process shall be of the type and quality recommended by the manufacturer of the reflective sheeting and shall conform to red, blue, yellow, and green colors approved by the FHWA and shown in the MUTCD and FHWA Standard Highway Signs. The Contractor shall provide a sheeting manufacturer's full component system warranty, and shall provide certification that the materials used shall meet all MUTCD minimum requirements for retroreflectivity and contrast for the warranty period of the sheeting.

ARKANSAS DEPARTMENT OF TRANSPORTATION**SUPPLEMENTAL SPECIFICATION****CHANNEL POST SIGN SUPPORT**

Section 729 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following paragraph is added after the last paragraph of **Subsection 729.02 Materials**:

All posts used on the project, 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 posts prior to using the devices on the project. The certification shall state the post meets the requirements of MASH, or in the case that the post was manufactured on or before December 31, 2019, the certification shall state the post 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
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 CONSTRUCT THREE PARKING LOTS, RECONSTRUCT MAIN ACCESS ROAD TO PARK, NEW ACCESS ROAD TO ELKHORN TAVERN PARKING LOT, AND OBLITERATION OF OLD HIGHWAY 62 IN BENTON COUNTY. THIS PROJECT CONSISTS OF CLEARING AND GRUBBING, REMOVAL AND DISPOSAL ITEMS, EARTHWORK, AGGREGATE BASE COURSE, ACHM SURFACE COURSE, MAINTENANCE OF TRAFFIC, MINOR DRAINAGE STRUCTURES, EROSION CONTROL ITEMS, CONCRETE WALKS AND STEPS, CONCRETE CURB AND GUTTER, PAVEMENT MARKING, AND MISC. ITEMS.

State Highway ---, Section ---, in **BENTON** 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 **090384** **FEDERAL AID PROJECT STPF-CA-0004(67)**

Job Name: **PEA RIDGE NATIONAL MILITARY PARK MITIGATION (S)**

said project being approximately **NO PROJECT LENGTH.**

Proposal received until 10:00 a.m. on November 4, 2020

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 **on or before November 19, 2021.**

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.: 090384

Date Estimated: 8/20/2020

Job Name: PEA RIDGE NATIONAL MILITARY PARK MITIGATION (S)

Date Revised:

Federal Aid Project: STPF-CA-0004(67)

Line Number	Item Code and Description	Estimated Quantity	Unit Bid Price	Price Extension
Section 01 - PROPOSAL ITEMS				
0001	SP&201 - CLEARING	6.300 ACRE		
0002	SP&201 - CLEARING	139.000 STA		
0003	201 - GRUBBING	6.300 ACRE		
0004	201 - GRUBBING	139.000 STA		
0005	202 - REMOVAL AND DISPOSAL OF CURB AND GUTTER	1,182.000 LF		
0006	202 - REMOVAL AND DISPOSAL OF FENCE	150.000 LF		
0007	202 - REMOVAL AND DISPOSAL OF PIPE CULVERTS	585.000 LF		
0008	202 - REMOVAL AND DISPOSAL OF WALKS	1,175.000 SQYD		
0009	202 - REMOVAL AND DISPOSAL OF DROP INLETS	1.000 EACH		
0010	202 - REMOVAL AND DISPOSAL OF BOX CULVERTS	1.000 EACH		
0011	202 - REMOVAL AND DISPOSAL OF SIGNS	18.000 EACH		
0012	SPSS210 - UNCLASSIFIED EXCAVATION	51,791.000 CUYD		
0013	SP&210 - COMPACTED EMBANKMENT	23,439.000 CUYD		
0014	SP - REMOVING AND REPLACING TOPSOIL	8,988.000 CUYD		
0015	SP&210 - SOIL STABILIZATION	300.000 TON		
0016	SS&303 - AGGREGATE BASE COURSE (CLASS 7)	17,411.000 TON		
0017	SS&401 - TACK COAT	1,490.000 GAL		
0018	SPSS407 - MINERAL AGGREGATE IN ACHM SURFACE COURSE (1/2")	4,623.000 TON		
0019	SPSS407 - ASPHALT BINDER (PG 70-22) IN ACHM SURFACE COURSE (1/2") (MINIMUM BID \$120.00)	290.000 TON		
0020	501 - PORTLAND CEMENT CONCRETE PAVEMENT (6" UNIFORM THICKNESS)	332.000 SQYD		
0021	SP&602 - FURNISHING FIELD OFFICE	1.000 EACH		
0022	SS&603 - MAINTENANCE OF TRAFFIC	1.000 L.S.		
0023	SS&604 - SIGNS	172.000 SQFT		
0024	SS&604 - BARRICADES	192.000 LF		
0025	SS&604 - TRAFFIC DRUMS	25.000 EACH		
0026	606 - 18" REINFORCED CONCRETE PIPE CULVERTS (CLASS III)	128.000 LF		

Arkansas Department of Transportation
Schedule of Items

State Job No.: 090384

Date Estimated: 8/20/2020

Job Name: PEA RIDGE NATIONAL MILITARY PARK MITIGATION (S)

Date Revised:

Federal Aid Project: STPF-CA-0004(67)

Line Number	Item Code and Description	Estimated Quantity	Unit Bid Price	Price Extension
0027	606 - 24" REINFORCED CONCRETE PIPE CULVERTS (CLASS III)	131.000 LF		
0028	606 - 22" X 14" REINFORCED CONCRETE ARCH PIPE CULVERTS (CLASS III)	60.000 LF		
0029	606 - 29" X 18" REINFORCED CONCRETE ARCH PIPE CULVERTS (CLASS III)	32.000 LF		
0030	606 - 36" X 23" REINFORCED CONCRETE ARCH PIPE CULVERTS (CLASS III)	37.000 LF		
0031	606 - 18" FLARED END SECTIONS FOR REINFORCED CONCRETE PIPE CULVERTS	3.000 EACH		
0032	SP - HEADWALLS	10.000 EACH		
0033	SS&609 - DROP INLETS (TYPE E)	1.000 EACH		
0034	SS&609 - DROP INLETS (TYPE MO)	1.000 EACH		
0035	SS&609 - DROP INLET EXTENSIONS (4')	1.000 EACH		
0036	SP - TEMPORARY FENCE	6,762.000 LF		
0037	SP - WELDED PIPE FENCE	1,450.000 LF		
0038	SP - WELDED PIPE GATES (12')	4.000 EACH		
0039	SP - CANTILEVER CHAIN LINK GATE ASSEMBLY WITH BARBED WIRE (20')	2.000 EACH		
0040	620 - LIME	48.000 TON		
0041	SP&620 - SPECIAL SEEDING	23.890 ACRE		
0042	SPSS620 - SPECIAL MULCH COVER	47.780 ACRE		
0043	620 - WATER	2,924.100 MGAL		
0044	621 - TEMPORARY SEEDING	23.890 ACRE		
0045	621 - SILT FENCE	13,567.000 LF		
0046	621 - SAND BAG DITCH CHECKS	1,232.000 BAG		
0047	621 - SEDIMENT REMOVAL AND DISPOSAL	624.000 CUYD		
0048	SS&621 - FILTER SOCK (18")	180.000 LF		
0049	621 - WATTLE (20")	531.000 LF		
0050	SP&623 - SPECIAL SECOND SEEDING APPLICATION	23.890 ACRE		
0051	SP - EROSION CONTROL BLANKET	325.000 SQYD		
0052	SP&628 - TOPSOIL FURNISHED AND PLACED	5,676.000 CUYD		
0053	SS&633 - CONCRETE WALKS	4,753.000 SQYD		
0054	SPSS633 - CONCRETE STEPS	1.000 SQYD		
0055	SPSS633 - COLORED CONCRETE WALKS	114.000 SQYD		

Arkansas Department of Transportation
Schedule of Items

State Job No.: 090384

Date Estimated: 8/20/2020

Job Name: PEA RIDGE NATIONAL MILITARY PARK MITIGATION (S)

Date Revised:

Federal Aid Project: STPF-CA-0004(67)

Line Number	Item Code and Description	Estimated Quantity	Unit Bid Price	Price Extension
0056	SPSS633 - EXPOSED AGGREGATE CONCRETE WALKS	9.000 SQYD		
0057	SS&633 - HAND RAILING	125.000 LF		
0058	SP - HAND RAILING (TYPE SPECIAL)	70.000 LF		
0059	SP - CONCRETE FLUME (3')	30.000 LF		
0060	SP - SIDEWALK UNDERDRAIN	20.000 LF		
0061	SP - WHEEL STOPS	22.000 EACH		
0062	SS&634 - CONCRETE CURB (TYPE B)	1,052.000 LF		
0063	SS&634 - CONCRETE COMBINATION CURB AND GUTTER (TYPE A) (1' 6")	3,905.000 LF		
0064	635 - ROADWAY CONSTRUCTION CONTROL	1.000 L.S.		
0065	SP&641 - WHEELCHAIR RAMPS (TYPE SPECIAL)	167.000 SQYD		
0066	710 - NON-METALLIC CONDUIT (1")	1,100.000 LF		
0067	710 - NON-METALLIC CONDUIT (2")	1,100.000 LF		
0068	SP&711 - CONCRETE PULL BOX (TYPE 1)	10.000 EACH		
0069	SP&711 - CONCRETE PULL BOX (TYPE 2)	1.000 EACH		
0070	718 - REFLECTORIZED PAINT PAVEMENT MARKING WHITE (4")	3,108.000 LF		
0071	718 - REFLECTORIZED PAINT PAVEMENT MARKING WHITE (6")	100.000 LF		
0072	718 - REFLECTORIZED PAINT PAVEMENT MARKING WHITE (12")	401.000 LF		
0073	718 - REFLECTORIZED PAINT PAVEMENT MARKING YELLOW (6")	1,785.000 LF		
0074	718 - REFLECTORIZED PAINT PAVEMENT MARKING BLUE (4")	1,155.000 LF		
0075	718 - REFLECTORIZED PAINT PAVEMENT MARKING (ARROWS)	19.000 EACH		
0076	718 - REFLECTORIZED PAINT PAVEMENT MARKING SYMBOLS (WHEELCHAIR)	12.000 EACH		
0077	719 - THERMOPLASTIC PAVEMENT MARKING WHITE (6")	5,541.000 LF		
0078	719 - THERMOPLASTIC PAVEMENT MARKING WHITE (12")	12.000 LF		
0079	719 - THERMOPLASTIC PAVEMENT MARKING YELLOW (6")	3,962.000 LF		

Arkansas Department of Transportation
Schedule of Items

State Job No.: 090384

Date Estimated: 8/20/2020

Job Name: PEA RIDGE NATIONAL MILITARY PARK MITIGATION (S)

Date Revised:

Federal Aid Project: STPF-CA-0004(67)

Line Number	Item Code and Description	Estimated Quantity	Unit Bid Price	Price Extension
0080	719 - THERMOPLASTIC PAVEMENT MARKING YELLOW (8")	280.000 LF		
0081	SP - CAR BAY MARKING DOTS	110.000 EACH		
0082	SS&726 - STANDARD SIGN	38.000 SQFT		
0083	SS&729 - CHANNEL POST SIGN SUPPORT (TYPE A)	15.000 EACH		
0084	SP - RETAINING WALL	130.000 SQFT		
0085	SP - ARCHITECTURAL FINISH	450.000 SQFT		
0086	SP - RETAINING WALL WITH FORMLINER AND COLOR ADDITIVE	450.000 SQFT		
Section 01 Total:				
Subtotal:				
0087	601 - MOBILIZATION (UNIT BID AMOUNT MAY NOT EXCEED 5% OF SUBTOTAL)	1.000 L.S.		
Bid Total:				

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
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

CERTIFICATION TO SUBMIT DBE PARTICIPATION

JOB 090384

**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.

ARKANSAS DEPARTMENT OF TRANSPORTATION

CERTIFICATION STATEMENT

JOB 090384

Contractor's Certification Statement for National Pollutant Discharge Elimination System (NPDES) Construction Storm Water Permit Number ARR150000.

All Contractors operating on the site shall have the responsibility for compliance with Section 110 of the Standard Specifications for their operations, including, but not limited to: Good housekeeping practices, spill prevention, spill reporting and clean-up, and product specific practices such as limiting the discharge of concrete waste water to areas specified in the SWPPP.

Contractor Printed Name: _____

Signature: _____ **Title:** _____

Company Name: _____ **Date:** _____

Company Address: _____

Telephone No.: _____ **ARDOT Job Number:** _____