SUPPLEMENTAL SPECIFICATION

AMENDMENT TO SECTION 101 – DEFINITIONS AND TERMS

*The purpose of this Supplemental Specification is to incorporate Electronic Bidding terms into our Definitions and Terms Section*

Replace Section 101 with the following:

**101.01 General.** The titles and headings of the Sections and Subsections are intended for convenience and do not bear on the meaning of the text.

When a publication is specified, it refers to the most recent date of issue, including all current updates and official interpretations, prior to the date of Proposal Bid opening for the Project unless the issue has a specific date or year specified.

Wherever the following abbreviations, terms, or pronouns are used in the Contract, the intent and meaning shall be interpreted as follows:

**101.02 Abbreviations:**

- **AAN** American Association of Nurserymen
- **AAR** Association of American Railroads
- **AASHTO** American Association of State Highway and Transportation Officials
- **ACI** American Concrete Institute
- **AGC** Associated General Contractors of America
- **AIA** American Institute of Architects
- **AISC** American Institute of Steel Construction
- **AISI** American Iron and Steel Institute
- **ANSI** American National Standards Institute
- **ARA** American Railway Association
- **AREA** American Railway Engineering Association
- **ASCE** American Society of Civil Engineers
- **ASLA** American Society of Landscape Architects
- **ASME** American Society of Mechanical Engineers
- **ASTM** American Society for Testing and Materials
- **AWPA** American Wood-Preservers’ Association
- **AWWA** American Water Works Association
- **AWS** American Welding Society
- **CFR** Code of Federal Regulations
- **CGP** Construction General Permit
- **CPM** Critical Path Method
- **EPA** Environmental Protection Agency
- **FHWA** Federal Highway Administration
- **FSS** Federal Specifications and Standards, General Services Administration
- **LRFD** Load and Resistance Factor Design
- **MUTCD** Manual on Uniform Traffic Control Devices
- **NEC** National Electric Code
- **NEMA** National Electrical Manufacturers Association
- **NTPEP** National Transportation Product Evaluation Program
- **NHDOT** The State of New Hampshire Department of Transportation
- **NPDES** National Pollutant Discharge Elimination system
- **OSHA** Occupational Safety and Health Administration
RSA The New Hampshire Revised Statutes Annotated, 1955 together with all revisions amending same to date of invitation for bids
SAE Society of Automotive Engineers
SSPC Steel Structures Painting Council
UL Underwriter’s Laboratory
USACOE United States Army Corps of Engineer

101.03 **Accept or Acceptance.** Unless otherwise explicitly stated, these words refer to the Engineer's acceptance of work or materials for the purpose of initiating a Progress Payment(s) to the Contractor.

101.03.1 **Final Acceptance.** The formal written acceptance by the Commissioner indicating that the Contractor has complied with all requirements of the Contract and it has been completed in all respects.

101.04 **Adjustment.** Increase or decrease in the Contract Time or Contract Amount in accordance with 108.07 or 109.04 respectively.

101.05 **Advertisement.** A public announcement inviting bids for work to be performed or materials to be furnished.

101.06 **Angle of Crossing.** The right or acute angle formed by the intersection of the centerline of the upper roadway with a line parallel to the face of the abutment of a bridge or with the centerline of a culvert.

101.07 **Approved Material.** Material approved by the Engineer for use in the work.

101.08 **Award.** The acceptance of a proposal by the Department pending Governor and Council approval.

101.09 **Base Course.** One or more layers of specified or selected material of designed thickness placed on a properly prepared subbase or subgrade to support a surface course.

101.10 **Bidder.** An individual, partnership, firm, corporation, or any combination thereof, or joint venture, submitting a Proposal.

101.11 **Bid Bond.** See Proposal Guaranty.

101.12 **Bid (Total).** Total dollar amount of the Proposal.

101.13 **Bid Documentation.** All writings, working papers, computer printouts, charts, and all other data or compilations of data that contain or reflect information or calculations used by the Bidder to determine the Total Bid and Item Bid Price indicated in a submitted and opened Proposal, including but not limited to information relating to the determination and application of:
- Equipment rates
- Overhead rates and related time schedules
- Labor rates
- Efficiency or productivity factors
- Arithmetic extensions
- Subcontractor and material supplier quotes

Any manuals standard to the industry that are used by the Bidder in determining the Proposal may be included in the bid documentation by reference and shall show the name and date of the publication and the publisher.

The term “Bid Documentation” does not include documents provided by the Department for the Bidder’s use in the preparation of the Proposal.

101.14 **Bid Schedule.** The schedule included in the Proposal, containing the estimated quantities of contract pay items for which Item Bid Prices are invited.

101.15 **Bridge.** As provided by RSA 234:2, a structure having a clear span of 10 ft. (3.048 m) or more measured along the center line of the roadway at the elevation of the bridge seats, spanning a water course or other opening or obstruction.
101.16 **Calendar Day.** A day shown on the calendar.

101.17 **Cement.** Unless otherwise designated, this term will refer to Portland cement.

101.18 **Certificate of Compliance.** A document in the format prescribed in the Contract certifying that material incorporated in the Work complies with the Contract.

101.19 **Change Order.** A revision to the Contract issued after Award. The Change Order establishes the increase or decrease to the Contract Quantities, Contract Amount or Contract Time, if any, for the revision in accordance with 104.02.

101.20 **Commissioner.** The Commissioner of The State of New Hampshire Department of Transportation.

101.21 **Complete in Place.** All work indicated to be completed as part of a Contract pay item except as may be otherwise specified under the Method of Measurement or Basis of Payment.

101.22 **Completion (Project).** Completion of the Project occurs when the Contractor has completed all work required by the Contract; has satisfactorily executed and delivered all documents, certificates, and proofs of compliance required by the Contract, and has received Final Acceptance from the Commissioner.

101.23 **Conduit.** Unless the connotation is to the contrary, a tube intended to carry electrical or other utilities.

101.24 **Construction Zone.** As provided in RSA 266:20, a zone designated by the Commissioner. See 105.12.

101.25 **Contract.** The written agreement between the State and the Contractor setting forth the obligations of the parties thereunder, including, but not limited to, the performance of the work and the basis of payment.


1. **Proposal Form.** The prescribed form on which the Department requires the Bid to be submitted. See 102.02. The completed Proposal Form becomes part of the Contract upon award and execution of the Contract and includes the following:

2. **Proposal.** The Proposal Form as returned and submitted by the Contractor and containing the Contractor's Bid. The Proposal includes or states:
   a. the location and description of the project;
   b. the Bid Schedule;
   c. the **Completion Date**, the date on which specific work; or the Contract is specified to be completed;
   d. the amount of the Bid Bond;
   e. the date, time, and place of the opening of bids;
   f. certification of **Suspension or Debarment**;
   g. certification of **Free Competitive Bidding** (for federal projects), or **Noncollusive Bidding** (for state projects);
   h. certification of **Previous EEO Performance** (for federal projects);
   i. certification of **Lobbying Activities for Federal Aid Contracts** (for federal projects);
   j. certification of **Disadvantaged Business Enterprise Participation** (for federal projects);
   k. certification of **Nondiscrimination**.

3. **Proposal Guaranty.** The security furnished with a Proposal to guaranty that the Bidder will enter into the Contract if the Proposal is accepted. See 102.09.

4. **Agreements.** Binding documents between the Department and third parties that pertain to the use of water, materials, and other resources.

5. **Federal Contract Provisions.** Provisions required on federal-aid Contracts:
   a. Contract Affidavit – Certification Regarding Suspension or Debarment;
Appendix A - Certification Regarding Suspension or Debarment;
b. Lobbying Activities - Limitation on use of Grant or Contract Funds for Lobbying;
c. Disadvantaged Business Enterprise Policy and Directory;
d. Buy America – Steel & Iron Products;
e. Convict Produced Material
f. Form FHWA-1273;
g. 41 CFR 60-4 Affirmative Action Requirements.

6. Specifications. The compilation of Standard Specifications, Supplemental Specifications, Special Provisions, Special Attentions, and other requirements for the performance of prescribed work, including:
   a. Prosecution of Work. Specific requirements and information unique to the Project, including the final and any intermediate completion dates.
   b. Traffic Control Plan. Specific requirements and procedures for controlling traffic during the course of construction. It also allows the Contractor to submit for approval variations of such plan.
   c. Special Attentions. Notices calling bidders’ attention to issues applicable to an individual project.
   d. Special Provisions. Additions and revisions to the standard and supplementary specifications applicable to an individual project.

7. Plans. The approved drawings (or exact reproductions) showing the locations, character, dimensions, and details of the project. As appropriate, plans include:
   a. Plan and Profile Sheets. Sheets showing the alignment of the centerline, the profile of the existing and proposed terrain on that centerline, and other project information.
   b. Typical Sections. A section showing the slope criteria for the roadway cut-and-fill slopes, the crown or cross-slope of the finished roadway, the lane(s) and shoulder widths, the thicknesses and tapers for the surfacing courses, the position of the profile grade line, and the Clear Zone.
   c. Summary Sheets. Sheets indicating the general notes, materials and rates information, and quantities and locations for pay items included in the Contract.
   d. Project Specific Detail Sheets. Details that supplement the plan and profile sheets and provide material, earthwork, or other project specific information.
   e. General Cross-Sections and Earthwork. Sections that indicate the existing and proposed terrain at intervals along the centerline and are used to determine the excavation and embankment limits. The areas developed from the cross-sections and the length of the intervals between sections used to calculate earthwork volumes.

9. Notice to Proceed. Written authorization from the Department to the Contractor to start work on the project.
10. Working Drawings for Approval. Drawings, diagrams, illustrations, schedules, calculations, or other supplemental forms of information for physical items permanently incorporated in the project that the Department requires the Contractor to submit for approval and approved in accordance with 105.02.
11. Contract Revision. A written change to the Contract in accordance with 104.02.

101.26 Contract Administrator. The field representative of the Engineer having direct supervision of the administration of the Contract for the State.

101.27 Contract Amount. The original amount Bid by the Contractor, shown as the "Bid Total" on the Bid Schedule.

101.28 Contract Bond. The approved form of security in compliance with RSA 447:16 executed by the Contractor and the Surety or Sureties, guaranteeing complete execution of the Contract, including the payment of all legal debts pertaining to the construction of the project. See 103.05.

101.29 Contract Time. The Working Days (time) allowed for completion of the Work, or phase of work, or the Completion Date stated in the Contract including authorized time extensions. See 108.07.
101.30 **Contract Total.** The Contract Amount plus any amount added or subtracted by contract revisions.

101.31 **Contract Pay Item.** A specifically described item of work for which a bid price is provided in the Proposal.

101.32 **Contractor.** The individual, partnership, firm, corporation, or any combination thereof, or joint venture, Contracting with the State for performance of prescribed work. Said person or persons, acting directly or through an authorized agent or employee, shall be designated as the party of the second part to the Contract.

101.33 **Controlled Access Highway.** See right-of-way terms.

101.34 **Critical Path.** The longest continuous sequence of work for which the combined duration of the work's individual scheduled activities produces the minimum overall project duration. Activities on the critical path that control the project's completion:

a. **Critical Activity.** Any activity on the critical path
b. **Controlling Activity.** A Critical Activity that would normally be in progress at a given moment.
c. **Milestone.** Fixed date marking the beginning or end of specific work; phases of work; or completion date(s) as specified in the Contract.

101.35 **Cul-De-Sac.** A local street open at one end only and with special provision for turning around.

101.36 **Culvert.** Any structure not classified as a Bridge that provides an opening under any roadway.

101.37 **Day.** Unless designated as a Working Day, or unless otherwise indicated, this term will mean a Calendar Day.

101.38 **Delay.** Any event, action, force, or factor that would cause the established Contract Time to be exceeded for performance of the Contract. See 108.07.

a. **Compensable Delay.** An excusable delay for which the Contractor may be entitled to compensation.
b. **Excusable Delay.** A delay beyond the Contractor’s control and not caused by the Contractor’s fault or negligence, which the Contractor could not have reasonably foreseen, and for which a Contract or phase time extension may be granted.
c. **Noncompensable Delay.** Excusable delay for which the Contractor may be entitled to an extension of time but no additional compensation.
d. **Nonexcusable Delay.** A delay that was reasonably foreseeable and within control of the Contractor for which no compensation or time extension will be granted.

101.39 **Department.** The State of New Hampshire Department of Transportation, designated as the party of the first part to the Contract.

101.40 **Differing Site Conditions.** See 104.02.

101.41 **Digital Identification (ID).** The equivalent of signing before a notary public and placing in force the Debarment and Non-Collusion Affidavit certification on file with the Department.

101.42 **Drive and Entrance.** See right-of-way terms.

101.43 **Easement.** A right acquired by public authority to use or control property for a designated highway purpose.

101.44 **Engineer.** The Assistant Commissioner of the Department, who is responsible for Engineering supervision of the construction, acting directly or through duly authorized representatives.

101.45 **Equipment.** All machinery and attachments, together with the necessary supplies for upkeep and maintenance, and all tools and apparatus necessary for the proper construction and acceptable completion of the Work.
101.46 Erosion “Wearing away of land by running water, waves, wind, ice, abrasion, and transportation.” (New Hampshire Stormwater Manual (Published by NH Department of Environmental Services)).

101.47 Escrow of Bid Documentation. Preservation of the Bid Documents, under 101.13, by the successful Bidder for use by the Department and Bidder in any claims or litigation between the two parties arising out of the Contract.

101.48 Executive Council. Five-member governing body that approves State Contracts.

101.49 Expression: By or to the Engineer. In order to avoid cumbersome and confusing repetition of expressions in these specifications, it is hereby provided that any and all of the following words or any form of such words, unless clearly indicated otherwise, shall be understood to be followed by the words “by the Engineer” or “to the Engineer”: Accepted, approved, authorized, condemned, considered, deemed necessary, contemplated, designated, determined, directed, disapproved, established, given, indicated, insufficient, ordered, permitted, rejected, required, reserved, satisfactory, specified, sufficient, suitable, suspended, unacceptable, or unsatisfactory.

101.50 Floodplain. A nearly flat, alluvial lowland bordering a stream, that is subject to inundation by floods.

101.51 Floodway. Channel of a stream plus any adjacent flood plain areas that must be kept free of encroachment in order that the 100 year flood be carried without increases in flood heights of up to a maximum of 1.0 foot (0.3 m).

101.52 Force Account. A basis of payment for revised work as provided for in 109.04.4.

101.53 Hazardous Material (toxic waste). Material as defined by RSA 147-A.

101.54 Highway, Street, or Road. A public way designated for purposes of vehicular travel or vehicular, and pedestrian travel, including the entire area within the right-of-way.

101.55 Holidays. The following days are legal holidays in the State of New Hampshire used in determination of working days:

- New Year’s Day
- Martin Luther King, Jr./Civil Rights Day
- Washington’s Birthday (The third Monday in February)
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Christmas Day

If any holiday listed above falls on Sunday, the following Monday shall be considered a holiday. If any holiday listed above falls on Saturday, the preceding Friday shall be considered a holiday.

101.56 Inspector. The Engineer’s authorized representative assigned to make inspections of the Work.

101.57 Invasive Species. An alien species whose introduction caused or is likely to cause economic or environmental harm or harm to human health (RSA 430:52 VII).

101.58 Invitation for Bids. The advertisement for Proposals. The advertisement will indicate the time and place of the opening of Bid Proposals, the type and location of work to be performed, and the character and quantity of the Material to be furnished and provide information on how to obtain a Proposal Form.

101.59 Item Bid Price. The price bid for one unit for a Contract pay item, provided in the Bid Schedule, including reasonable estimated costs for labor, materials, and equipment, plus reasonable proportionate shares of anticipated profit, overhead, and indirect costs.
101.60 **Item Numbers and Section Numbers.** In these Specifications, items are numbered to correspond to sections. Each item shall be constructed in accordance with the specifications contained in the corresponding section.

The section numbers are intended for convenience of reference only and do not bear on the meaning of the text. In case of discrepancy between what the numbers for items would indicate and the item as written in words, the item as written in words shall govern.

101.61 **Laboratory.** The official testing laboratory of the Department at Concord. A “recognized laboratory” is any laboratory that may be designated or approved by the Engineer.

101.62 **Lane.** The portion of the traveled way for the movement of a single line of vehicles.

101.63 **Limited Access Highway.** See right-of-way terms.

101.64 **Limits of Construction.** An area with established boundaries, identified within the highway right-of-way or construction easements, where the construction is permitted.

101.65 **Major and Minor Contract Items.** Any Contract pay item for which the original item bid price multiplied by the original item quantity exceeds the following minimum major item value based on total Contract Amount price or 3% of the total Contract Amount price, whichever is less. All other Contract items are considered as minor items.

<table>
<thead>
<tr>
<th>Total Contract Amount</th>
<th>Minimum Major Item Value</th>
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<tbody>
<tr>
<td>$1,000,000.00 or less</td>
<td>$25,000.00</td>
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<tr>
<td>$1,000,000.00 to $5,000,000.00</td>
<td>$100,000.00</td>
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<tr>
<td>$5,000,000.00 to $20,000,000.00</td>
<td>$300,000.00</td>
</tr>
<tr>
<td>$20,000,000.00 or more</td>
<td>$600,000.00</td>
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If no major Contract items are identified using the above criteria, then the major item or items shall be the three (3) highest total dollar bid items, excluding Item 692 – Mobilization.

101.66 **Materials.** Any substances specified for use in the construction of the Project and its appurtenances.

101.67 **Median.** That portion of a divided highway separating the traveled ways for traffic in opposite directions.

101.68 **Non-Participating Item.** As used on the Plans for Federal-aid projects, an item in which the cost is not shared by the Federal Government.

101.69 **Notice to Proceed.** Written notice to the Contractor to proceed with the Contract work; also starts the Contract time, when applicable.

101.70 **Operational Construction Signs.** Warning signs used to advise and guide motorists through or around areas within a construction zone. Typically these signs are mounted on portable supports for short-term, short-duration, and mobile conditions.

101.71 **Pavement Structure.** The combination of subbase, base courses, and surface courses placed on a subgrade to support the traffic load and distribute it to the roadbed.

101.72 **Permanent Construction Signs.** Warning signs used to advise motorists approaching a construction zone. Typically, these signs are mounted on posts and are in place for the duration of the project.

101.73 **Points of Access.** See right-of-way terms.

101.74 **Prequalification Statement.** A completed form on which the Contractor has furnished information as to its ability to perform and finance the Work. See 102.01.

101.75 **Prime Contractor.** The Contractor as defined above.
101.76 **Profile Grade.** The trace of a vertical plane intersecting the top surface of the proposed wearing surface, usually along the longitudinal centerline of the roadbed. Profile grade means either elevation or gradient of such trace according to the context.

101.77 **Project (Project Site).** The specific section(s) of the proposed work together with all appurtenances to be constructed under the Contract and other locations designated by and in which the Department will allow construction activity or disturbance and may include the following, as approved by the Engineer:

a. from the beginning to the ending station(s) of the project between the slope stakes;
b. area within the defined boundaries of a Construction Permit(s);
c. material sources;
d. disposal sites;
e. designated haul roads;
f. plant sites;
g. staging areas;
h. stockpiling sites; and
i. other locations identified or approved by the Engineer.

101.78 **Qualified Products List (QPL).** A list of products prequalified by the Engineer as meeting the Contract requirements for specified materials to be incorporated into the Work. The list is maintained and updated yearly by the Bureau of Materials and Research.

101.79 **Responsive Bid.** A bid that meets all the requirements of the invitation for bids.

101.80 **Responsible Bidder.** A Bidder that the Department determines has the ability to perform the requirements of the Contract.

101.81 **Right-of-Way.** A general term denoting land, property, or interest therein, usually in a strip, acquired for or devoted to transportation purposes.

101.82 **Right-of-Way Terms:**

- **Limited Access Highway.** A highway laid out under the provisions of RSA 230:45 and to which all ingress and egress from abutting tracts of land is prohibited after completion of the work.
- **Controlled Access Highway.** A highway laid out under the provisions of RSA 230:45 and to which ingress and egress from abutting tracts of land may be permitted.
- **Point of Access.** An opening in the right-of-way line through which ingress and egress from the highway to abutting tracts of land may be made. RSA 236:13.
- **Drive and Entrance.** The roadway over which a vehicle must operate for ingress and egress from the highway to abutting tracts of land. RSA 236:13.

101.83 **Roadbed.** The graded portion of a highway prepared as a foundation for the pavement structure and shoulders.

101.84 **Roadside.** A general term denoting the area adjoining the outer edge of the roadway. Extensive areas between the roadways of a divided highway may also be considered roadside.

101.85 **Roadside Development.** Those items necessary for the preservation or replacement of landscape materials and features that may include suitable plantings and other improvements or ground cover to preserve and enhance the appearance and stability of the highway right-of-way or acquired easements.

101.86 **Roadway.** The portion of a highway within the limits of construction.

101.87 **Rock.** Where used in these specifications, this term shall be construed to mean igneous, metamorphic, or sedimentary rock.
101.88  Secure Vault.  Service provided by the Department to accept electronic bids.

101.89  Sieve.  U.S.A. Standard Sieve, as defined in AASHTO M 92.  Measure percent passing sieve by weight.

101.90  Shoulder.  The portion of the roadway contiguous with the traveled way for lateral support of base and surface courses and for accommodation of stopped vehicles, for emergency use.

101.91  Sidewalk.  That portion of the roadway primarily constructed for the use of pedestrians.

101.92  Solid Waste.  Shall mean material as defined by RSA 149-M.

101.93  Standardized Plant Names.  The official Code of Standardized Plant Names of the American Joint Committee on Horticultural Nomenclature.

101.94  State.  The State of New Hampshire.

101.95  Structures.  Bridges, conduits, culverts, catch basins, drop inlets, retaining walls, cribbing, manholes, headwalls, end sections, buildings, sewers, service pipes, underdrains, and other features that may be encountered in the Work and not otherwise classed herein.

101.96  Stump.  The part of a tree remaining in the earth after the stem or trunk falls or is cut off; a standing tree trunk from which the upper part and the branches have been removed.

101.97  Subbase.  Layers of specified material thickness placed on a subgrade to support a base course.

101.98  Subcontractor.  An individual, partnership, firm, corporation, or any combination thereof, or joint venture, to whom the Contractor sublets any part of the Contract.

101.99  Subgrade.  The top surface of a roadbed upon which the pavement structure and shoulders are constructed.

101.100  Subsidiary and Subsidiary Item.  These terms are used to indicate work for which no direct payment will be made.  Such work is considered to be incidental to Contract pay items, and the bid prices submitted by the Contractor shall be sufficient to absorb the cost of all work designated as subsidiary or as subsidiary items.

101.101  Substructure.  All of that part of a Bridge below the bearings of simple and continuous spans, skewbacks of arches, and tops of footings of rigid frames, together with the backwalls and wingwalls.

101.102  Superintendent.  The Contractor’s authorized representative in responsible charge of the work.

101.103  Superstructure.  The entire Bridge except the substructure.

101.104  Surcharge.  Temporary load placed for the purpose of consolidating the underlying soil.

101.105  Surety.  The corporation, partnership, or individual, other than the Contractor, executing a bond furnished by the Contractor.

101.106  Surface Course.  One or more layers of a specified material of designed thickness, to accommodate the traffic load, placed on base courses.  The top layer is sometimes called the “wearing course.”

101.107  Topsoil.  The surface layer of soil and sod encountered during construction.

101.108  Traffic.  The movement of vehicles, pedestrians, animals, and any other conveyance either singly or together through an area of the project or along a route.

101.109  Traffic Control Device.  As defined in the MUTCD, all signs, signals, markings, and devices placed on, over, or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn, or guide traffic.
101.110 **Traffic Lane.** See Lane.

101.111 **Traveled Way.** The portion of the roadway provided for the movement of vehicles, exclusive of shoulders.

101.112 **Unbalanced Bid, Materially.** A Bid that generates a reasonable doubt that award to the Bidder submitting a mathematically unbalanced bid will result in the lowest ultimate cost to the Department. See 102.08

101.113 **Unbalanced Bid, Mathematically.** A Bid containing unit bid items that do not reflect reasonable costs plus a reasonable proportionate share of the bidder’s anticipated profit, overhead costs, and other indirect costs. See 102.08.

101.114 **Unit (Lump Sum).** A single amount basis of payment for a complete Contract item as defined by the Contract.

101.115 **Wear.** The percent of wear of aggregate as determined by the AASHTO T 96 (Los Angeles Abrasion Test). The grading shall be Grading A unless otherwise specified.

101.116 **Wetland.** “An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to swamps, marshes, bogs, and similar areas.” (NH Code of Administrative Rules, Chapter Wt 101.87, 1997)

101.117 **Work.** The furnishing of all labor, materials, equipment, and incidentals necessary or convenient to the successful completion of the Project, and the carrying out of the duties and obligations imposed by the Contract.

101.118 **Working Day.** Any calendar day, except (1) Saturdays, Sundays, and Contract designated legal Holidays; (2) the period from December 1 to April 1, inclusive; (3) days where conditions identified in the Contract that require the Contractor to suspend construction operations; (4) days where inclement weather or other conditions beyond the Contractor’s control, prevent prosecution of the scheduled work with at least 75 percent of the normal daily labor and equipment force on the controlling activity for at least 60 percent of the daily hours routinely worked.

Should the Contractor prepare to begin work on any day on which inclement weather, or the conditions resulting from the weather, prevent the work from beginning at the usual starting time, and the crew is dismissed as a result, the Contractor will not be charged for a working day whether or not conditions change during the day and the rest of the day becomes suitable for construction operations.

101.119 **Working Drawings.** Working Drawings may be submitted for approval or documentation, See 105.02.