

10/05/10

**SUPPLEMENTAL SPECIFICATION**

**SECTION 108 -- PROSECUTION AND PROGRESS**

**SUBSECTION 108.09 - FAILURE TO COMPLETE ON TIME**

**Amend** 108.09 Liquidated Damages Schedule to read:

Liquidated damages shall be assessed in accordance with the following schedule:

<u>Original Contract Amount</u>		<u>Daily Charge</u>	
From more than	To and including	Calendar Day	Working Day
\$ 0	\$ 100,000	\$ 390	\$ 590
100,000	750,000	590	880
750,000	2,000,000	780	1,170
2,000,000	5,000,000	1,170	1,760
5,000,000	10,000,000	1,560	2,340
10,000,000	20,000,000	1,950	2,930
20,000,000	----	2,350	3,520

01/06/12

109  
SS

SSD: 12/07/04, 03/02/06, 08/08/07, 02/12/2008, 03/12/10, 09/01/10

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**S U P P L E M E N T A L   S P E C I F I C A T I O N**

**AMENDMENT TO SECTION 109 -- MEASUREMENT AND PAYMENT**

**AMENDMENT TO SUBSECTION 109.04 - DIFFERING SITE CONDITIONS,  
CHANGES AND EXTRA WORK.**

**Add** the following after the first sentence of 109.04.4.4(d):

The average regional adjustment factor is **0.95**.

**SUPPLEMENTAL SPECIFICATION****AMENDMENT TO SECTION 109 -- MEASUREMENT AND PAYMENT****AMENDMENT TO SUBSECTION 109.09 – PAYMENTS TO SUBCONTRACTORS****109.09 Prompt Payment to Subcontractors.**

The Prime Contractor shall pay all Subcontractors for the work performed no later than 21 calendar days from the date the Prime Contractor received payment from the Department for said work, including materials in accordance with 109.07 and/or 109.08 paid for in the progress payments. Subcontractors are required to pay their Subcontractors and/or material suppliers, within 21 calendar days from the date they receive payment for satisfactory work performed or supplies received. This Prompt Pay requirement shall be made part of all subcontracts and agreements.

If the Prime Contractor believes that any portion of the payment should be withheld from the Subcontractor, the Prime Contractor shall notify the NHDOT Contract Administrator in writing, prior to the estimate being processed. The NHDOT Office of Federal Compliance shall be made part of this notification. The NHDOT may withhold payment for the portion of work in dispute pending resolution.

This prompt payment provision is a requirement of 49 CFR 26.29 and does not confer third-party beneficiary right or other direct right to a Subcontractor against the Department. This provision applies to both DBE and non-DBE Subcontractors.

**Satisfactory Work Performed.** Satisfactory work performed shall be defined for purposes of this prompt payment provision as:

1. Upon review, the Engineer finds the work completed in accordance with the contract, plans and specifications, and;
2. Required paperwork, for Progress and Partial payments, including material certifications and payrolls, has been received.

The determination of whether work meets the standards set forth above is the responsibility of the Engineer. If the Subcontractor becomes insolvent after it satisfactorily performs work as defined above but before payment is due, the obligation to pay is not extinguished. (Payment may have to be made to the bankruptcy trustee or to an escrow account for the benefit of creditors.)

The Prime Contractor must include, in all subcontract agreements, notices to Subcontractors of their right to prompt payment, and of the Department's policy prohibiting Prime Contractor's from holding retainage from Subcontractors under 49 CFR 26.29.

Failure of a Prime Contractor or a Subcontractor to comply with these prompt payment provisions may result in sanctions.

**Non-Payment Claims.** All notifications of failure to meet prompt payment provisions shall be referred by Subcontractors, in writing, to the NHDOT Office of Federal Compliance with a copy supplied to the respective Contract Administrator.

**Payment Certifications.** The Prime Contractor or any Subcontractor who receives payment for work and/or materials (specifically supplied to the project in excess of \$10,000) shall submit a "Monthly Prompt Pay Certification," OFC Form 18, to the NHDOT Office of Federal Compliance no later than the 10<sup>th</sup> calendar day of each month.

04/23/09

SSD: 5/15/2001; Reviewed 6/10

**HARTS LOCATION  
16396A**

April 19, 2012

**SPECIAL PROVISION**

**AMENDMENT TO SECTION 401 -- PLANT MIX PAVEMENTS - GENERAL**

**Amend** the second sentence of 2.2.1 to read:

On this project the grade of bituminous material to be used shall be PG 58-34.

12/01/2010

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**SUPPLEMENTAL SPECIFICATION**

**AMENDMENT TO SECTION 520 – PORTLAND CEMENT CONCRETE**

**Amend** 520.3.1.3.2.1(k) to read:

(k) Sufficient number of microwave safe **ceramic or porcelain** dishes.

## SUPPLEMENTAL SPECIFICATION

### AMENDMENT TO SECTION 618 -- UNIFORMED OFFICERS AND FLAGGERS

*This supplemental specification deletes the existing Description, Equipment, and Construction Requirements sections from the specification and inserts the revised sections. Revisions include current training requirements for uniformed officers and flaggers.*

**Delete** the *Description, Equipment, and Construction Requirements* sections.

**Add** the following *Description, Equipment, and Construction Requirements* sections:

#### **Description**

**1.1** This work shall consist of furnishing qualified uniformed officers, with or without vehicles, or flaggers as required to direct or control traffic through or around the work or as ordered.

**1.1.1** The Contractor may perform flagging operations with his own forces or through approved Subcontractors. Subcontractors shall comply fully with Section 108.01. Flaggers shall be the primary means for providing dynamic temporary traffic control operations in work zones.

**1.1.2** Uniformed officers shall have legal authority to enforce traffic laws on the roadways within the work zone. Uniformed officers may be utilized for their specific authority for operations beyond that of a flagger, such as assistance in speed control and traffic law enforcement, as necessary, and as approved by the Engineer.

#### **Equipment**

**2.1** Vehicles for use with uniformed officers shall be official police vehicles with associated equipment including roof mounted blue flashing lights that are visible to oncoming traffic and appropriate police markings.

**2.2** Traffic paddles and flagger equipment shall conform to those described in the MUTCD.

**2.3** Two-way radios for uniformed officers and flaggers shall be dependable, providing clear communication at all times between radio operators.

**2.4** For night operations, the use of lighting at flagger stations is required as stated in the MUTCD.

#### **Construction Requirements**

**3.1 Uniformed Officers.** Uniformed officers furnished by the Contractor shall have had formal training in the *Safe and Effective Use of Law Enforcement in Work Zones* course or approved equivalent.

**3.1.1** Effective April 1, 2013, all Uniformed Officers working on all NHDOT funded, including municipally managed, projects shall have successfully completed a NHDOT approved course on *The Safe and Effective Use of Law Enforcement Personnel in Work Zones*. This course shall be taken once every four years. Sources of NHDOT approved training can be found on the NHDOT website.

**3.1.2** Upon request by the Engineer, the officer shall provide verification of training within 48 hours.

**3.1.3** Uniformed officers shall be attired with regulation duty uniforms, headgear, high-visibility apparel in accordance with the MUTCD, and shall wear an exposed badge.

**3.2 Designated Flagger Trainers.** The Contractor or the Subcontractor(s) supplying flaggers shall have an employee(s) designated to train flag personnel. Designated trainers shall have taken a formal flagging course as described in 3.2.1 at least once every four years.

**3.2.1** A flagging course taken by employees designated to train shall consist of a minimum of 3 hours of training providing the following general information:

- A. Federal requirements as specified in the MUTCD.
- B. Need for consistent, current and understandable instruction from flaggers.
- C. Understanding of the MUTCD Part VI requirements.
- D. Awareness of types of motorists and vehicles (commuters, tourists, passenger, trucks, emergency, oversized, etc.).
- E. Safety of the work crew, motorists and the flagger.
- F. Qualities of a flagger.
- G. Flagger attire.
- H. Tools necessary to perform flagging operations and their correct use.
  - 1. Equipment which includes, but is not limited to, paddles, flags, flashlights for night, etc.
  - 2. Correct and appropriate hand signals.
- I. Work station safety including, but is not limited to, placement of advance warning signs, flagger station location, and flagger position.
- J. Additional requirements and differences of night flagging operations.
- K. Coordination with other flaggers, work crew, uniformed officers, and traffic signals.

**3.2.2** Designated trainers shall pass a written examination containing thirty or more questions reviewing the principles of flagging. A passing score shall be a minimum of 80 percent.



**3.2.2.1** Upon successful completion of the flagging course and passing the written examination, the attendee shall receive a flagger handbook and a designated trainer completion certificate. The completion certificate shall contain the name of the successful attendee, the name of the course provider, and the date of the course.

**3.3 Flaggers.** All flagging personnel shall be trained by a designated trainer at least once every four years. The course shall cover the topics outlined under 3.2.1. Each flagger shall receive from the designated trainer, a card or certificate that provides the date of training and the designated trainer's name. Upon request by the Engineer, the Contractor and its Subcontractors shall provide verification of training within 48 hours. Any flagger who is trained by a designated trainer and changes employers, must be retrained by the new employer. Flaggers may elect to take a designated trainer course to meet the training requirements in this section, which would not expire with a change of employers.

**3.3.1** Flaggers shall wear high visibility apparel in accordance with the MUTCD and their attire shall be distinctive from the other workers. Flaggers shall wear ANSI Performance Class 3 safety apparel when flagging during hours of darkness. While encouraged, the Class 3 requirement does not apply to pants.

### **3.5 Personnel Requirements and Authority.**

**3.5.1** Uniformed officers and flaggers shall work well alone and as a member of a group, since traffic control operations are a team effort. Therefore, uniformed officers and flaggers shall also possess strong communication skills, as relaying traffic information to others (uniformed officers, flaggers, construction personnel, the public, etc.) is essential. The Contractor shall be responsible for providing specific instructions to uniformed officers and flaggers regarding their duties and responsibilities, both to the public and to their fellow workers on the job. They shall have authority to direct the movement of construction vehicles as well as vehicles of the traveling public, and shall do all that is reasonable to expedite that movement.

**3.5.2** Uniformed officers shall have police powers granted by the authorities having legal jurisdiction in the work area.

**3.5.3** The Contractor shall designate a person as the responsible party to coordinate the traffic control procedures. This person shall be responsible to collect and report the time of actual traffic control to the Engineer.

**3.6** When more than one Uniformed Officer or Flagger is required for traffic control, effective communication shall be maintained between stations. If effective communication cannot be maintained by voice or hand signals, two-way radios shall be used. Necessary safety precautions shall be taken when two-way radios are used in the vicinity of blasting operations.

03/07/11

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**S U P P L E M E N T A L   S P E C I F I C A T I O N**

**AMENDMENT TO SECTION 632– RETROREFLECTIVE PAVEMENT MARKINGS**

**Delete** 632.3.2.8.1.

**Delete** 632.3.2.8.2.

10/02/11

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**SUPPLEMENTAL SPECIFICATION****AMENDMENT TO SECTION 644 – GRASS SEED**

*This supplemental specification requires the use of Slope Seed (WF) Type 45 on all slope work unless specifically specified otherwise. This supplemental specification also revises the Slope Seed (WF) Type 45 seed mix by removing Butterfly Weed and increasing the seed ratios of Lance-Leaved Coreopsis, Blackeyed Susan, and Wild Lupine.*

**Amend** 2.3 as follows:

**2.3** Slope seed (WF) Type 45 shall be used for all slope work and shall conform to Table 2 unless amended by the Engineer to suit special local conditions encountered.

**Table 2 – Slope Seed (WF) Type 45**

Kind of Seed	Minimum Purity (%)	Minimum Germination (%)	Application Rate [lbs/acre (kg/ha)]
Creeping Red Fescue <sup>c</sup>	96	85	35 (40)
Perennial Ryegrass <sup>a</sup>	98	90	30 (35)
Redtop	95	80	5 (5)
Alsike Clover	97	90 <sup>c</sup>	5 (5)
Birdsfoot Trefoil <sup>d</sup>	98	80 <sup>c</sup>	5 (5)
Lance-Leaved Coreopsis	95	80	4 (4)
Oxeye Daisy	95	80	3 (3)
Blackeyed Susan	95	80	4 (4)
Wild Lupine	95	80	4 (4)
		Total	95 (105)

**2.3.1** Slope seed Type 44 shall only be used where specified on the Plans, or as ordered, and shall conform to Table 3.

Supersedes Dated: 09/10/10, 02/08/11, 04/21/11

**SUPPLEMENTAL SPECIFICATION****AMENDMENT TO SECTION 698 -- FIELD FACILITIES****Add to 2.2.1:**

Computer Equipment and Accessories: The computer system and accessories to be supplied shall be as listed below. The computer system shall be fully operational (all components and software installed) in the field office by representatives of the Contractor, with electronic communication established with the Bureau of Construction in Concord. Except for initial mobilization payment, no contractual payments will be processed until the computer is fully operational.

**Minimum Computer Unit:**

- 100% IBM Compatible, PCI Bus and Video Architecture.
- Minimum 512 KB Cache RAM
- Clock Speed: Minimum 3.8 GHz. Intel or equivalent
- Memory: 2 GB RAM minimum
- Ports: **6 – USB 2.0 Ports**
- 10/100 Ethernet adapter
- Keyboard
- Hard Disk: 250 GB minimum
- 17" (16" minimum diagonal view area) Monitor Color **flat-panel** SVGA: 1024 X 768 graphics minimum resolution, 5 ms response time or better, 250 cd/m<sup>2</sup> minimum brightness, non-interlaced and 32 bit controller card with 256 MB RAM minimum (non integrated)
- DVD+/-RW drive.
- Optical mouse with pad and connecting cable

**Modem/Communications:**

- Unlimited-hours Internet account
- DSL or cable-modem Internet service

**Software:**

- **MS Windows Vista or 7, Professional Version**
- **Microsoft Office 2010, Professional Version**
- LapLink Gold 12.0 or higher
- **Anti-virus software with active protection and update subscription**

**Printer Unit:**

- Laser Jet printer with the following minimum specifications:
  - o Max resolution: 1200 vertical x 1200 horizontal dots of ink per inch
  - o RAM installed: 32 MB
  - o 15 sheets per minute print speed
  - o Microsoft Windows compatibility
  - o Computer disks with software drivers and utilities
  - o Network compatibility (only required if network is to be established per contract)
  - o Replacement Toner Cartridge(s) as required, with 1 spare on hand at all times.

**Wireless Communication:**

- Router with the following minimum specifications:
  - o Wireless – 802.11b and 802.11g compatible
  - o Ports: 4
  - o Operating System Compatibility: **Microsoft Windows Vista or 7, Professional Version**

**Accessories:**

- Digital camera:
  - o Minimum 6.0 Mega Pixel resolution
  - o 12-volt DC adapter and AC adapter power supply cables
  - o Carrying case
  - o Picture file storage media, compatible for uploading picture data to the computer unit and printer (minimum 2 GB)
  - o Supports jpeg file format
  - o Backup set of rechargeable batteries and charger
- Video Camcorder:
  - o New, or used with a recently performed service check verified by an invoice
  - o Storage case
  - o Instruction book(s)
  - o Extra battery with charger
  - o Lens protector
  - o 30 GB internal hard drive
  - o 34x optical zoom
  - o Low light capability
  - o Image stabilization
  - o USB 2.0 interface and cable
- Surge Protector: 15 Amps, six outlets with circuit breaker control and spike protection.
- Plastic dust covers for the computer printer and keyboard.
- Storage Disks: 10 each minimum DVD-RW diskettes with protective covers, as required and a 20 disk capacity storage container.
- Printer Paper: 8-1/2" x 11" cut sheets and 8-1/2" X 14" cut sheets, 2 reams of each type, to be maintained.
- Computer workstation unit: approximately 6 feet long with chair and static guard mats.

**Add** to 2.2.1 – Equipment required for all Field Offices as follows:

Strobe Light: 1 magnetic mount, 20 watt, 12/24 Volt DC strobe beacon, if requested by the Engineer. Unit must be able to plug into the cigarette lighter.

**Delete** in 2.2.2 - – Additional Equipment for Field Office Type A, Type B, Type C and Type D – Photo Copier.

**Add** to 2.2.2 – Additional Equipment for Field Office Type A, Type B, Type C and Type D the following:

Photo Copier/Color Scanner: 1, desktop, letter and legal size, minimum of eight copies per minute, minimum of 600 x 600 dpi scanner, and enlarging capability with supplies and maintenance.