

	DATE	RECORD DRAWING		SCALE	
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE		
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE	
CHECKED: J. GARCIA	09/16				
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS					

FEDERAL ASPHALT CONCRETE OVERLAYS
VARIOUS LOCATIONS IN FRESNO COUNTY

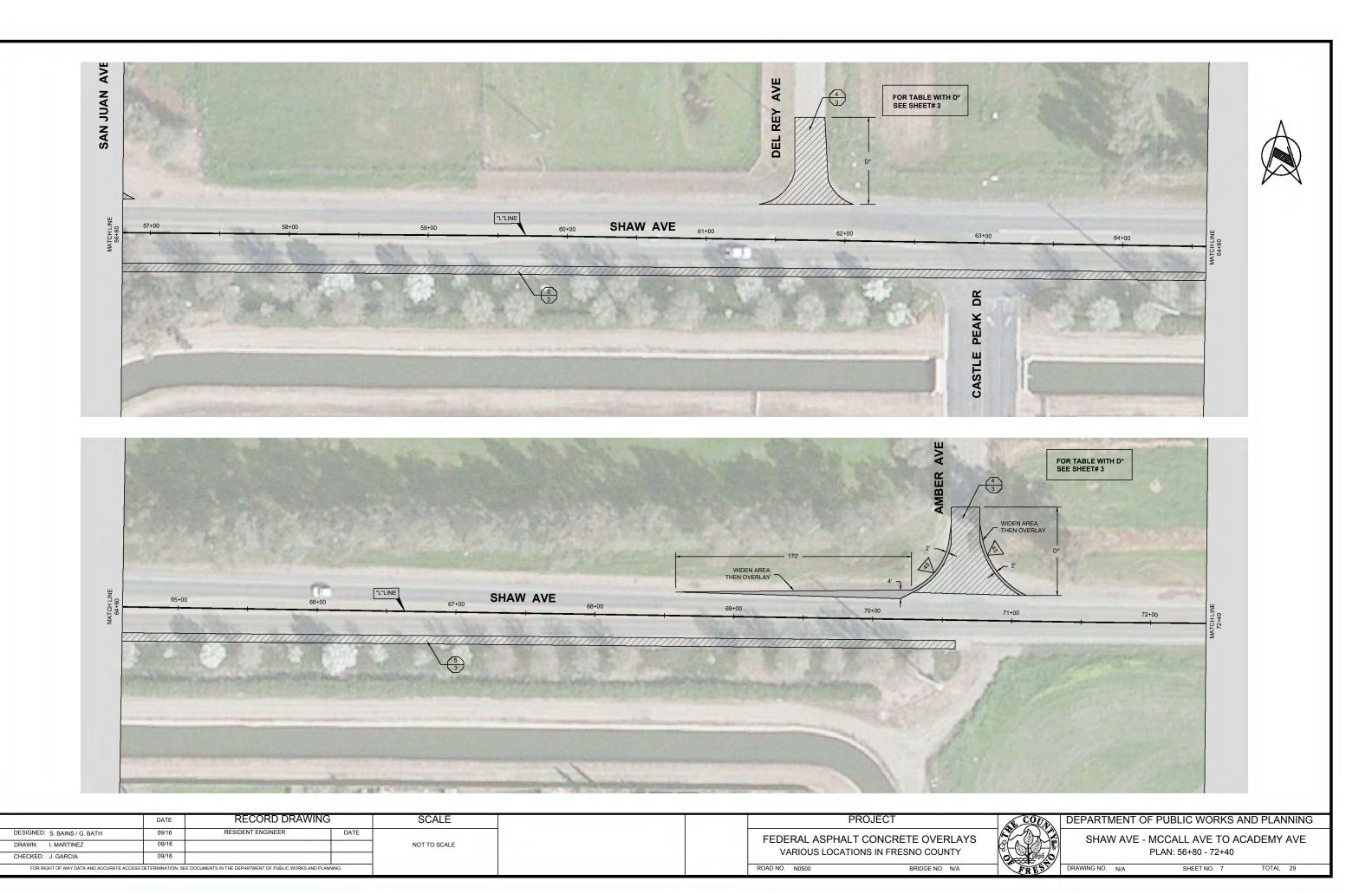
ROAD NO. NO500 BRIDGE NO. N/A

PROJECT

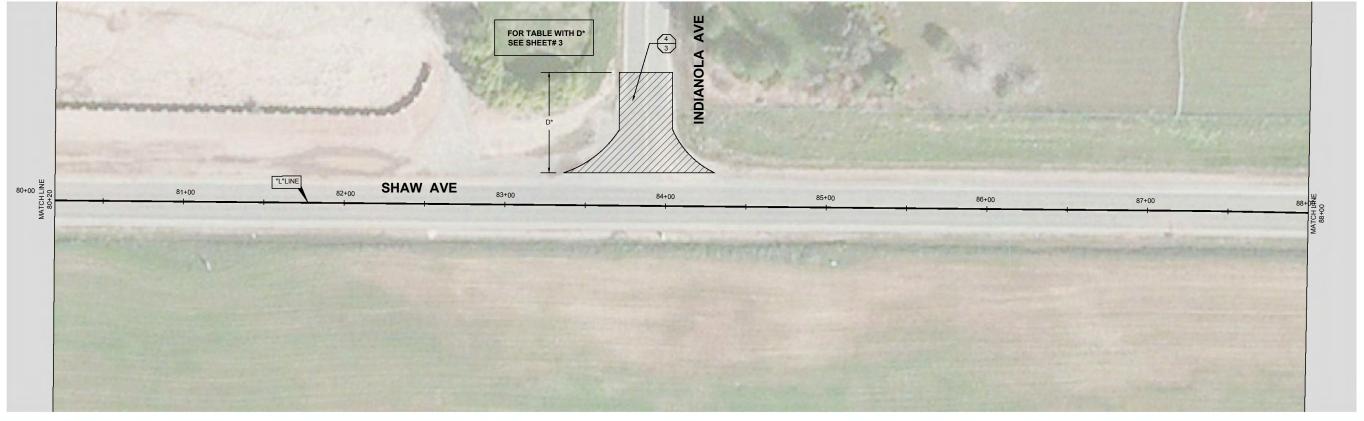


# DEPARTMENT OF PUBLIC WORKS AND PLANNING SHAW AVE - MCCALL AVE TO ACADEMY AVE PLAN: 41+20 - 56+80

WING NO. N/A SHEET NO. 6 TOTAL 29







	DATE	RECORD DRAWING		SCALE	
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE		
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE	
CHECKED: J. GARCIA	09/16	7 -			
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS					

PROJECT

FEDERAL ASPHALT CONCRETE OVERLAYS

VARIOUS LOCATIONS IN FRESNO COUNTY

ROAD NO. NO500 BRIDGE NO. N/A

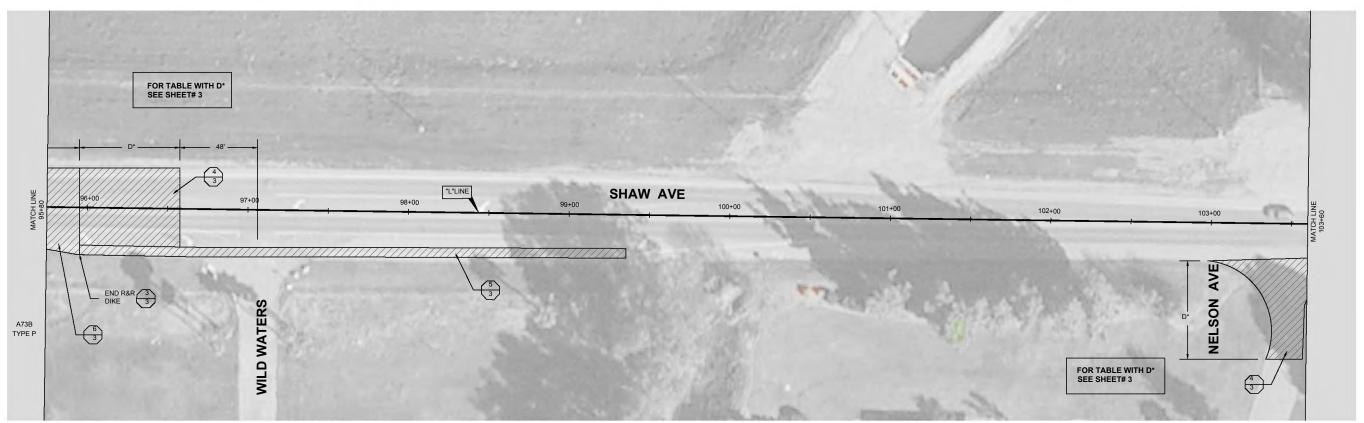


### DEPARTMENT OF PUBLIC WORKS AND PLANNING

SHAW AVE - MCCALL AVE TO ACADEMY AVE PLAN: 72+80 - 88+00

RAWING NO. N/A SHEET NO. 8 TOTAL 29





	DATE	RECORD DRAWING		SCALE
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE	
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE
CHECKED: J. GARCIA	09/16			1.0
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS	A			

FEDERAL ASPHALT CONCRETE OVERLAYS VARIOUS LOCATIONS IN FRESNO COUNTY

PROJECT

ROAD NO. N0500 BRIDGE NO. N/A



### DEPARTMENT OF PUBLIC WORKS AND PLANNING

SHAW AVE - MCCALL AVE TO ACADEMY AVE PLAN: 88+00 - 103+60

DRAWING NO. N/A SHEET NO. 9 TOTAL 29





	DATE	RECORD DRAWING		SCALE
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE	
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE
CHECKED: J. GARCIA	09/16			
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS D				

FEDERAL ASPHALT CONCRETE OVERLAYS VARIOUS LOCATIONS IN FRESNO COUNTY ROAD NO. N0500

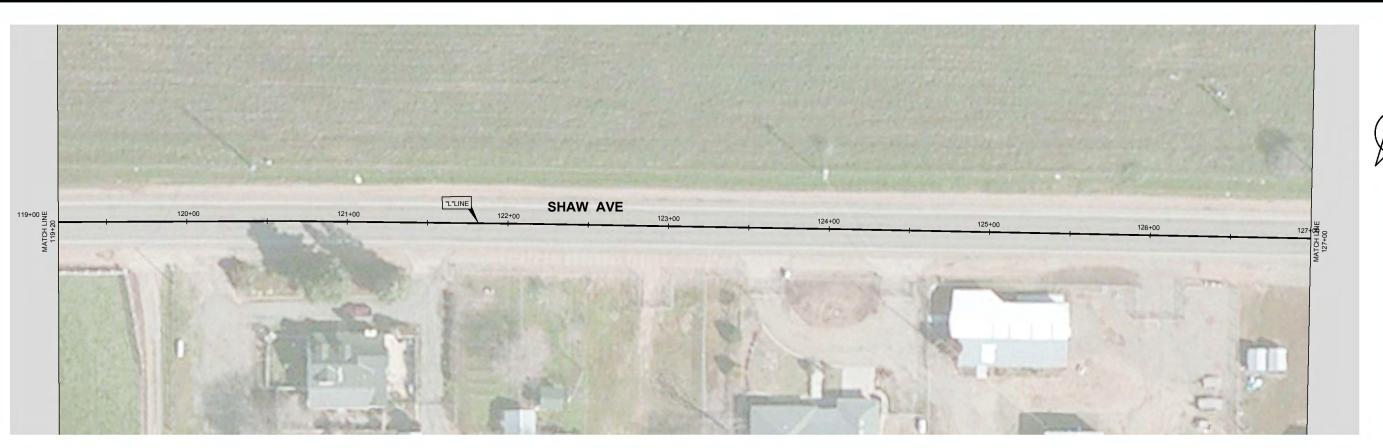
PROJECT

BRIDGE NO. N/A



### DEPARTMENT OF PUBLIC WORKS AND PLANNING SHAW AVE - MCCALL AVE TO ACADEMY AVE

PLAN: 130+60 - 119+20 SHEET NO. 10 DRAWING NO. N/A TOTAL 29





	DATE	RECORD DRAWING		SCALE
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE	
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE
CHECKED: J. GARCIA	09/16			
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS DETERMINATION, SEE DOCUMENTS IN THE DEPARTMENT OF PUBLIC WORKS AND PLANNING.				

FEDERAL ASPHALT CONCRETE OVERLAYS
VARIOUS LOCATIONS IN FRESNO COUNTY

ROAD NO. NO500 BRIDGE NO. N/A

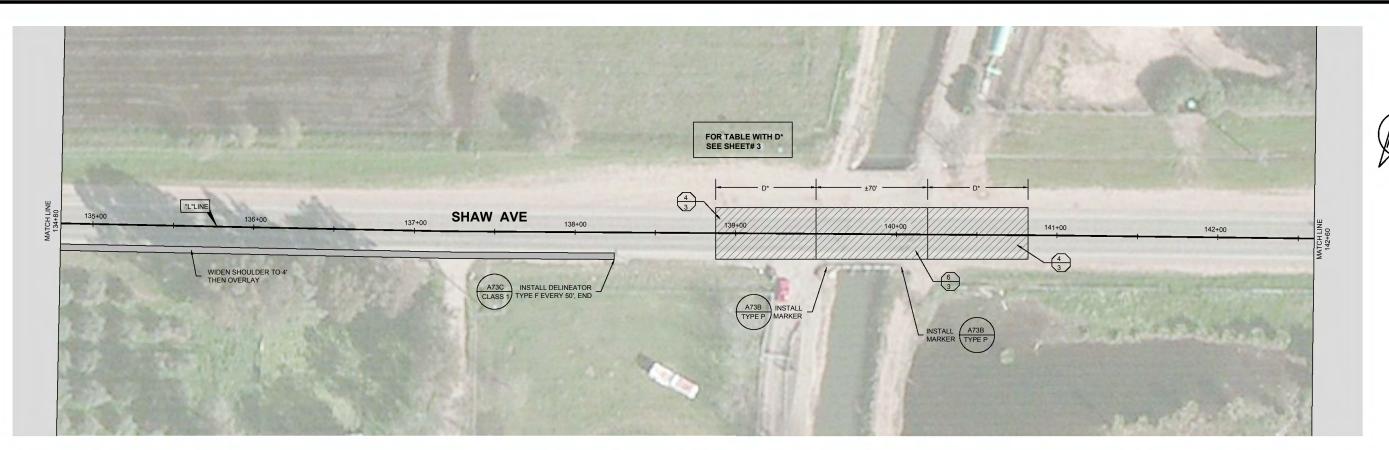
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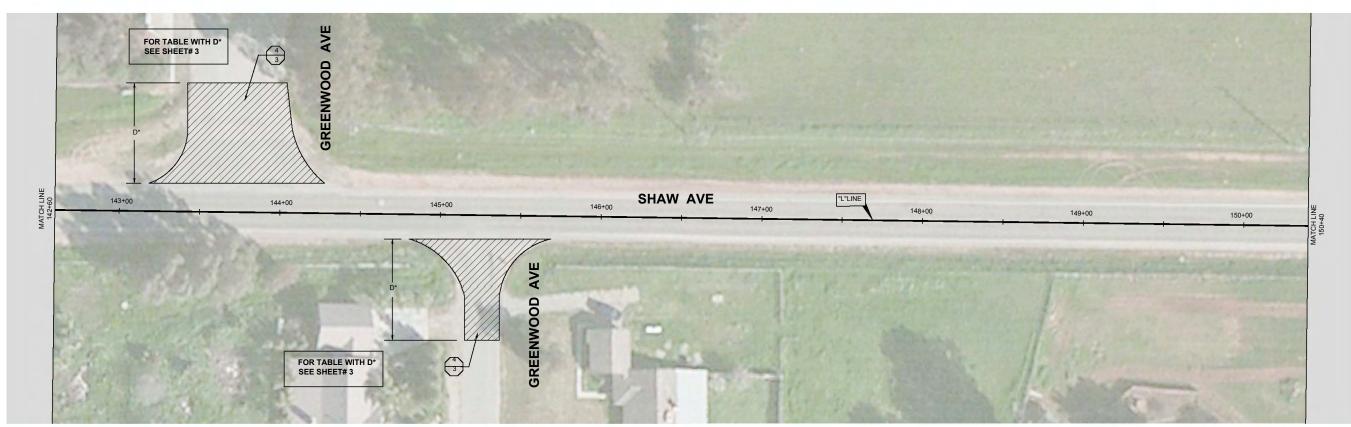


# DEPARTMENT OF PUBLIC WORKS AND PLANNING SHAW AVE - MCCALL AVE TO ACADEMY AVE

PLAN: 119+20 - 134+80

DRAWING NO. N/A SHEET NO. 11 TOTAL 29





	DATE	RECORD DRAWING		SCALE	
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE		
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE	
CHECKED: J. GARCIA	09/16				
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS DETERMINATION, SEE DOCUMENTS IN THE DEPARTMENT OF PUBLIC WORKS AND PLANNING.					

FEDERAL ASPHALT CONCRETE OVERLAYS VARIOUS LOCATIONS IN FRESNO COUNTY

PROJECT

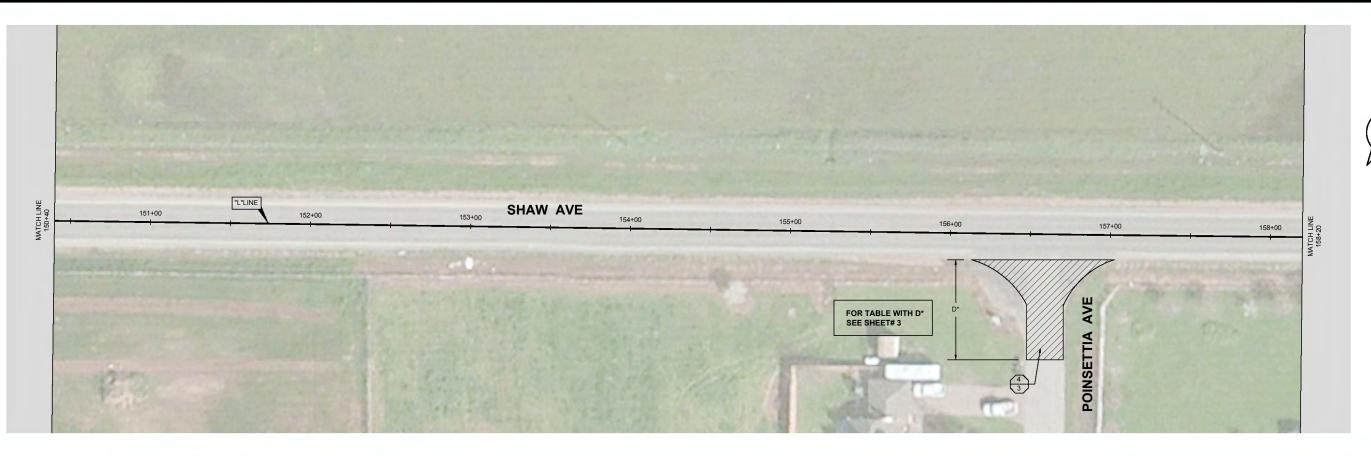
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## DEPARTMENT OF PUBLIC WORKS AND PLANNING

SHAW AVE - MCCALL AVE TO ACADEMY AVE PLAN: 136+80 - 150+40

RAWING NO. N/A SHEET NO. 12 TOTAL 29





	DATE	RECORD DRAWING		SCALE	
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE		
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE	
CHECKED: J. GARCIA	09/16				
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS DETERMINATION, SEE DOCUMENTS IN THE DEPARTMENT OF PUBLIC WORKS AND PLANNING.					

PROJECT

FEDERAL ASPHALT CONCRETE OVERLAYS

VARIOUS LOCATIONS IN FRESNO COUNTY

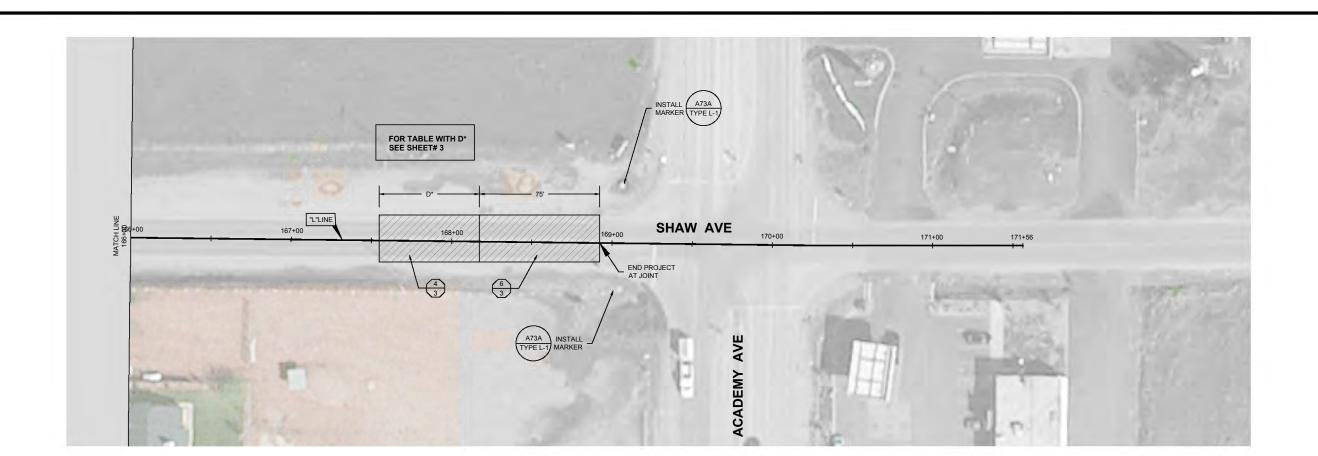
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## DEPARTMENT OF PUBLIC WORKS AND PLANNING

SHAW AVE - MCCALL AVE TO ACADEMY AVE PLAN: 150+40 - 166+00

DRAWING NO. N/A SHEET NO. 13 TOTAL 29





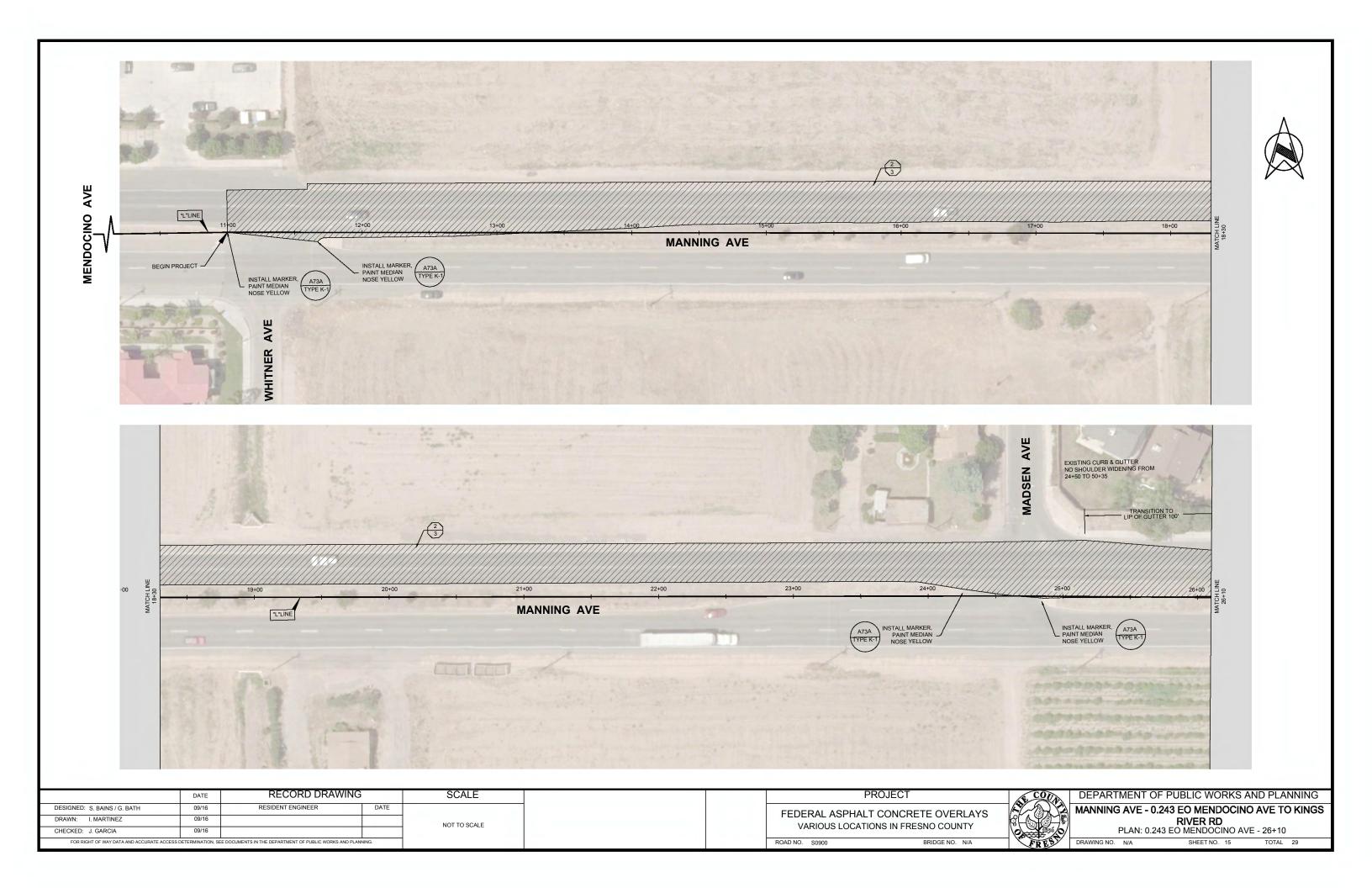
	DATE	RECORD DRAWING		SCALE	
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE		1
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE	
CHECKED: J. GARCIA	09/16				
FOR RIGHT OF WAY DATA AND ACCURATE ACCE					

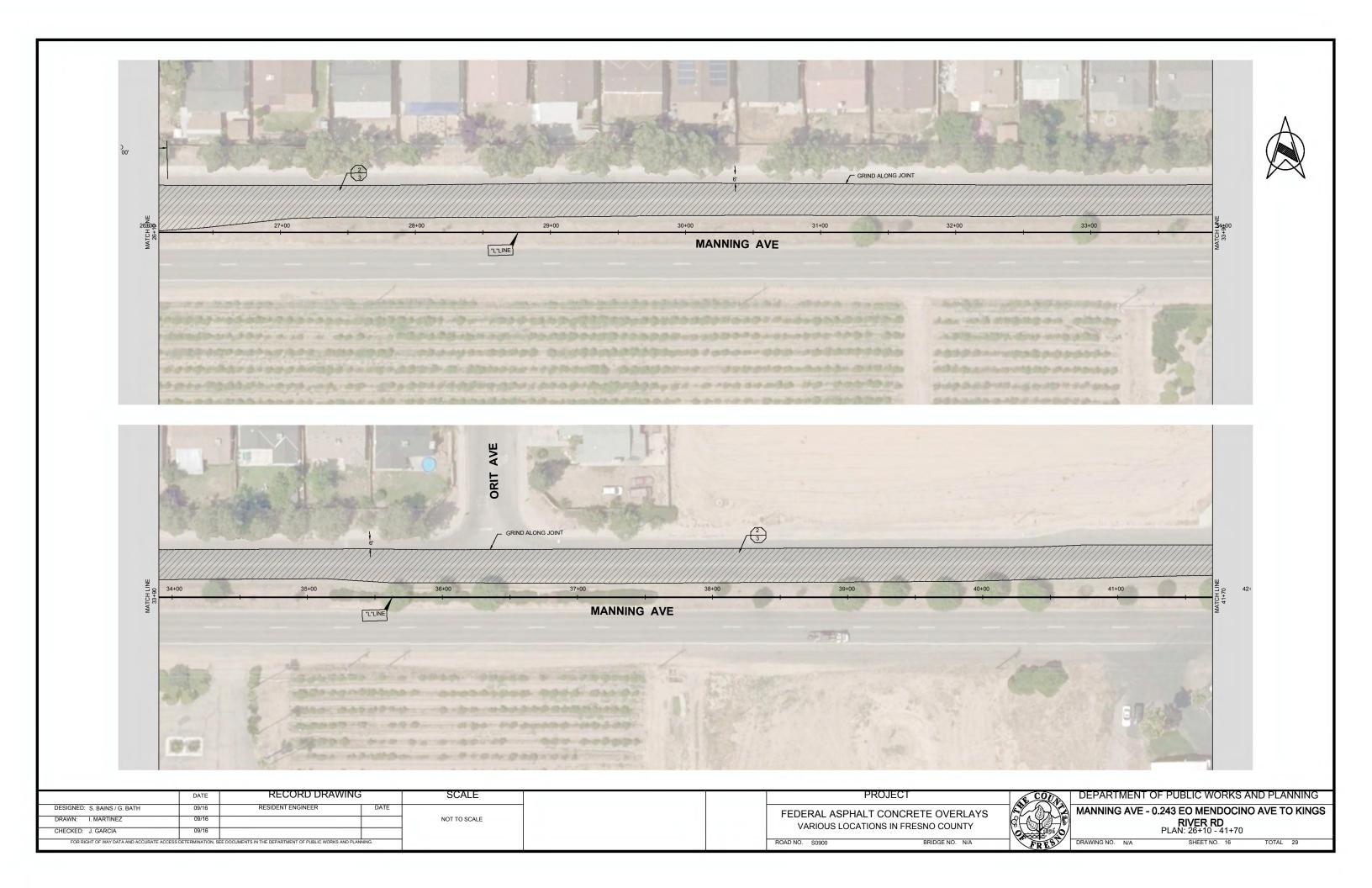
FEDERAL ASPHALT CONCRETE OVERLAYS	
VARIOUS LOCATIONS IN FRESNO COUNTY	
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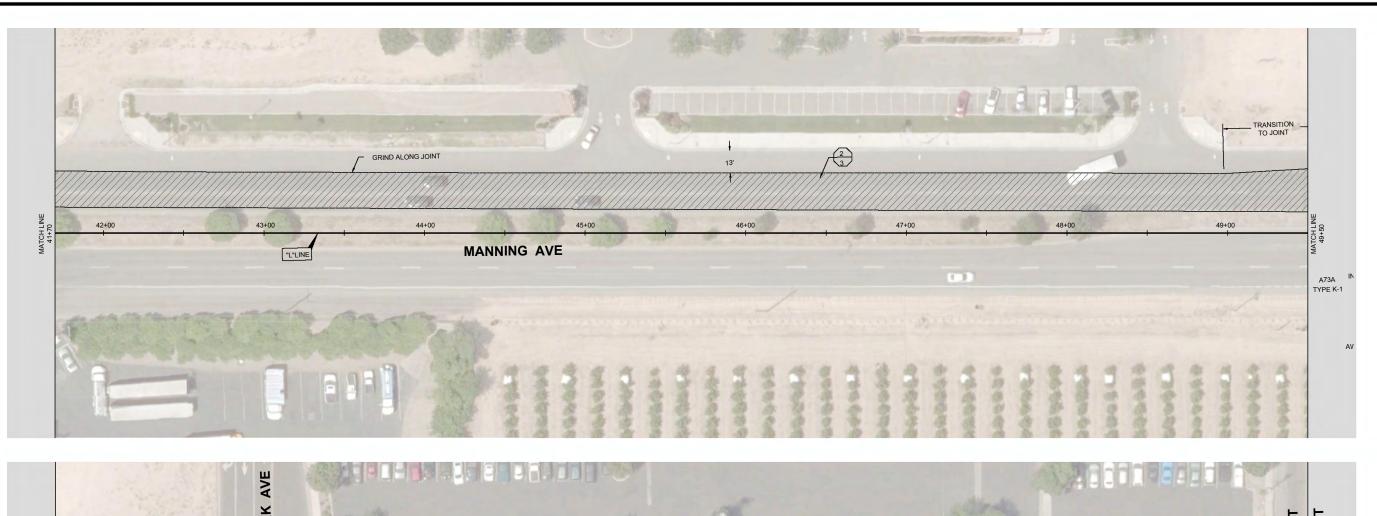
PROJECT

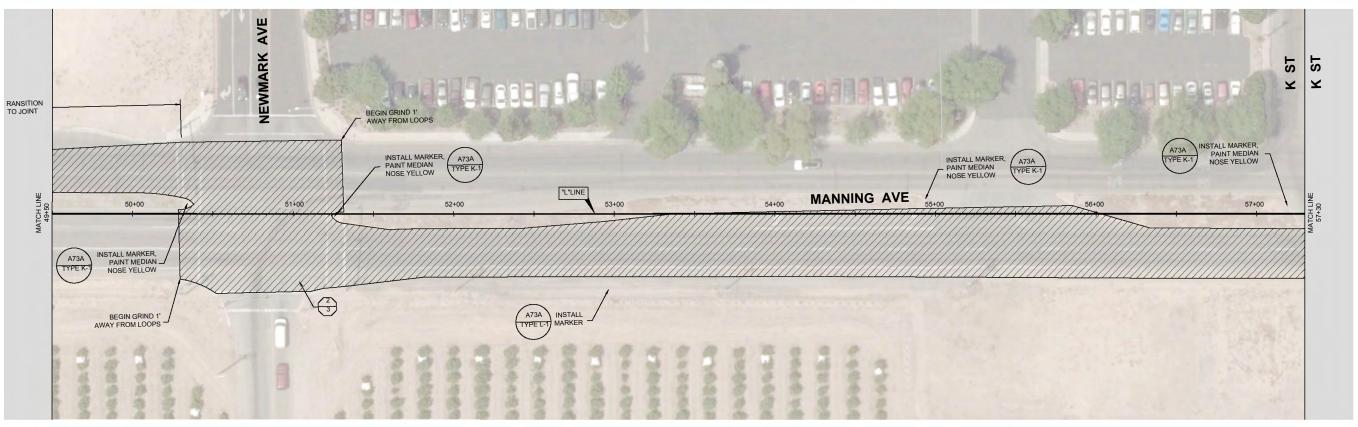
DRAWING NO. N/A

SHAV	SHAW AVE - MCCALL AVE TO ACADEMY AVE							
	PLAN: 166+00 TO ACADEMY AVE							
/ING NO.	N/A			SHEET NO.	14	TOTAL	29	









	DATE	RECORD DRAWING	SCALE		
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE		
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE	
CHECKED: J. GARCIA	09/16				
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS DETERMINATION, SEE DOCUMENTS IN THE DEPARTMENT OF PUBLIC WORKS AND PLANNING.					

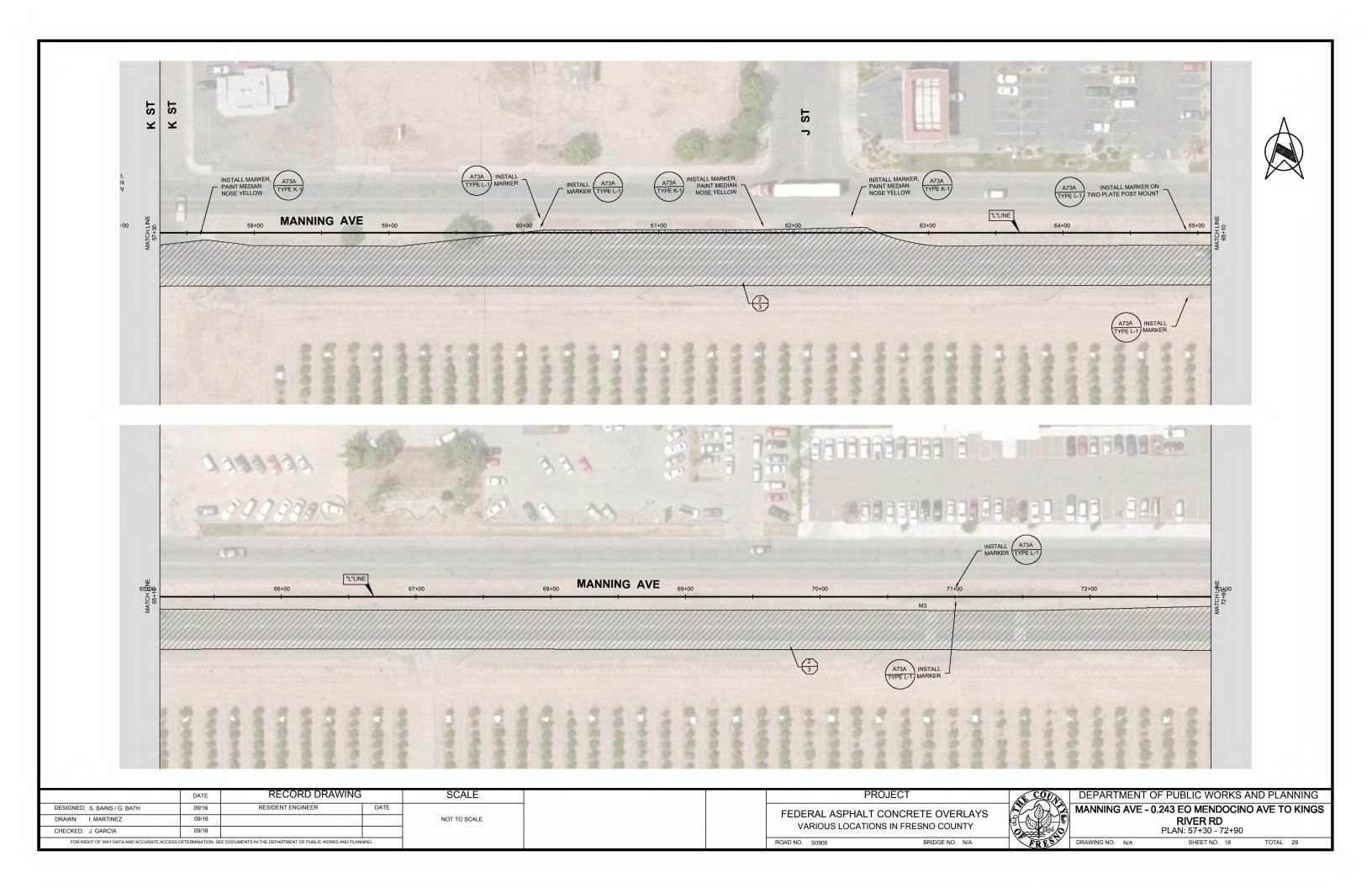
FEDERAL ASPHALT CONCRETE OVERLAYS
VARIOUS LOCATIONS IN FRESNO COUNTY

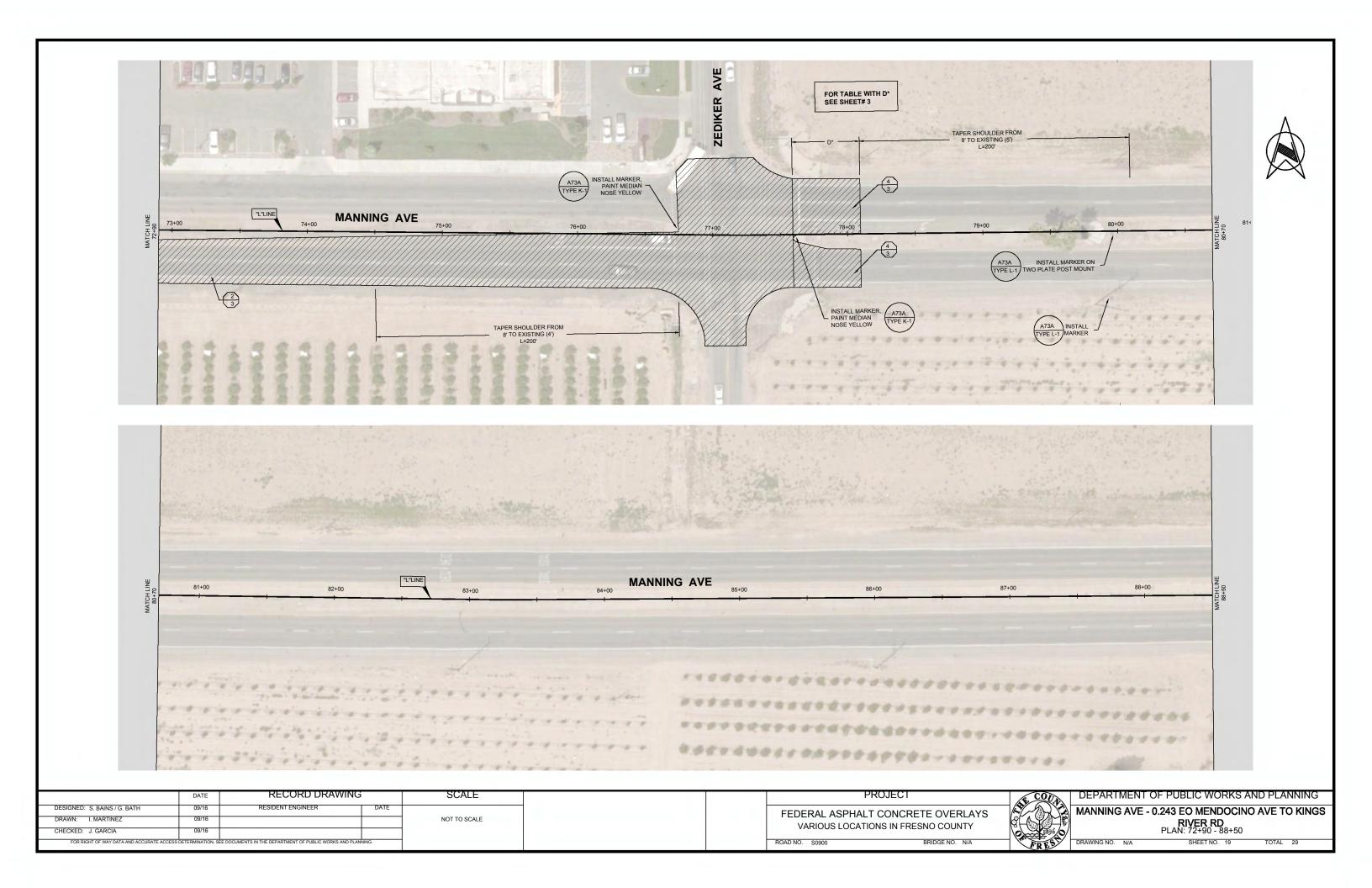
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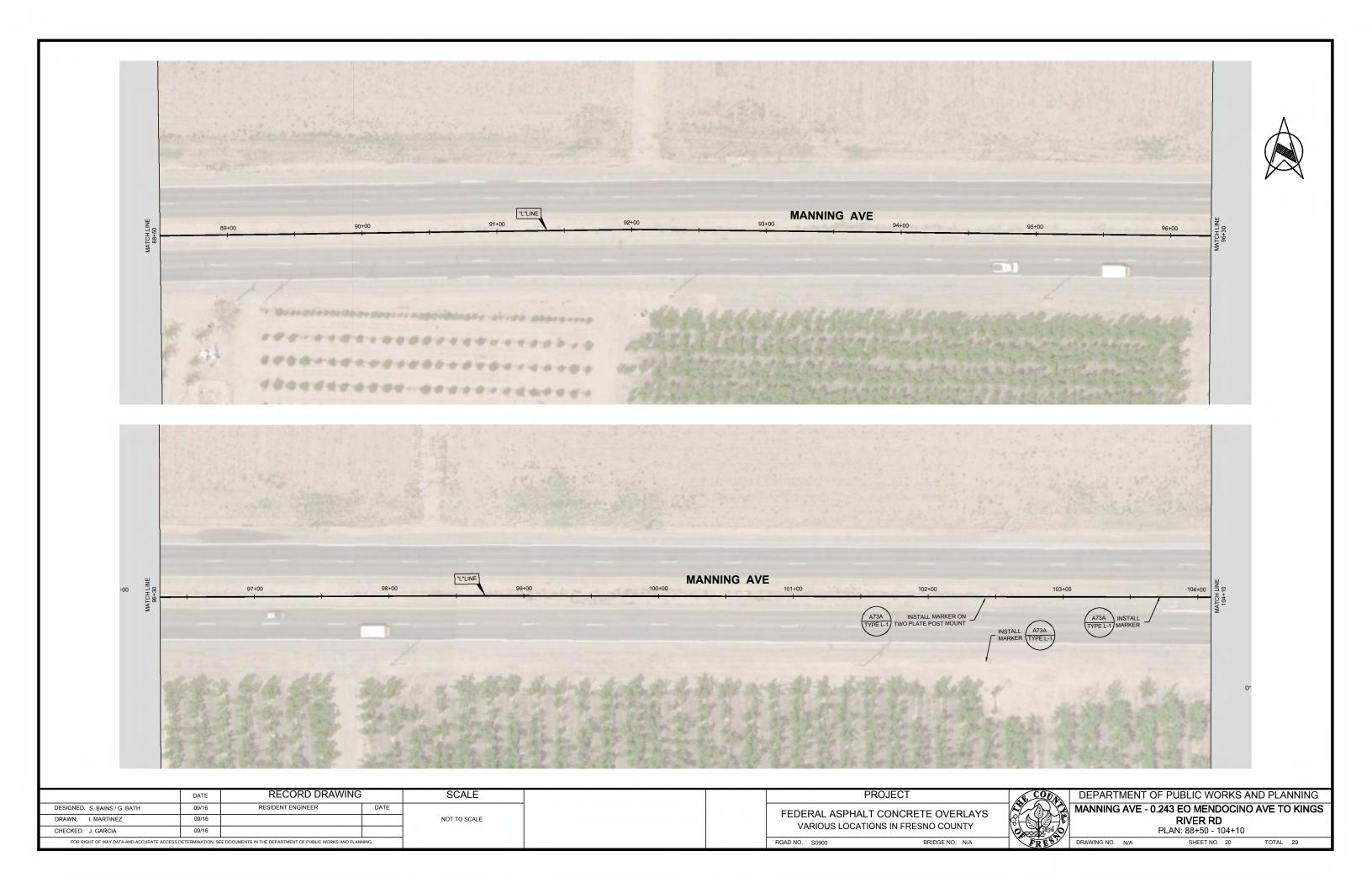
PROJECT

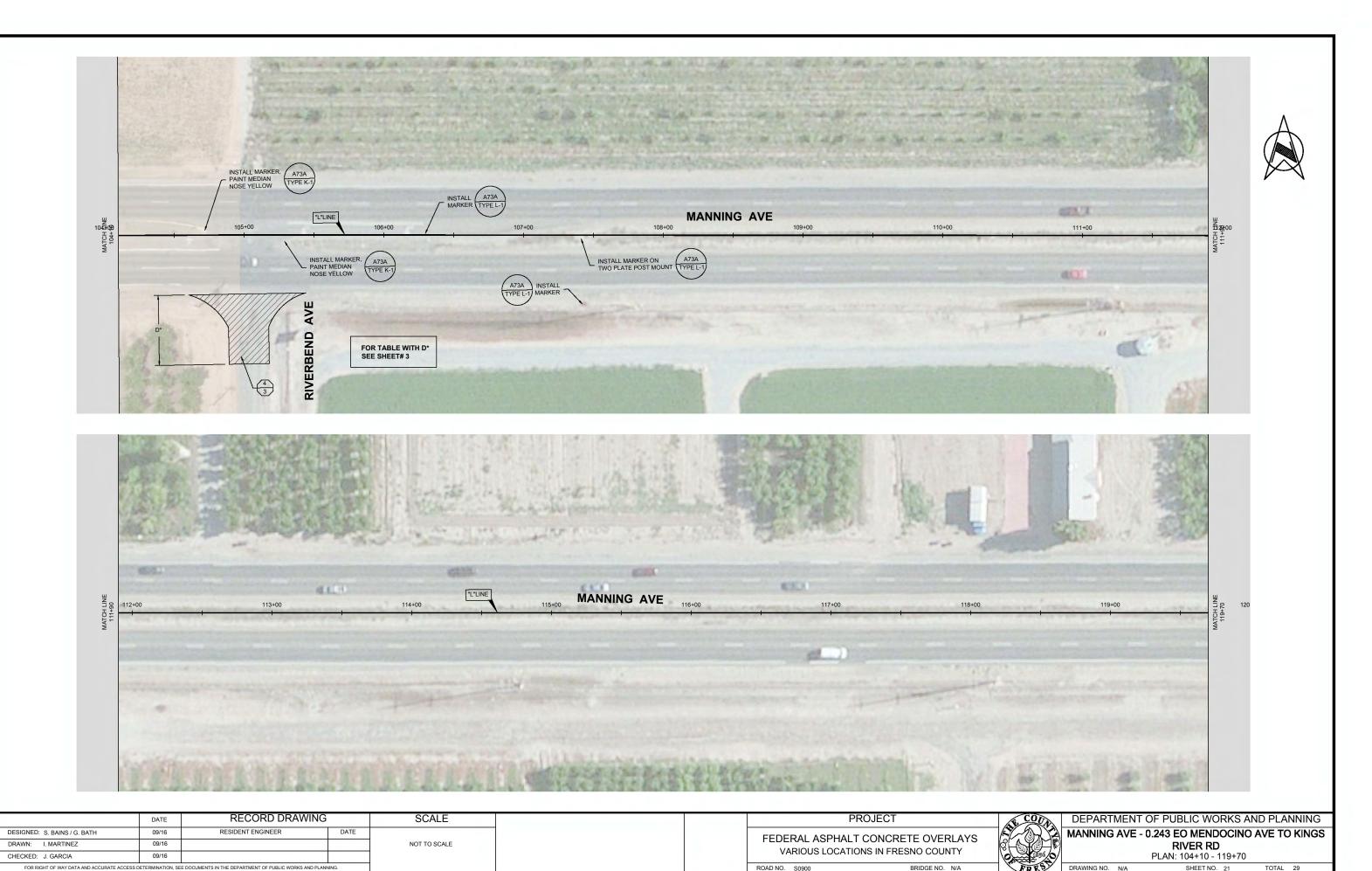


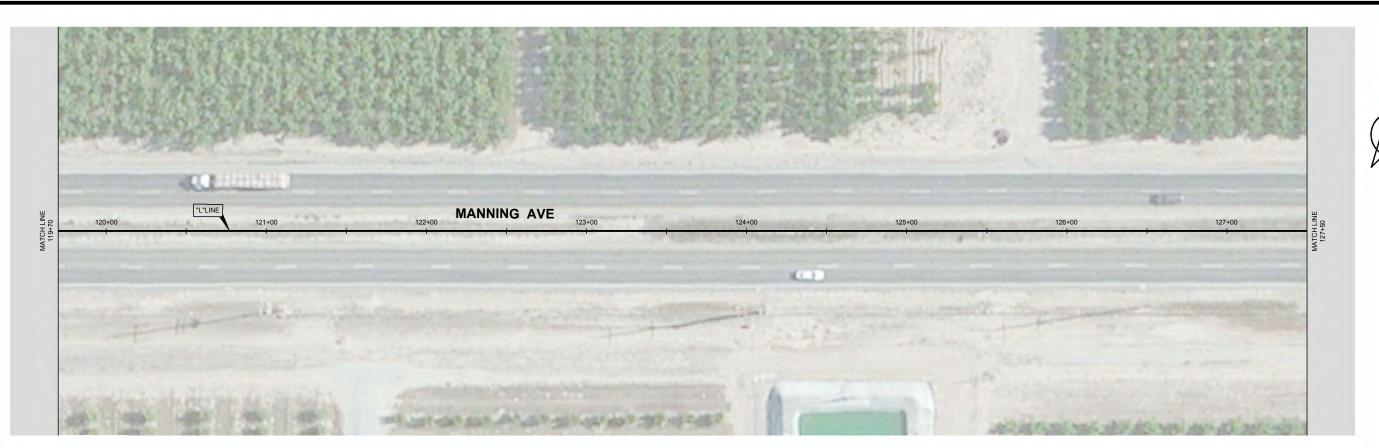
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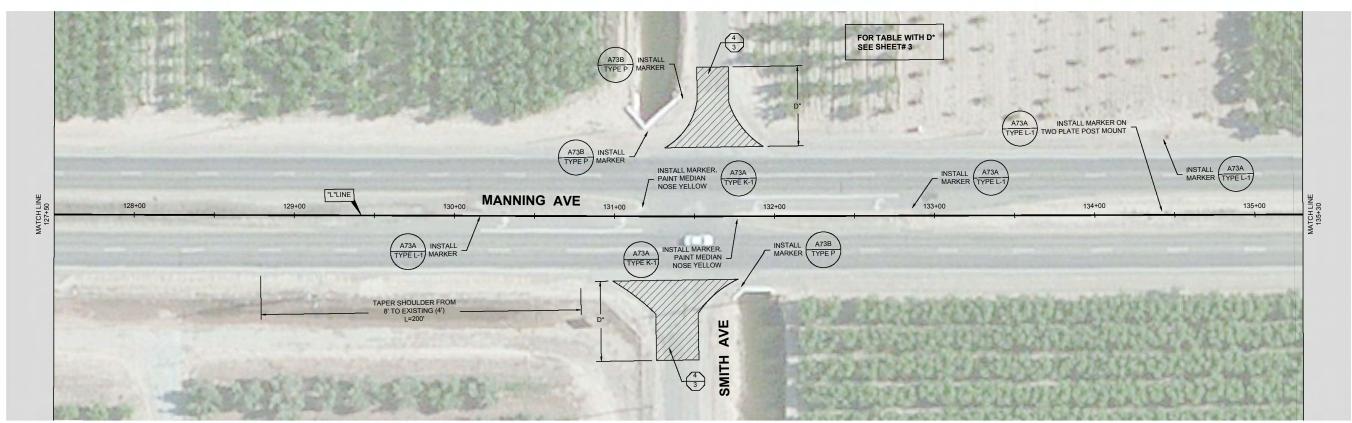












	DATE	RECORD DRAWING		SCALE	Τ
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE		
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE	
CHECKED: J. GARCIA	09/16				
EOD DIGHT OF WAY DATA AND ACCURATE ACCESS D					

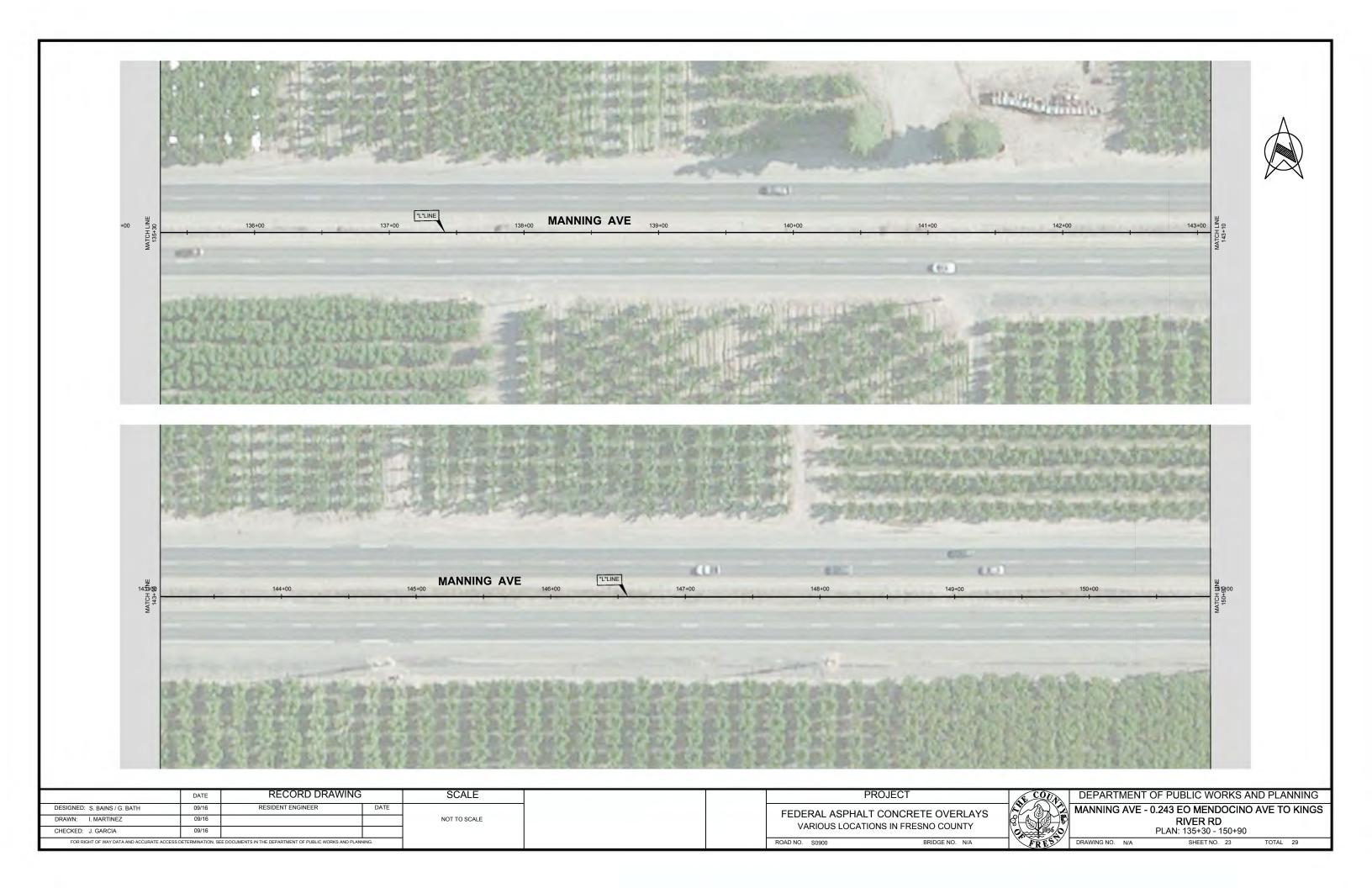
FEDERAL ASPHALT CONCRETE OVERLAYS
VARIOUS LOCATIONS IN FRESNO COUNTY

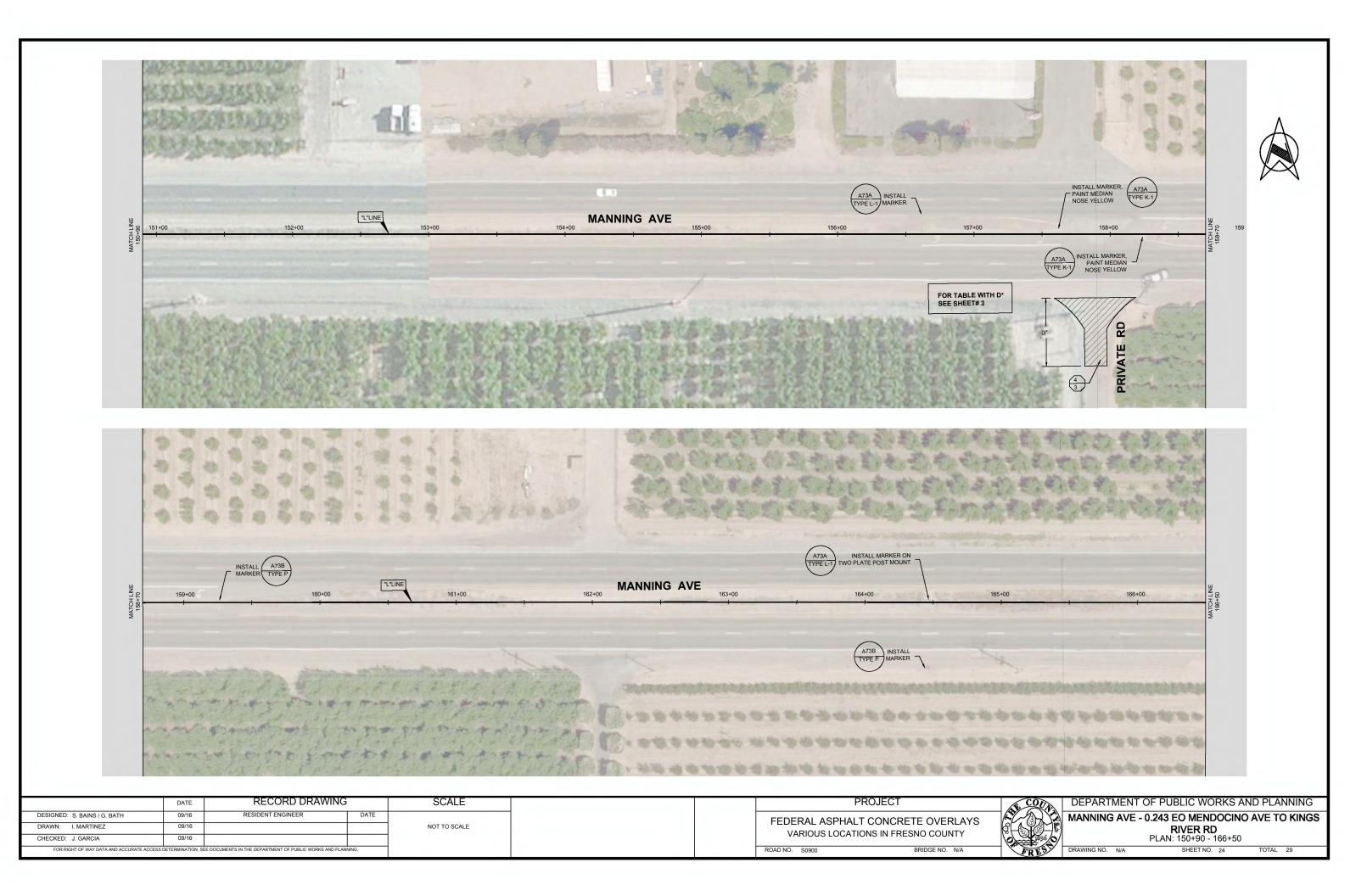
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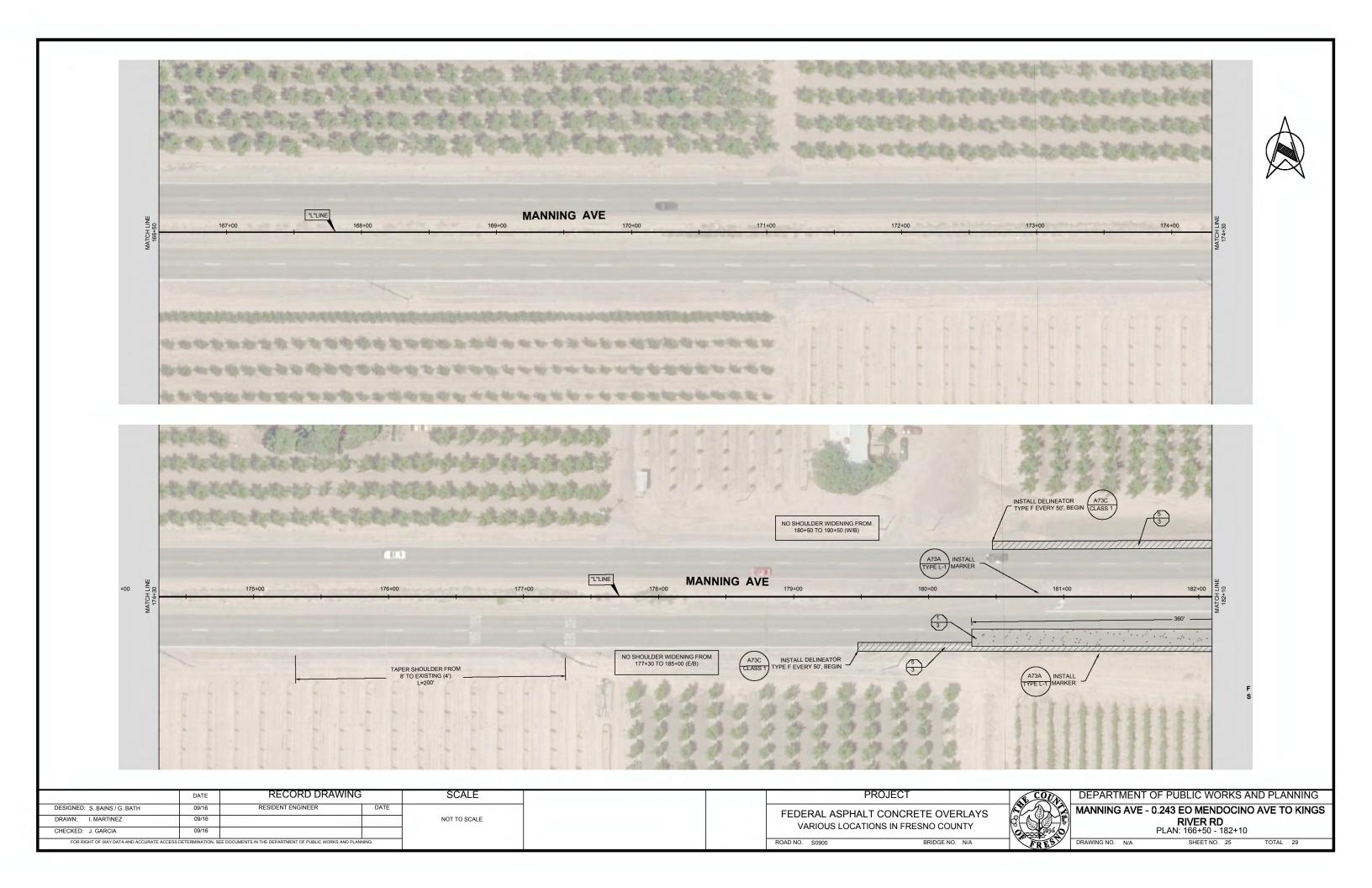
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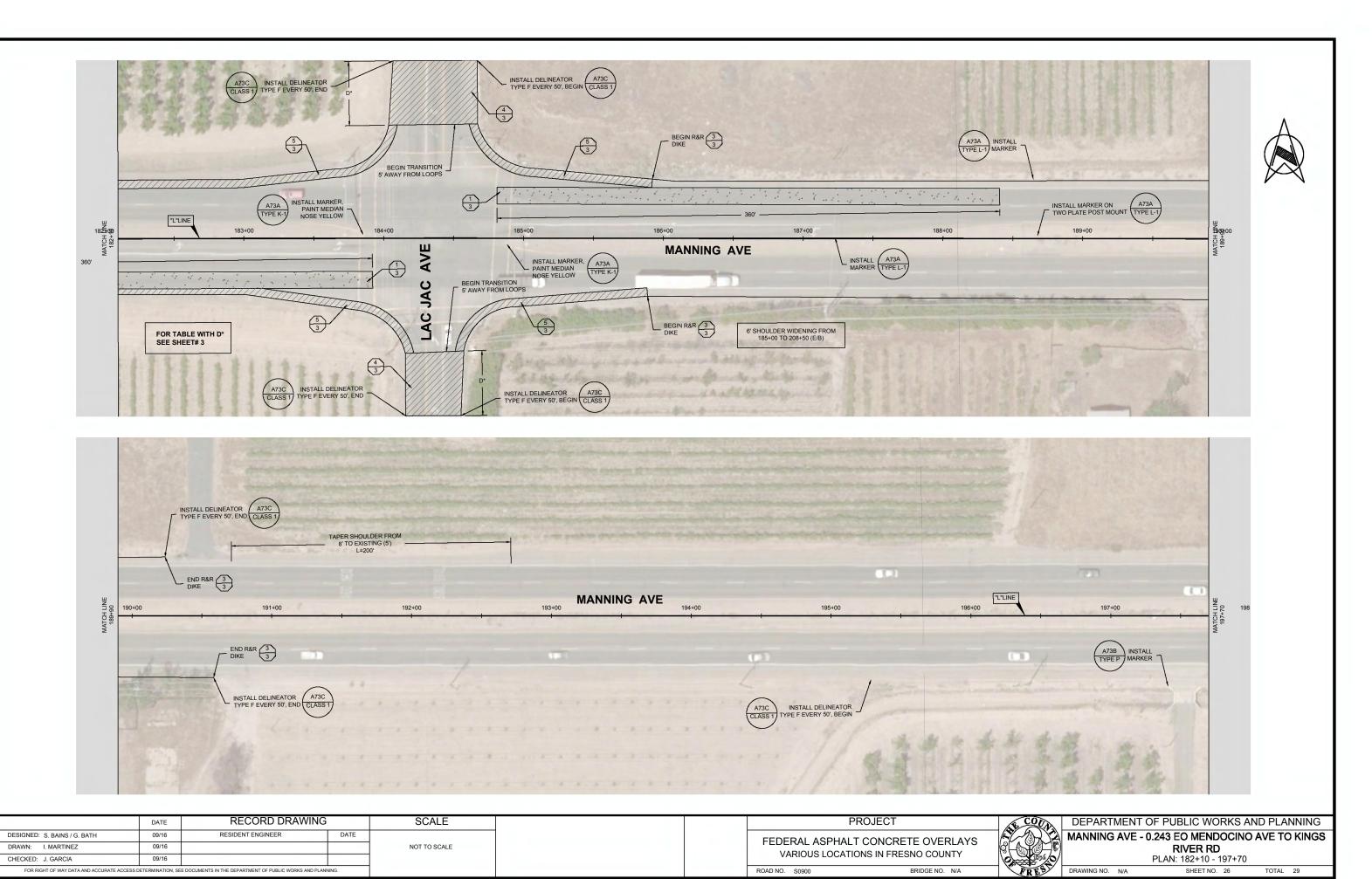


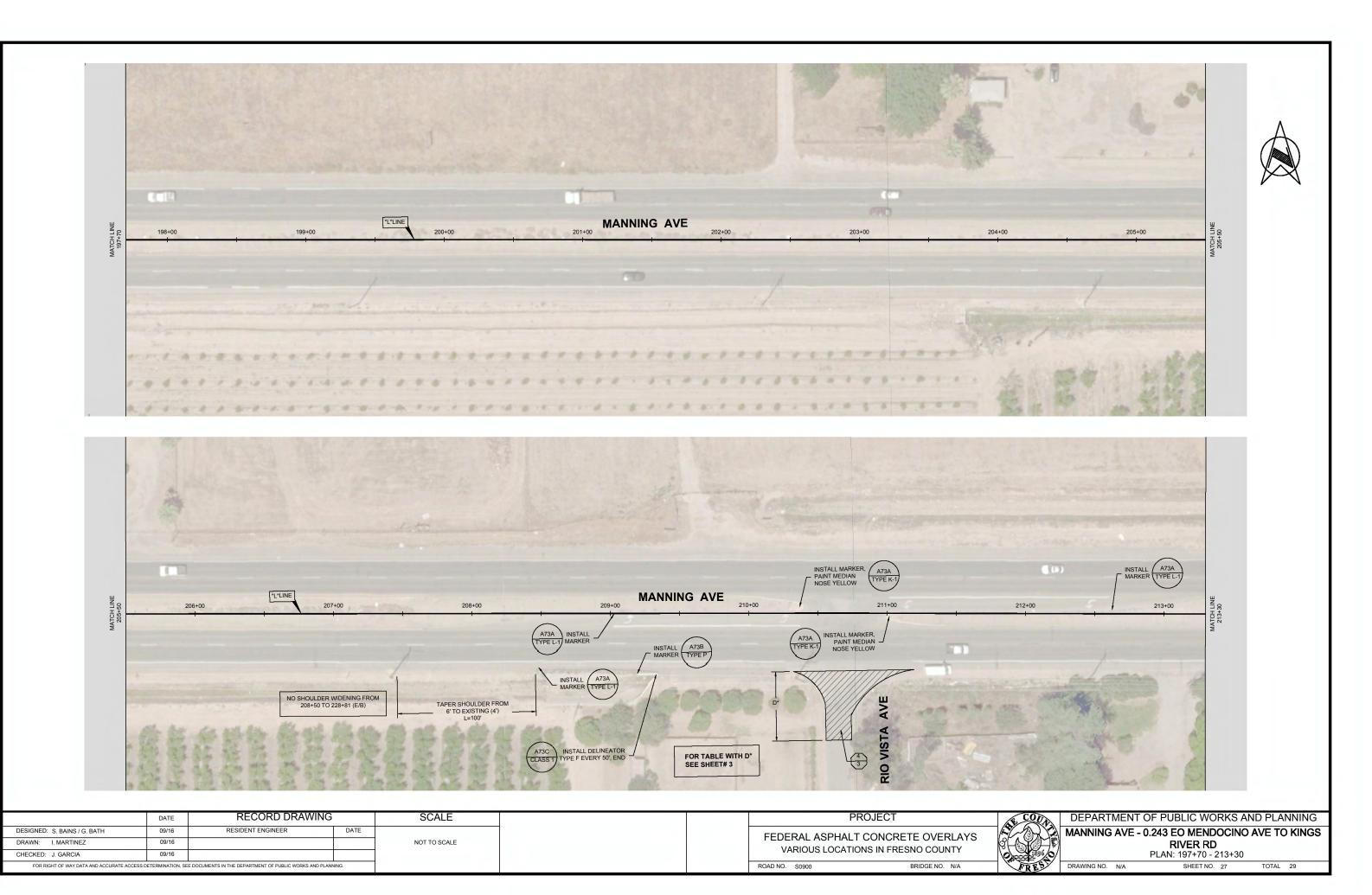
# DEPARTMENT OF PUBLIC WORKS AND PLANNING MANNING AVE - 0.243 EO MENDOCINO AVE TO KINGS RIVER RD PLAN: 119+70 - 135+30 DRAWING NO. N/A SHEET NO. 22 TOTAL 29

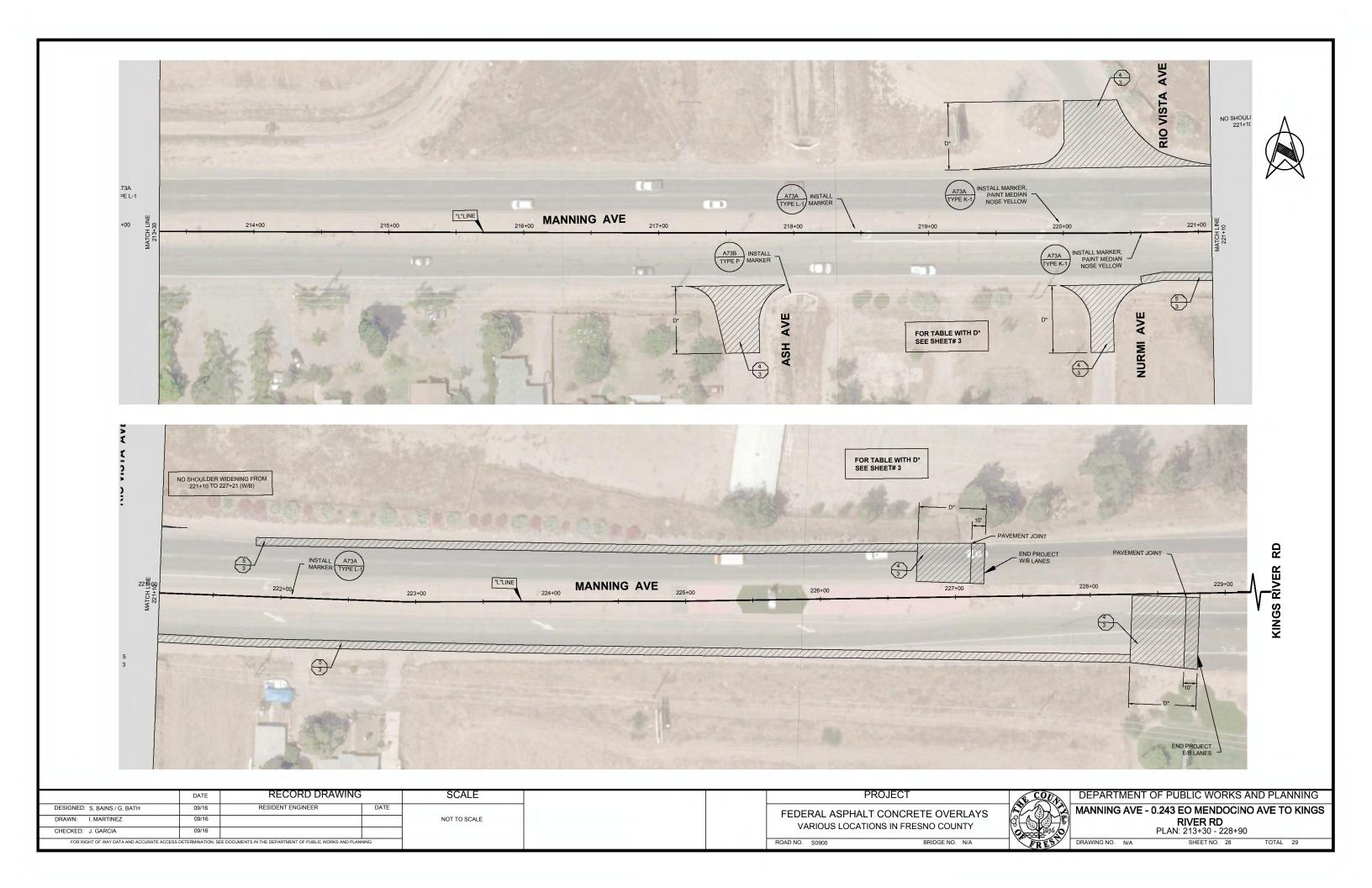








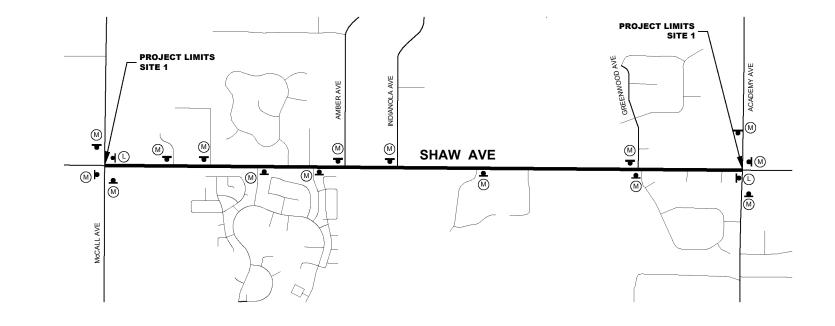






#### NOTES:

- THIS PLAN DOES NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PROVIDE A TRAFFIC CONTROL SYSTEM PLAN AS REQUIRED IN THE SPECIFICATIONS.
- ADDITIONAL TEMPORARY TRAFFIC CONTROL DEVICES
   MAY BE REQUIRED AS PART OF THE TRAFFIC CONTROL
   SYSTEM PLAN AS DETERMINED BY THE ENGINEER.
- 3. LOCATIONS OF CONSTRUCTION AREA SIGNS AND TYPE III BARRICADES ARE APPROXIMATE. EXACT LOCATIONS TO BE DETERMINED BY ENGINEER.
- 4. SIGNS ERECTED ON THE SIDE OF THE ROAD SHALL BE MOUNTED AT A HEIGHT OF AT LEAST 7 FEET MEASURED FROM THE BOTTOM OF THE SIGN PLATE TO THE TOP ELEVATION OF THE NEAREST EDGE OF THE PAVEMENT, EXCEPT FOR SIGNS PLACED ON BARRICADES.
- 5. SIGNS THAT WILL BE IN PLACE MORE THAN FIVE CALENDAR DAYS SHALL BE INSTALLED ON METAL OR WOOD POSTS.
- 6. ALL EXISTING STOP SIGNS AND STOP AHEAD SIGNS ARE TO REMAIN IN PLACE DURING CONSTRUCTION.
- 7. ALL SIGNS, EXCEPT R11-2 AND R11-4 SHALL BE BLACK LETTERS ON ORANGE BACKGROUND.
- 8. INCLUDE "BUSINESS OPEN DURING CONSTRUCTION" SIGN IN TRAFFIC CONTROL SYSTEM
- 9. 
   INDICATES APPLICABLE SIGN.



#### TEMPORARY WORK ZONE SIGNS

	SIGN	CA MUTCD CODE	PANEL SIZE (INCHES)	DESCRIPTION	POST LENGTH (FEET)
$\Box$		W20-2	36 X 36	DETOUR AHEAD	40
-	Α	W16-2a	24 X 12	500 FT	12
_[		W20-2	36 X 36	DETOUR AHEAD	40
	В	W16-2a	24 X 12	1000 FT	12
.		W20-2	36 X 36	DETOUR AHEAD	- 10
-	С	W16-2a	24 X 12	1500 FT	12
-	D	R11-2	48 X 30	ROAD CLOSED	TYPE III BARRICADE
_	Е	R11-4	60 X 30	ROAD CLOSED TO THRU TRAFFIC	TYPE III BARRICADE
		M4-10L	48 X 18	DETOUR LEFT	TYPE III BARRICADE
	F	R11-4	60 X 30	ROAD CLOSED TO THRU TRAFFIC	TYPE III BARRICADE
		M4-10R	48 X 18	DETOUR RIGHT	TYPE III BARRICADE
╸╽	G	-	-	-	-
╸╽	Н	M4-10L	48 X 18	DETOUR LEFT	12
┚┃	J	M4-10R	48 X 18	DETOUR RIGHT	12
┚┃	К	M4-8a	24 X 18	END DETOUR	12
╸╽	L	G20-2	36 X 18	END ROAD WORK	12
╸╽	М	W20-1	36 X 36	ROAD WORK AHEAD	12
_	N	W20-1	36 X 36	ROAD WORK AHEAD	12
<b>-</b>	IN	W16-2a	24 X 12	500 FT	12
_	Р	W20-1	36 X 36	ROAD WORK AHEAD	12
-		W16-2a	24 X 12	1000 FT	12
	0	W20-1	36 X 36	ROAD WORK AHEAD	42
<b>-</b>	Q	W16-2a	24 X 12	1500 FT	12
ן כ	R	W20-3	36 X 36	ROAD CLOSED AHEAD	12
_ [		W20-3	36 X 36	ROAD CLOSED AHEAD	12
-	S	W16-2a	24 X 12	500	12
_	Т	W20-3	36 X 36	ROAD CLOSED AHEAD	40
-		W16-2a	24 X 12	1000	12
٦		W20-3	36 X 36	ROAD CLOSED AHEAD	40
]	U	W16-2a	24 X 12	1500	12
ן כ	٧	C9A (CA)	36 X 36	FLAGGER AHEAD	12
⊐ [	w	C30 (CA)	30 X 30	LANE CLOSED	12
∍ Ì	х	W3-4	36 X 36	PREPARE TO STOP	12
╸┃	Υ	SC3 (CA)	48 X 18	DETOUR STRAIGHT	12
-	Z	G7-1 (CA)	VAR X 18	STREET NAME	12
-		D3-1	8 X VAR	STREET NAME PLATE	-
	0.4	R11-4	60 X 30	ROAD CLOSED TO THRU TRAFFIC	TYPE III BARRICADE
7	A1	M4-10L	48 X 18	DETOUR LEFT	TYPE III BARRICADE
ر	A2	R11-4	60 X 30	ROAD CLOSED TO THRU TRAFFIC	TYPE III BARRICADE
_	^4	M4-10R	48 X 18	DETOUR RIGHT	TYPE III BARRICADE
	А3	R11-4 60 X 30		ROAD CLOSED TO THRU TRAFFIC	TYPE III BARRICADE
_	7.0	M4-10R	48 X 18	DETOUR RIGHT	TYPE III BARRICADE
□	A4	W21-1A	36 X 36	WORKERS SYMBOL	12

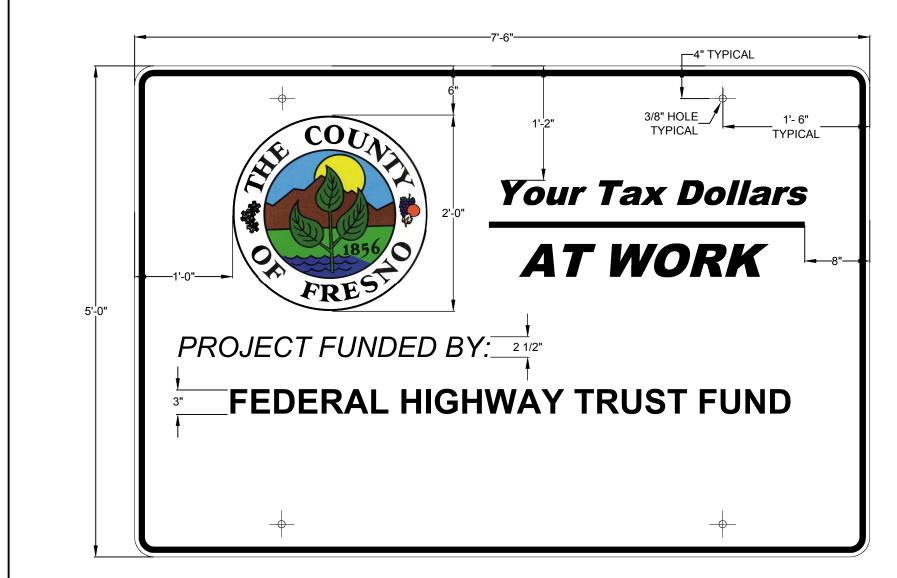
	DATE	RECORD DRAWING		SCALE		PROJECT	
DESIGNED: S. BAINS / G. BATH	09/16	RESIDENT ENGINEER	DATE		]	FEDERAL ASPHALT CONCRETE OVERLAYS	
DRAWN: I. MARTINEZ	09/16			NOT TO SCALE	NOT TO SCALE		
CHECKED: J. GARCIA	09/16					VARIOUS LOCATIONS IN FRESNO COUNTY	
FOR RIGHT OF WAY DATA AND ACCURATE ACCESS D	ETERMINATION, SE	EE DOCUMENTS IN THE DEPARTMENT OF PUBLIC WORKS AND PLAN	INING.	1			



### DEPARTMENT OF PUBLIC WORKS AND PLANNING

TEMPORARY WORK ZONE SIGNING
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DRAWING NO.	N/A	SHEET NO.	29	TOTAL	29	
-------------	-----	-----------	----	-------	----	--



SEE DRAWING NO. 02 FOR OTHER DETAILS

CONTRACT NO. 16-17-C

		DATE:
DESIGNED:	S. BAINS	08/16
DRAWN:	I. MARTINEZ	08/16
CHECKED:	P. MIGUEL	08/16

SCALE
DRAWING NO.



### DEPARTMENT OF PUBLIC WORKS AND PLANNING

FEDERAL ASPHALT CONCRETE OVERLAYS
VARIOUS LOCATIONS IN FRESNO COUNTY
CONSTRUCTION PROJECT FUNDING SIGN

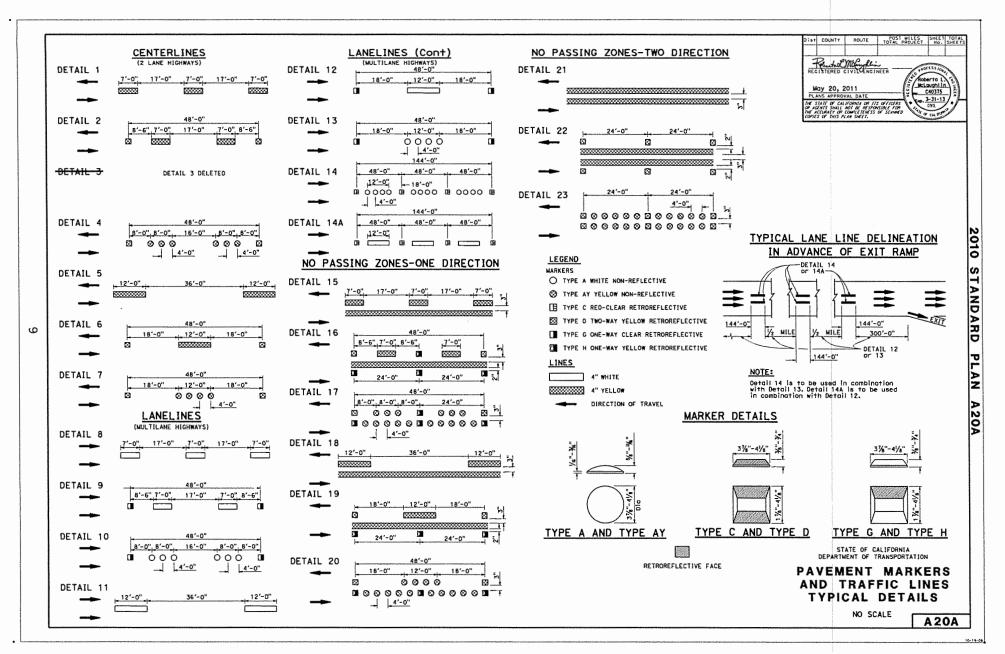


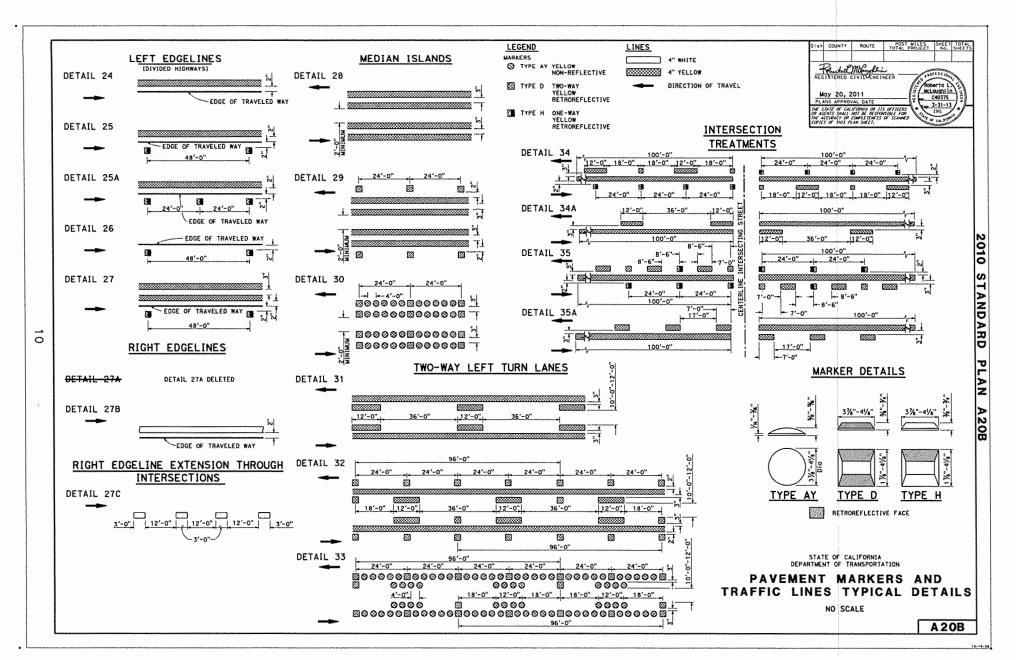
### **NOTES**

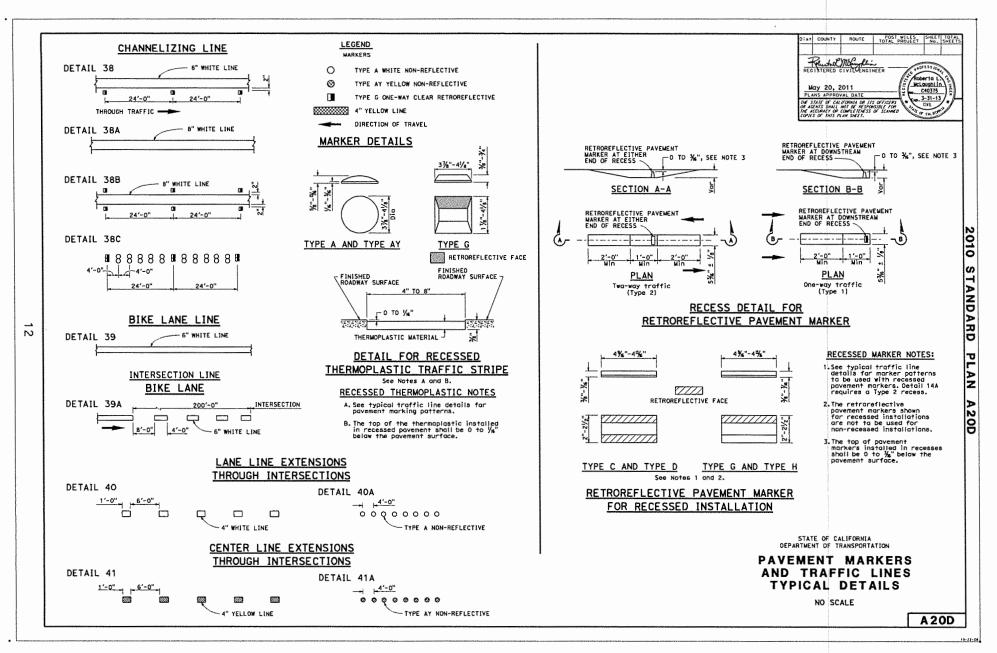
- 1. THE SIGN LEGEND SHALL BE BLACK ON A WHITE BACKGROUND (NON-REFLECTIVE)
- 2. THE SIGN BORDER SHALL BE BLUE (NON-REFLECTIVE)
- 3. PROJECT FUNDING SIGNS SHALL CONFORM TO SECTION 56 OF THE 2010 CALTRANS STANDARD SPECIFICATIONS
- 4. THE DEPARTMENT'S DESIGN DIVISION WILL PROVIDE AN ADHESIVE BACKED COPY OF THE COUNTY SEAL TO BE LOCATED AS SHOWN ON DRAWING NO. 01

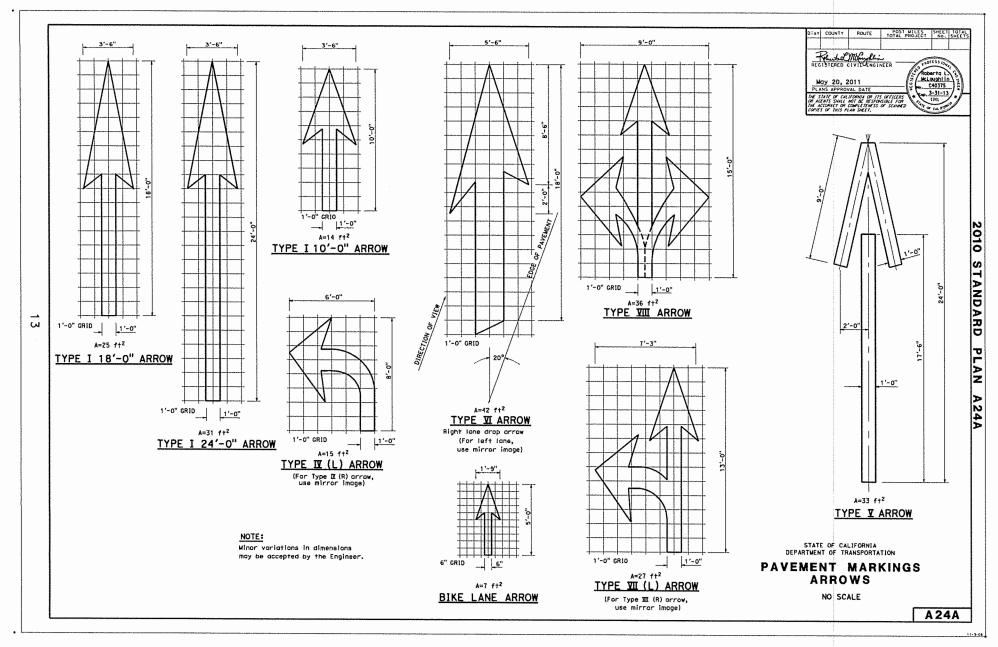
CONTRACT NO. 16-17-C

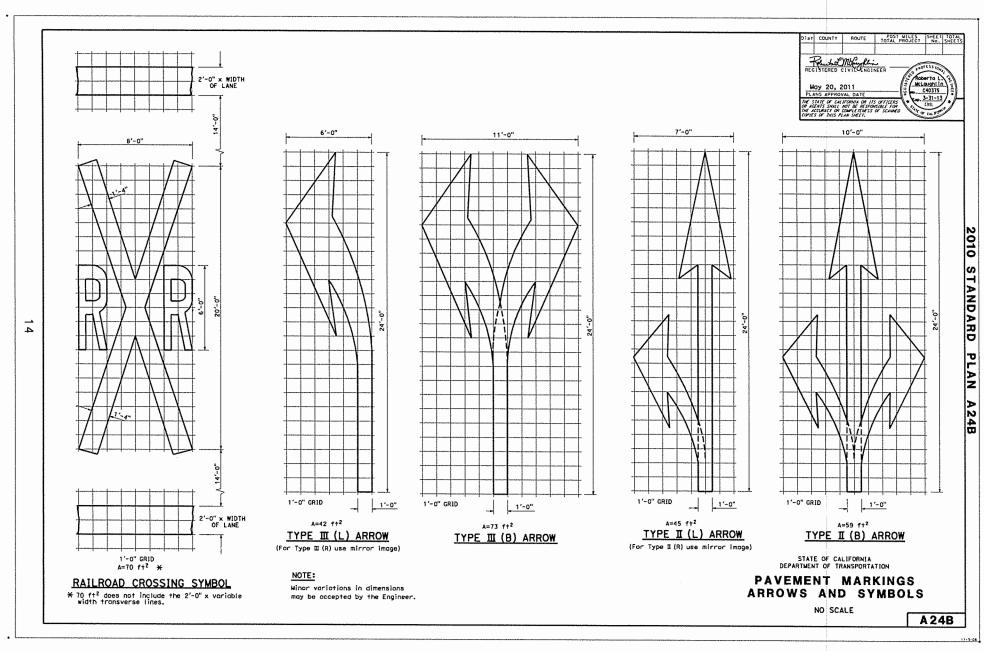
	DATE:			COU	DEPARTMENT OF PUBLIC WORKS AND PLANNING
DESIGNED: S. BAIN	S 08/16	SCALE	NONE		FEDERAL ASPHALT CONCRETE OVERLAYS
DRAWN: I. MART	INEZ 08/16	DRAWING NO.	02		VARIOUS LOCATIONS IN FRESNO COUNTY
CHECKED: P. MIGU	JEL 08/16			FRES	CONSTRUCTION PROJECT FUNDING SIGN DETAIL

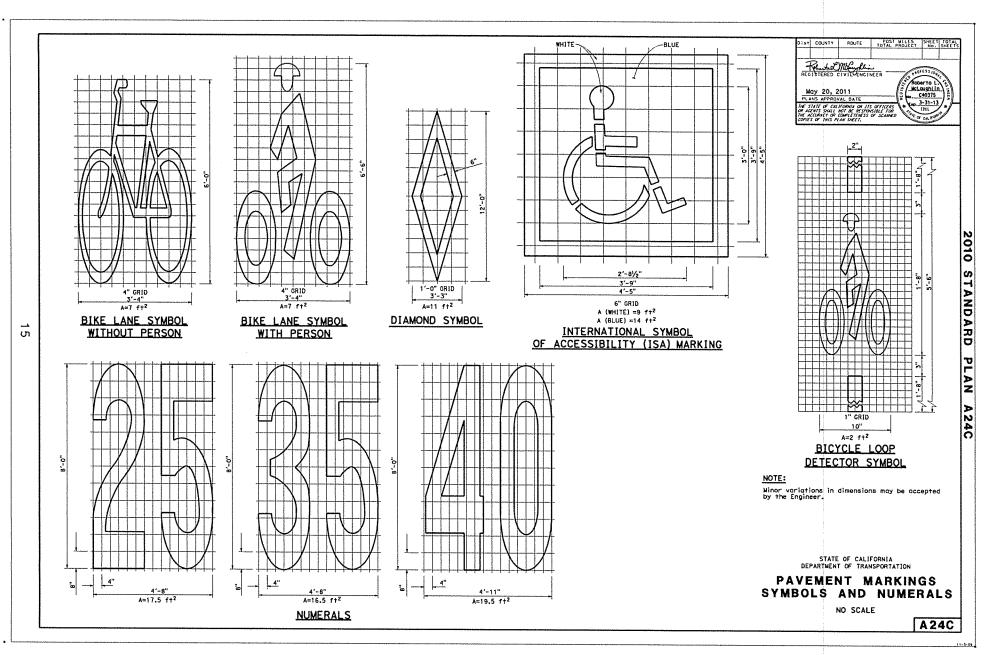


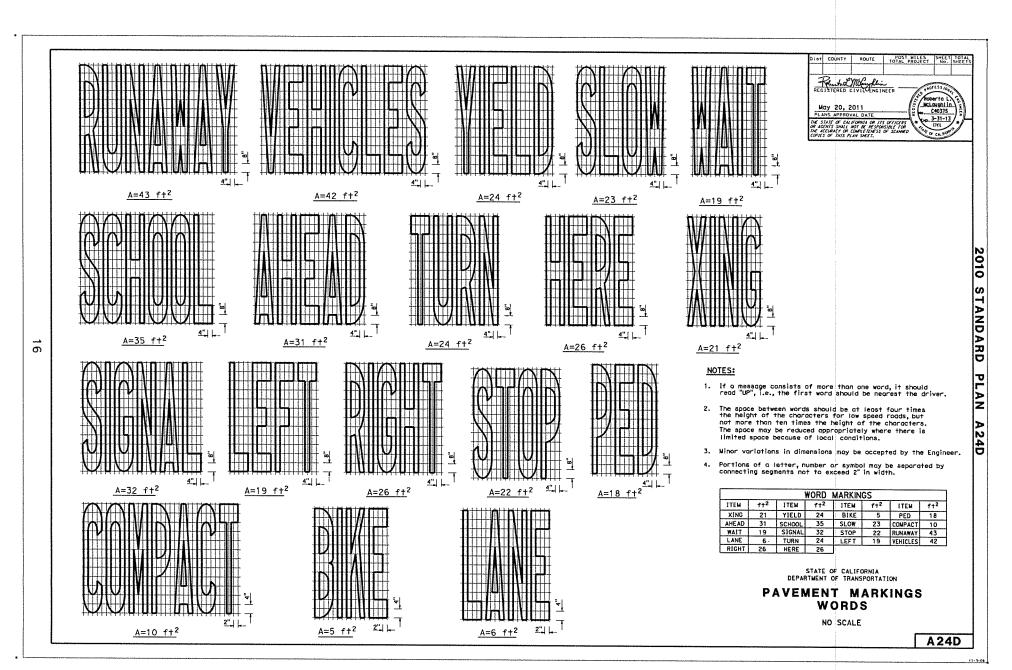




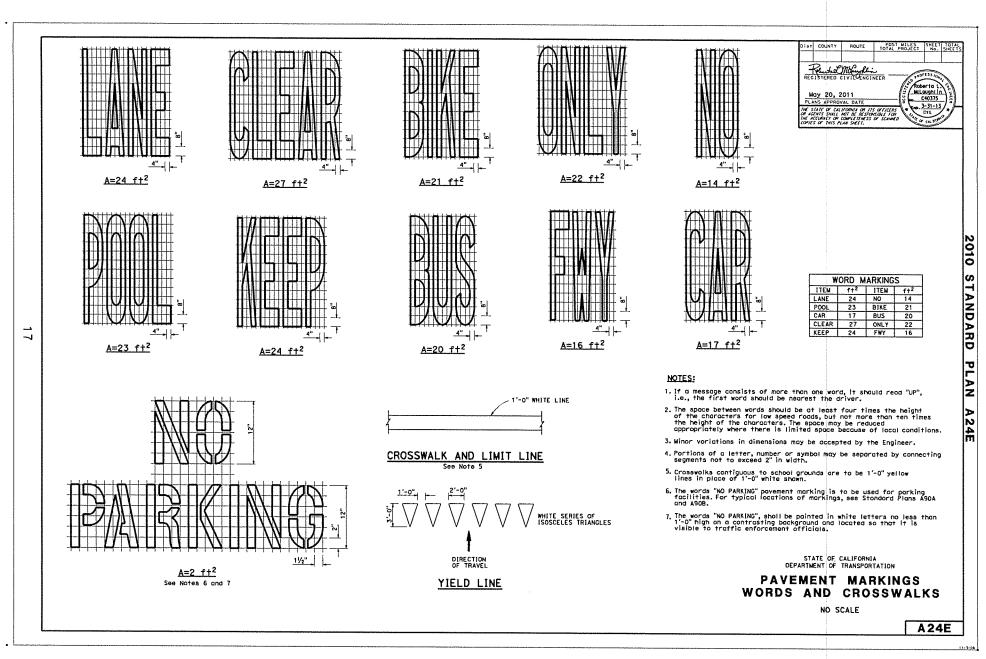


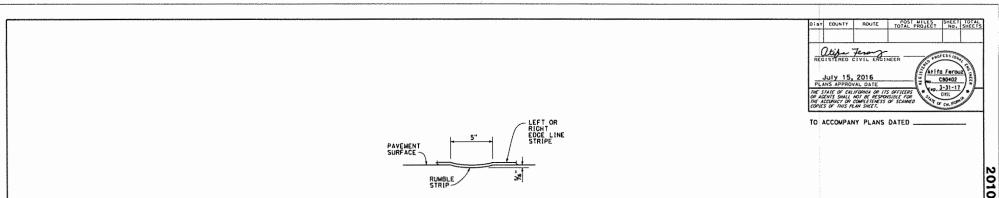




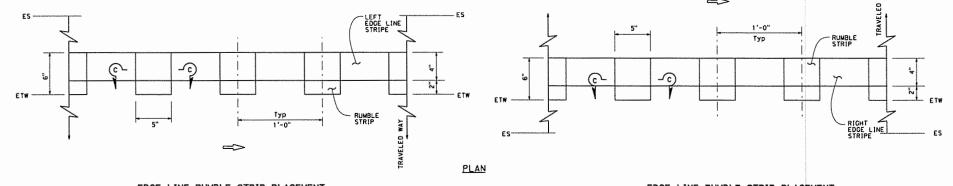


Return to Table of Contents









SECTION C-C

EDGE LINE RUMBLE STRIP PLACEMENT
LEFT OF DIRECTION OF TRAVEL

EDGE LINE RUMBLE STRIP PLACEMENT RIGHT OF DIRECTION OF TRAVEL

TYPICAL EDGE LINE RUMBLE STRIP PLACEMENT

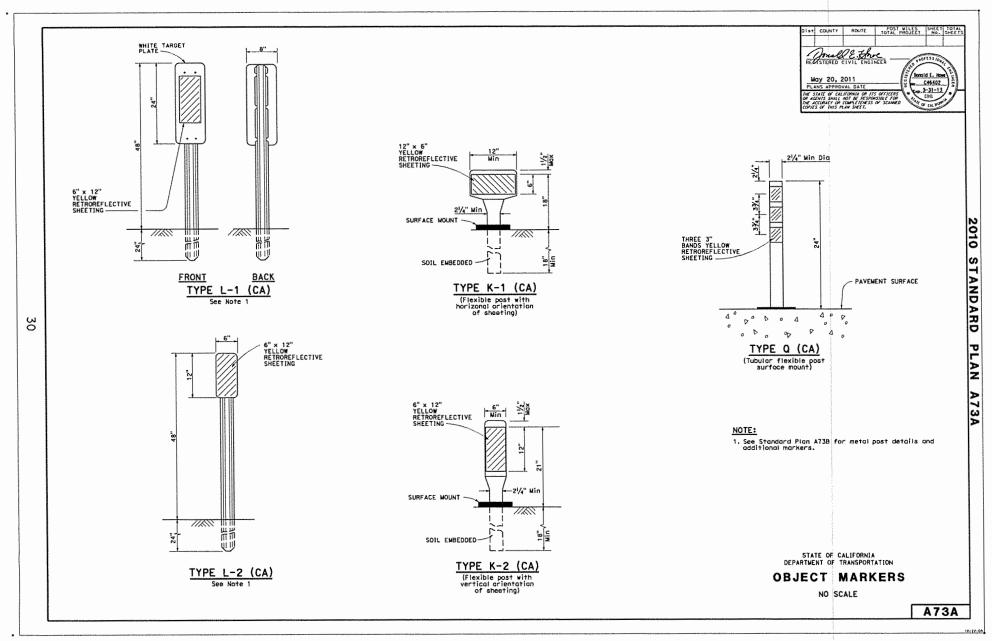
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

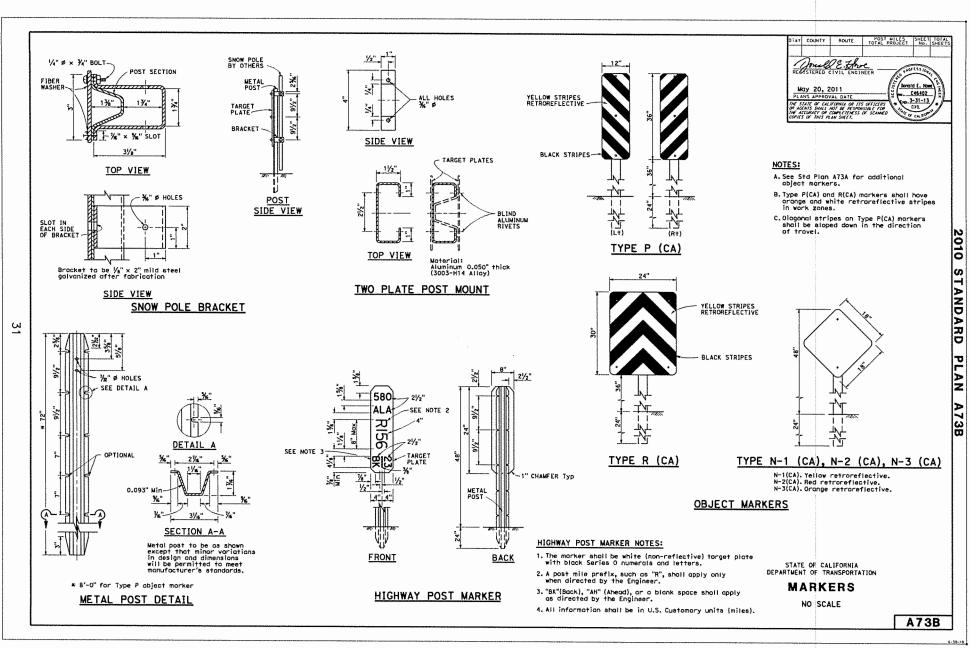
# EDGE LINE RUMBLE STRIP DETAILS GROUND-IN INDENTATIONS

NO SCALE

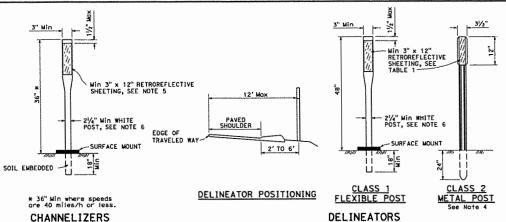
RSP A40C DATED JULY 15, 2016 SUPPLEMENTS THE STANDARD PLANS BOOK DATED 2010.

REVISED STANDARD PLAN RSP A40C









		İ
	TABLE I-	DELINEATORS
TYPE	RETRORE	FLECTIVE SHEETING
IIFE	FRONT	BACK
E	WHITE	WHITE (SEE NOTE 1)
F	WHITE	NONE
G	YELLOW	NONE
1	YELLOW	YELLOW (SEE NOTE 1)

RED

STEET TOTAL PROJECT NO. SHEET

Roberta L. McLaughiin C40375

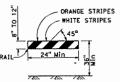
Civit

Rental Mobile:

THE STATE OF EALTFORNIA OR ITS OFFICER OR ACENTS SHALL MIT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETINESS OF SCAMM COPIES OF THIS PLAN SHEET.

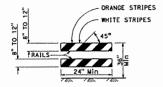
May 20, 2011 PLANS APPROVAL DATE

#### **CHANNELIZERS**



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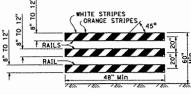
TYPE I BARRICADE See Note A



TYPE II BARRICADE

BARRICADES (See Note 3) Only face of rails shown. Borricade construction materials and supports

as specified in the specifications.



TYPE III BARRICADE

#### NOTES:

The retroreflective sheeting used on the back of delinector shall be a minimum size of 3" x 3".

NONE

- 2. The type of delineator to be installed will be designated on the plans.
- All barricade stripes shall be retroreflective and sloped downword in the direction of the opened traffic lane.
- 4. See Standard Pion A73B for Metal Post Detoils.
- 5. Unless shown otherwise on the plans, or as directed by the Engineer, the color of the retroreflective sheeting for permanent channelizers shall conform to the color of the povement markings it supplements.
- 6. Except, Closs 1 (Flexible Post) temporary delineators and temporary channelizers in work zones shall be aronge post with white retroreflective sheeting.

#### TABLE 2 - BARRICADES TYPE II TYPE III BARRICADE TYPE I 6" Min - 12" Max \* WIDTH OF RAIL 8" Min - 12" Max \* 8" Min - 12" Mox \* 24" Hin 48" Min LENGTH OF RAIL 24" Min 6" 6" WIDTH OF STRIPES # # 60" Min **HEIGHT** 36" Min 36" Min NUMBER OF RETROREFLECTIVE 3 IF FACING TRAFFIC IN ONE DIRECTION 6 IF FACING TRAFFIC IN TWO DIRECTION 2 (ONE EACH DIRECTION) 4 (TWO EACH DIRECTION)

- \* For the wooden option dimensions are nominal lumber dimensions.
- \* \* For rails less than 36" long, 4" wide stripes shall be used.

#### NOTE A:

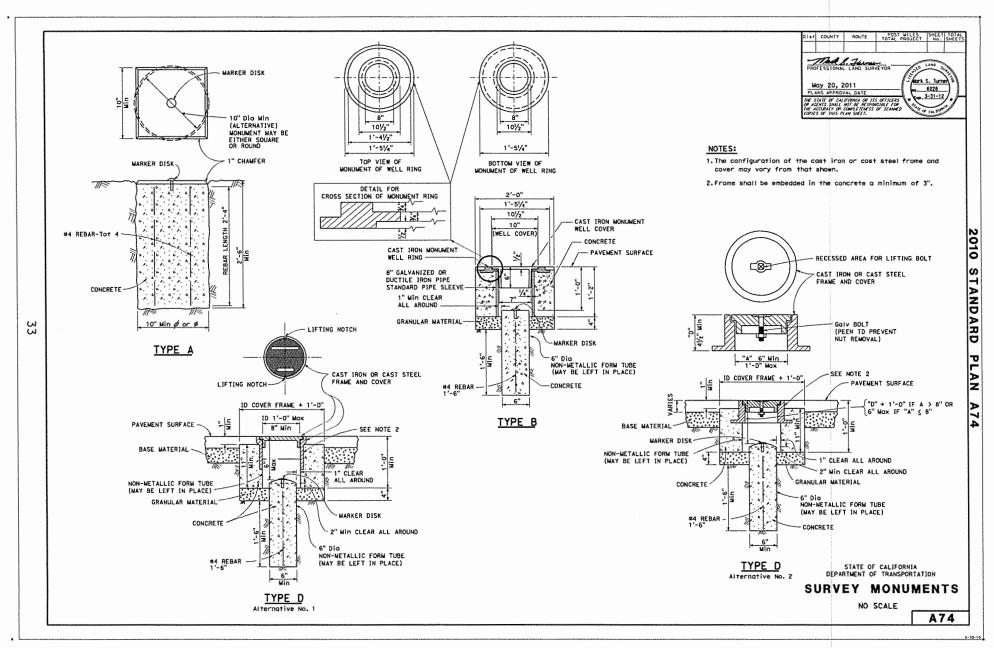
Barricodes to have a minimum of 27D square inches of retroreflective area facing traffic when used on freewoys, expresswoys, and other high speed highways.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

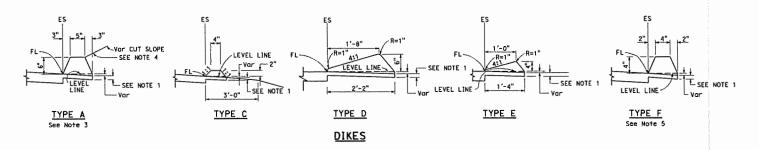
#### DELINEATORS, CHANNELIZERS AND BARRICADES

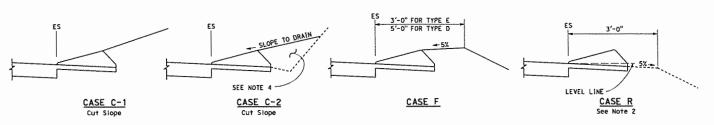
NO SCALE

A73C









#### TYPE D AND E BACKFILL DETAILS

#### NOTES:

20

- For HMA shoulders only, extend top layer at HMA placed on the shoulder under dike with no joint at the ES. For projects with OGFC shoulders, do not extend OGFC under dike. See project plans for modified dike detail.
- Case R applies to retrofit only projects where restrictive conditions do not provide enough width for Cose F backfill.
- 3. Type A dike only to be used where restrictive slope conditions do not provide enough width to use Type D or Type E dike.
- 4. Fill and compact with excovated material to top of dike.
- Use Type F dike, where dike is required with guard railing installations. See Standard Plan A77C4 for dike positioning details.

#### DIKE QUANTITIES

	CUBIC YARDS
TYPE	PER LINEAR FOOT
Α	0.0135
С	0.0038
D	0.0293
E	0.0130
F	0.0066

Quantities based on 5% cross slope.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

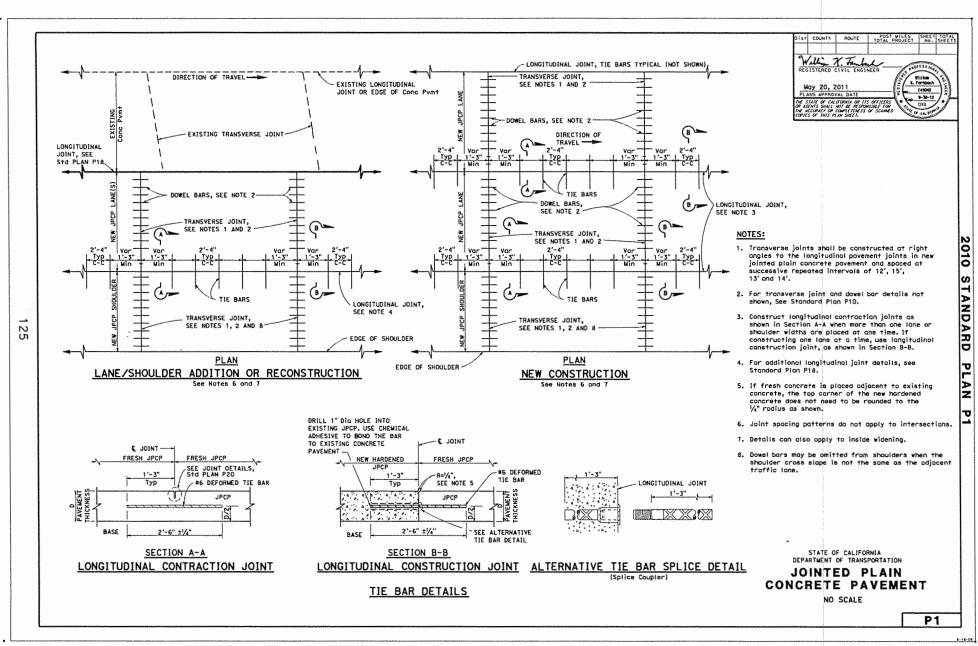
#### HOT MIX ASPHALT DIKES

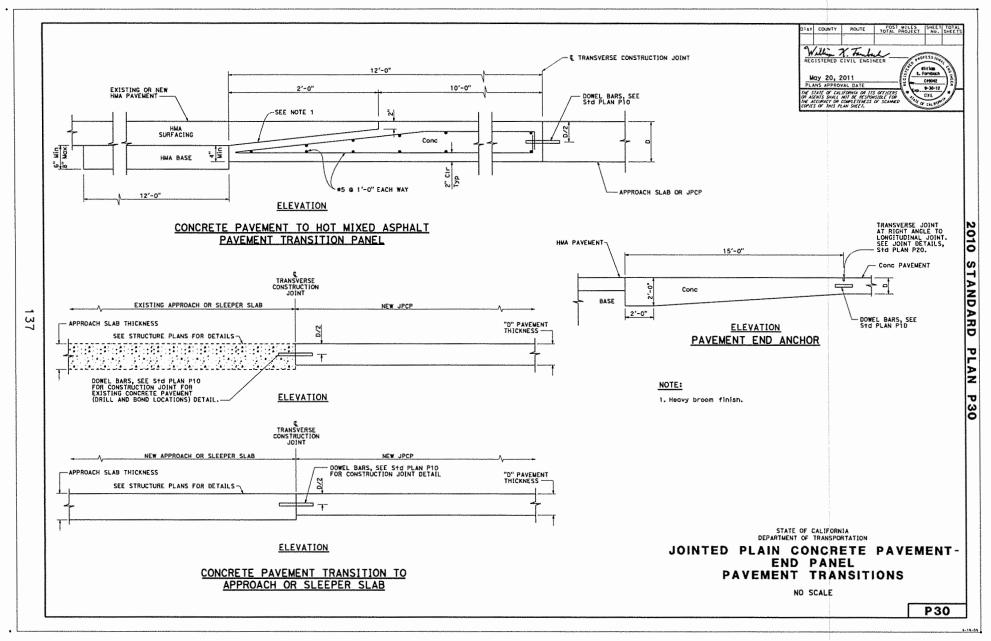
NO SCALE

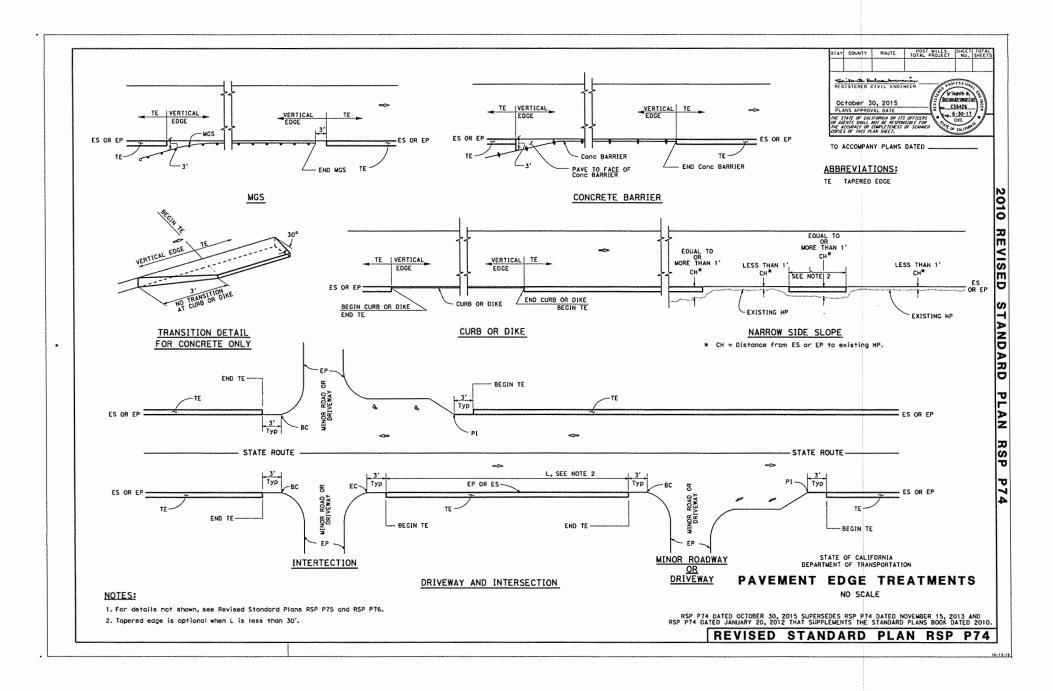
A87B

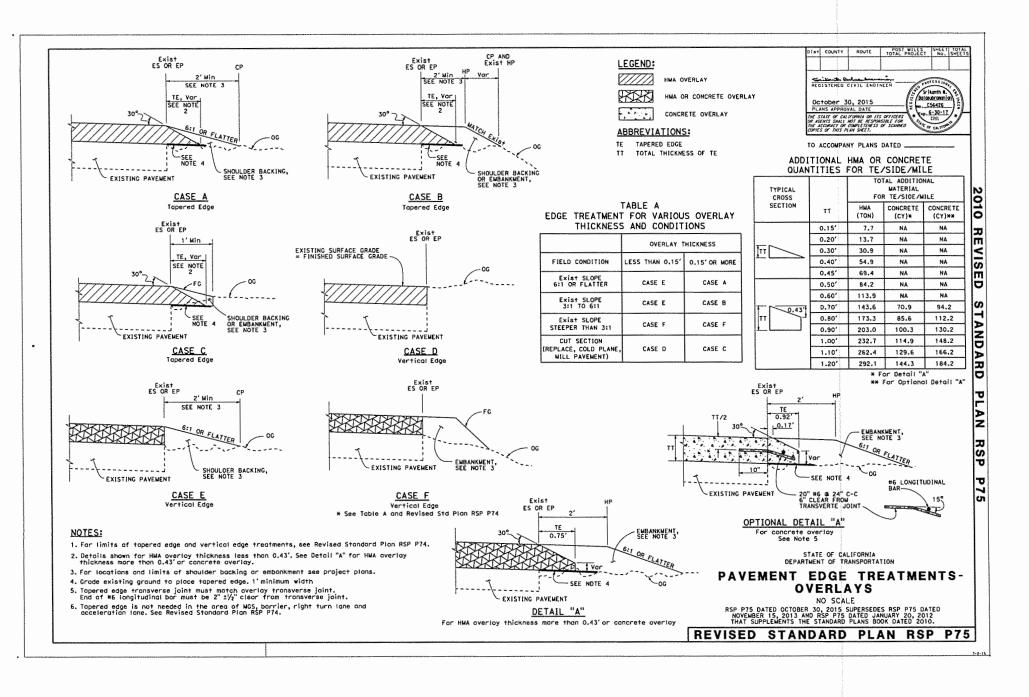
1-3

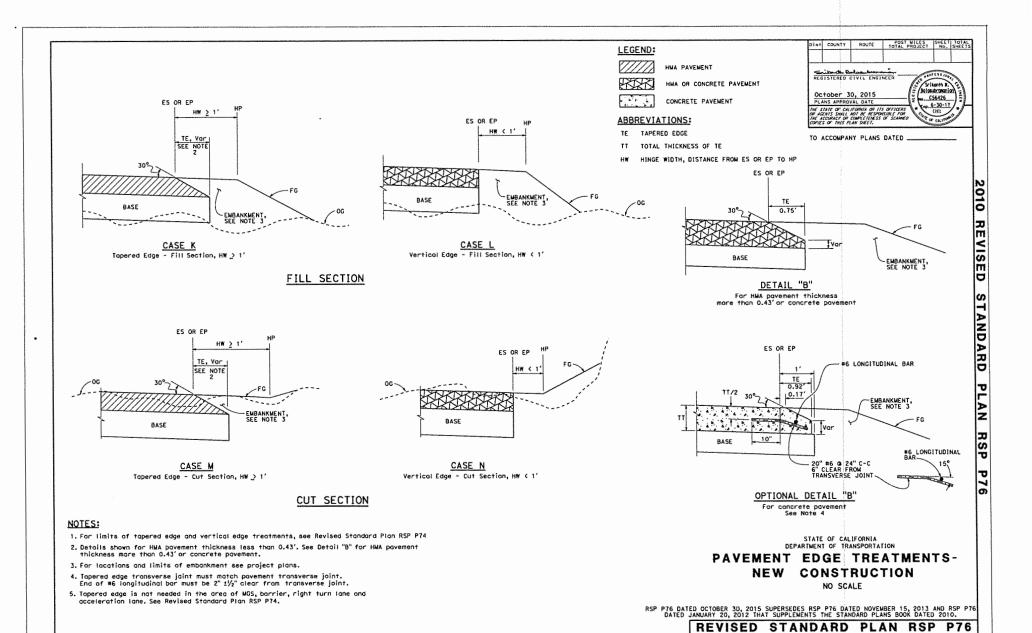
2010 STANDARD PLAN A87B

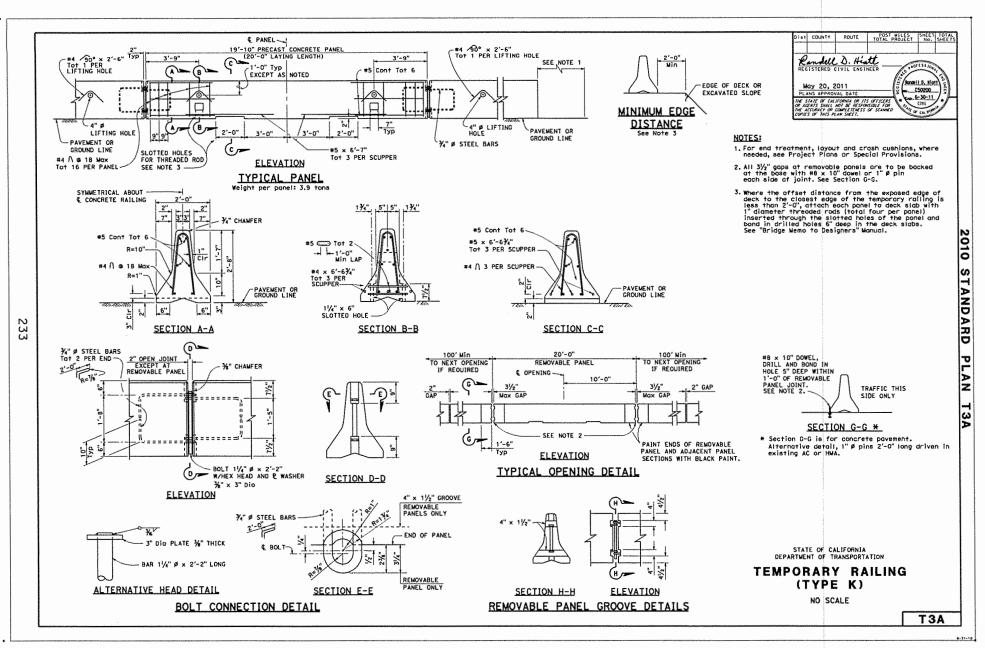


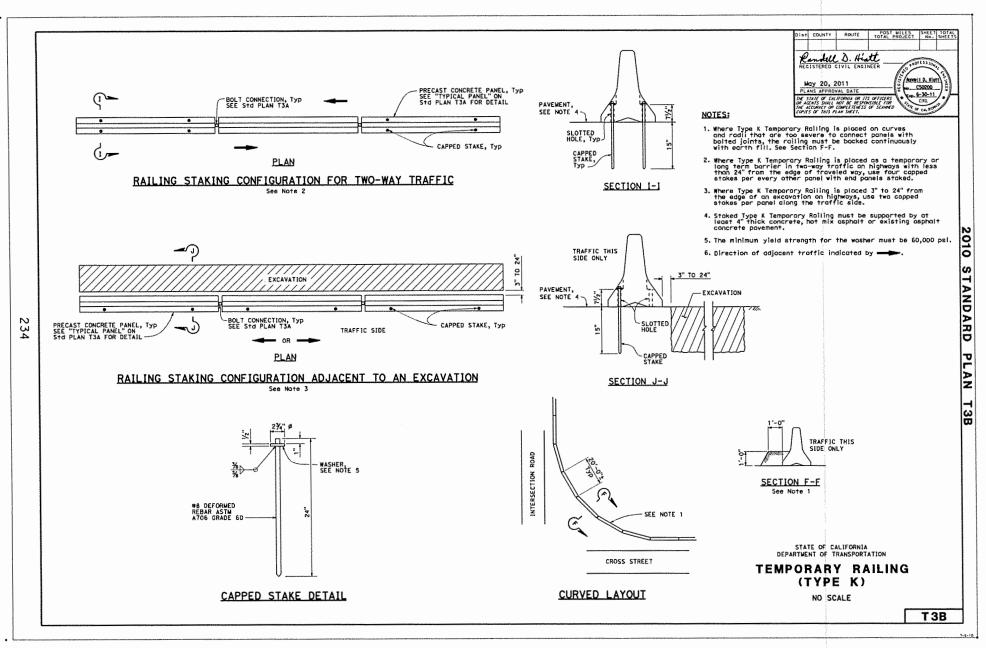


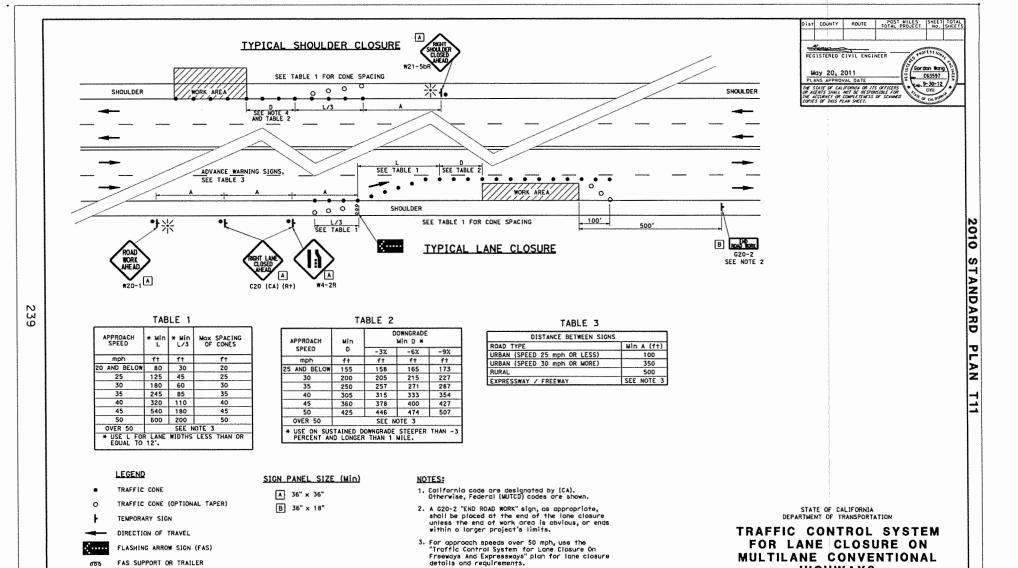












4. D is longitudinal buffer space and is optional only

when work area is beyond the shoulder or clear recovery zone where there is no shoulder.

FAS SUPPORT OR TRAILER

PORTABLE FLASHING BEACON

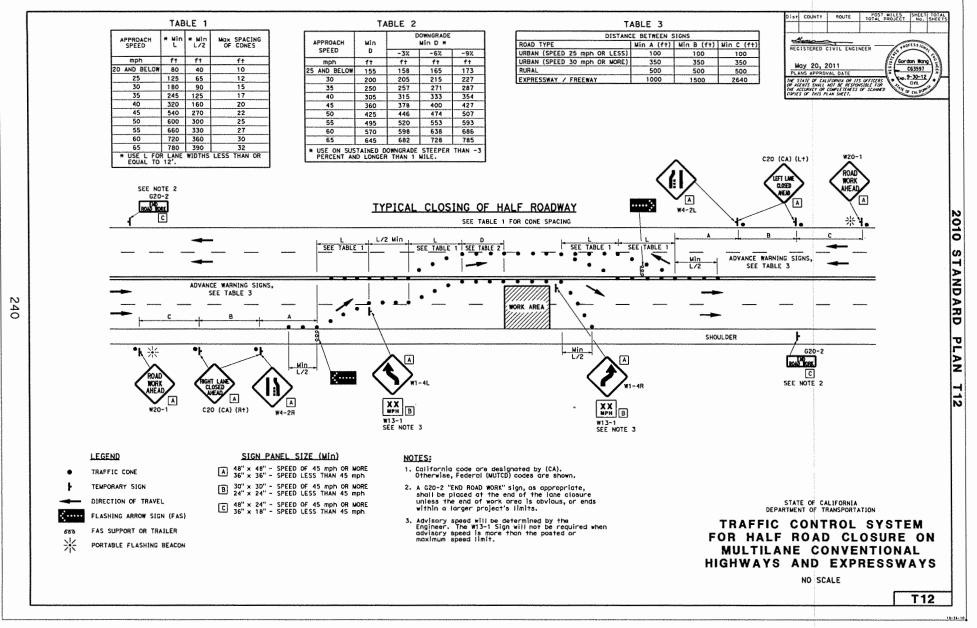
600

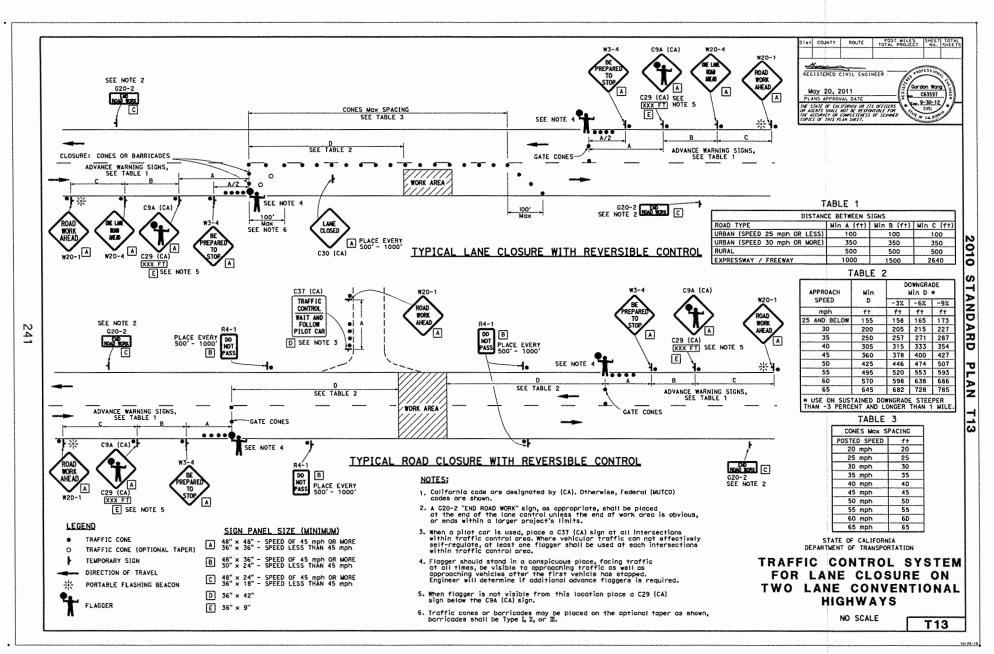
T11

MULTILANE CONVENTIONAL

HIGHWAYS

NO SCALE





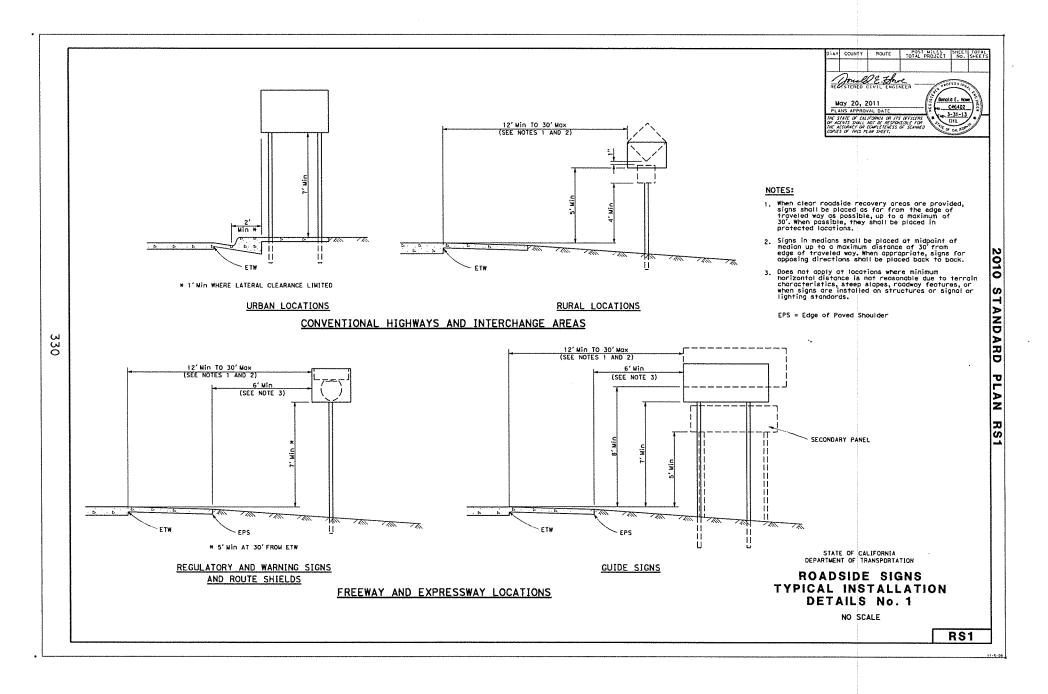
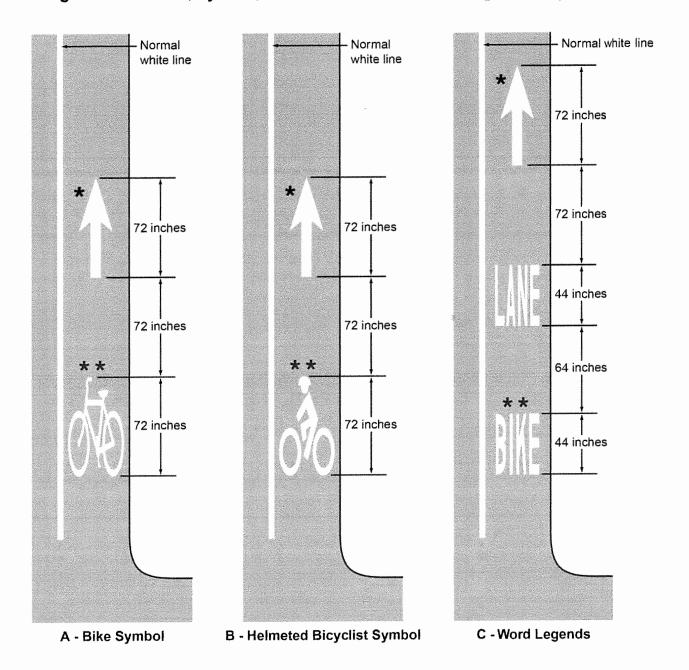


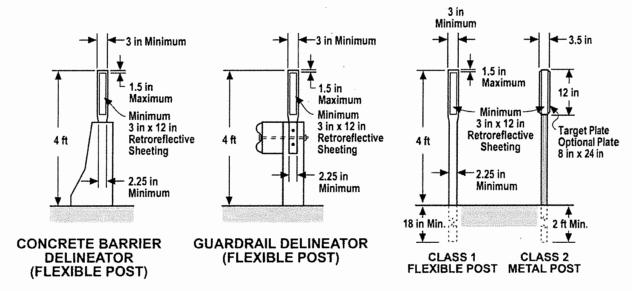
Figure 9C-3. Word, Symbol, and Arrow Pavement Markings for Bicycle Lanes



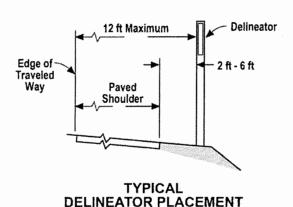
#### Legend

- ★ Optional
- ★★ Required on far side of each intersection, optional at other locations

Figure 3F-101 (CA). Examples of Delineators



#### NOT TO SCALE



## TYPES OF DELINEATORS

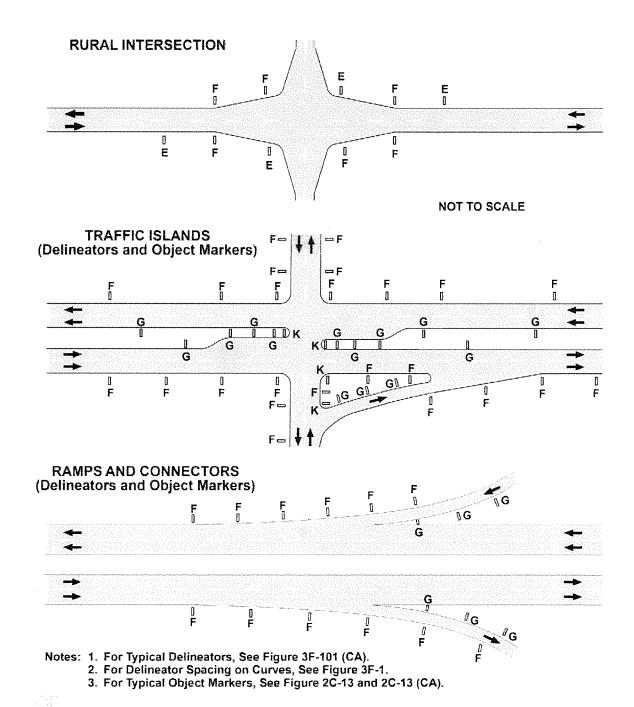
7/05	RETROREFLECTOR COLOR						
TYPE	FRONT	BACK*					
E	WHITE	WHITE					
F	WHITE	NONE					
G	YELLOW	NONE					
j	RED	NONE					

\*Back Retroreflector:
Class 1 Delineator - 3 in ± square of
retroreflective sheeting.
Class 2 Delineator - 3 in ± acrylic
cube-corner retroreflective element.

#### Notes:

- 1. Class 1 (Flexible Post) Delineators are standard on State highways, except for certain locations, e.g., snow or protected areas behind guardrail, etc. The color of the post is white.
- 2. Class 1 (Flexible Post) Delineators used in construction or maintenance zones shall be orange with white retroreflective sheeting. However, if the delineators are to remain in place as a permanent roadway feature after the construction or maintenance period, the color of the post shall be white with the appropriate color of retroreflective sheeting as specified in Section 3F.03.
- 3. The Type of Retroreflective Element and Class of Post is designated as E-1, F-2, etc.

Figure 3F-102 (CA). Examples of Delineator Placement When Used at Intersections, Islands, Ramps, and Connectors (Sheet 1 of 2)



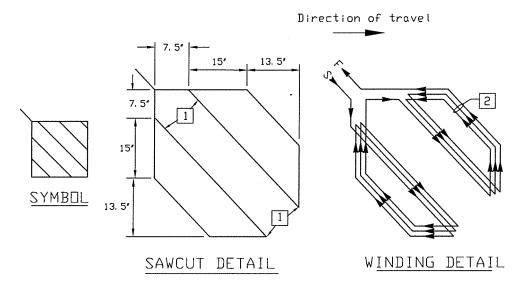
#### **LEGEND**

9 E & F = Types of Delineators

□ G = Type of Delineator

7 K = Type K (CA) Object Marker

Direction of Travel

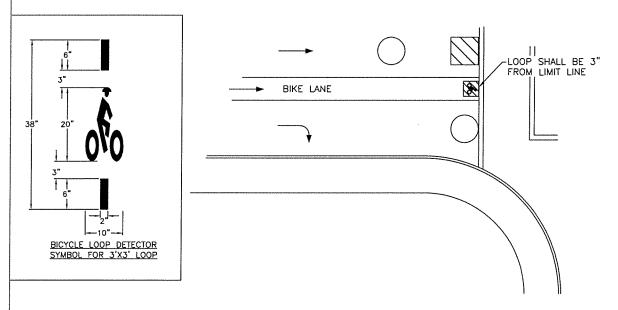


## BIKE LOOP (3'X3') DETECTOR CONFIGURATION

- Round corners of acute angle sawcuts to prevent damage to conductors.
- Install 3 turns when only one BIKE loop is on a sensor unit channel. Install 5 turns when one BIKE loop is connected in series with 3 additional 6'  $\times$ 6' loops on a sensor unit channel.



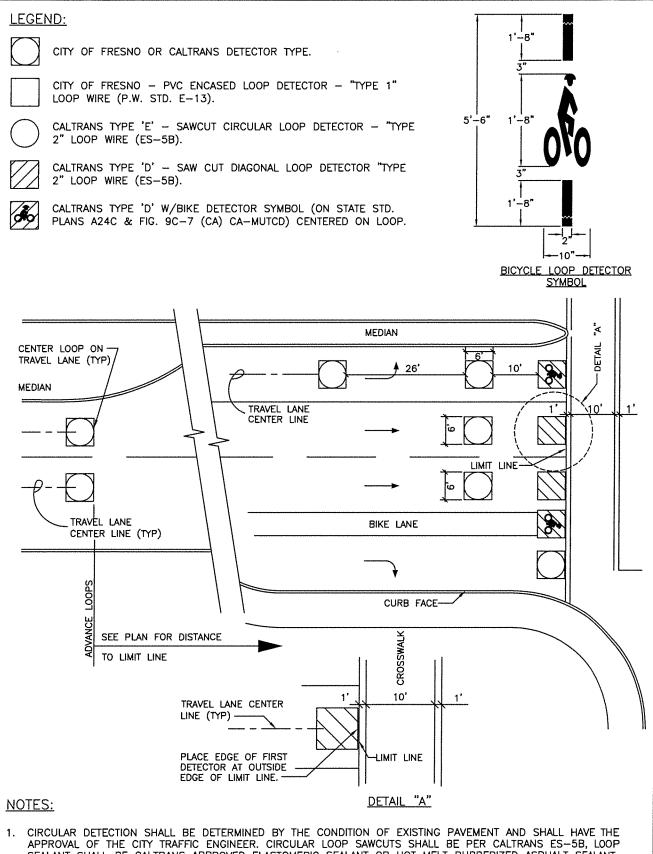
CITY OF FRESNO BIKE LOOP WITH BIKE LOOP DETECTOR SYMBOL 9C-7 OF THE CA-MUTCD, CENTERED ON LOOP.



#### **NOTES:**

- 1. LOOP SEALANT SHALL BE CALTRANS APPROVED ELASTOMERIC SEALANT OR HOT MELT RUBBERIZED
- ASPHALT SEALANT.
  ALL NEW LOOPS SHALL BE TESTED AND DOCUMENTED ON SHEET PROVIDED IN THE SECTION 23-2, TESTING SHALL BE TO CALTRANS STATE STANDARD PLANS.
- 3. REFER TO STD. DWG. E-14 FOR LOOP PLACEMENT.

CICNIAI LICITUC	REF. & REV.	CITY OF FRESNO
SIGNAL LIGHTS	JULY, 2014	
	JULI, 2014	
BIKE LOOP DETECTOR DETAIL (3'X3')	1	E-13
BIRE LOOP DETECTOR DETAIL (3 A3)	1	[,1.7]
	· I	



SEALANT SHALL BE CALTRANS APPROVED ELASTOMERIC SEALANT OR HOT MELT RUBBERIZED ASPHALT SEALANT.

ALL NEW LOOPS SHALL BE TESTED AND DOCUMENTED ON SHEET PROVIDED IN THE SECTION 23-2, TESTING

SHALL BE TO CALTRANS STATE STANDARD PLANS.

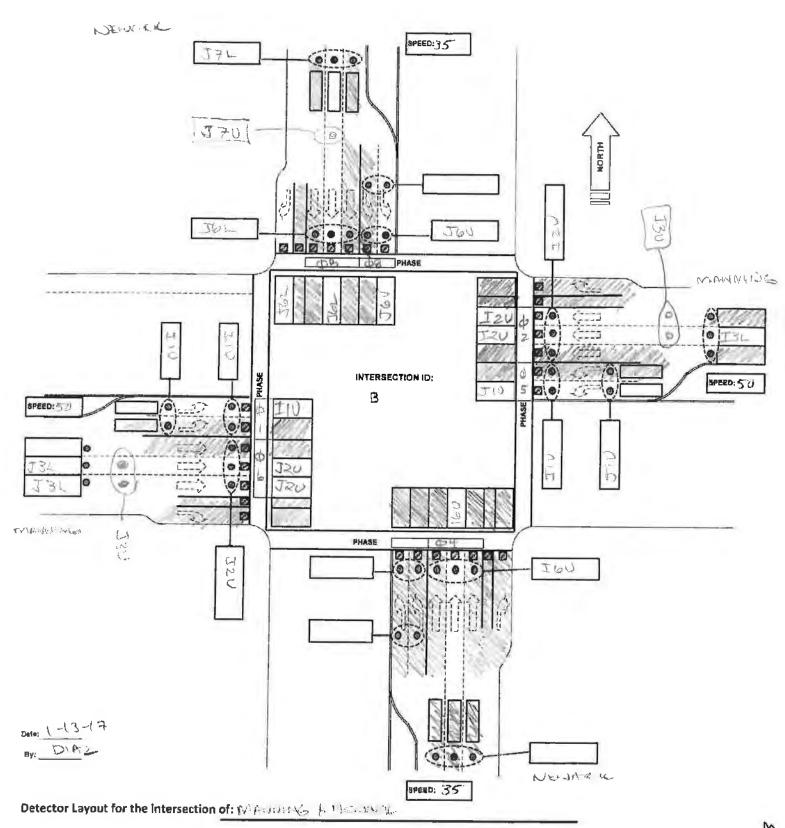
SIGNAL LIGHTS LOOP DETECTOR PLACEMENT REF. & REV. NOV., 2009

CITY OF FRESNO

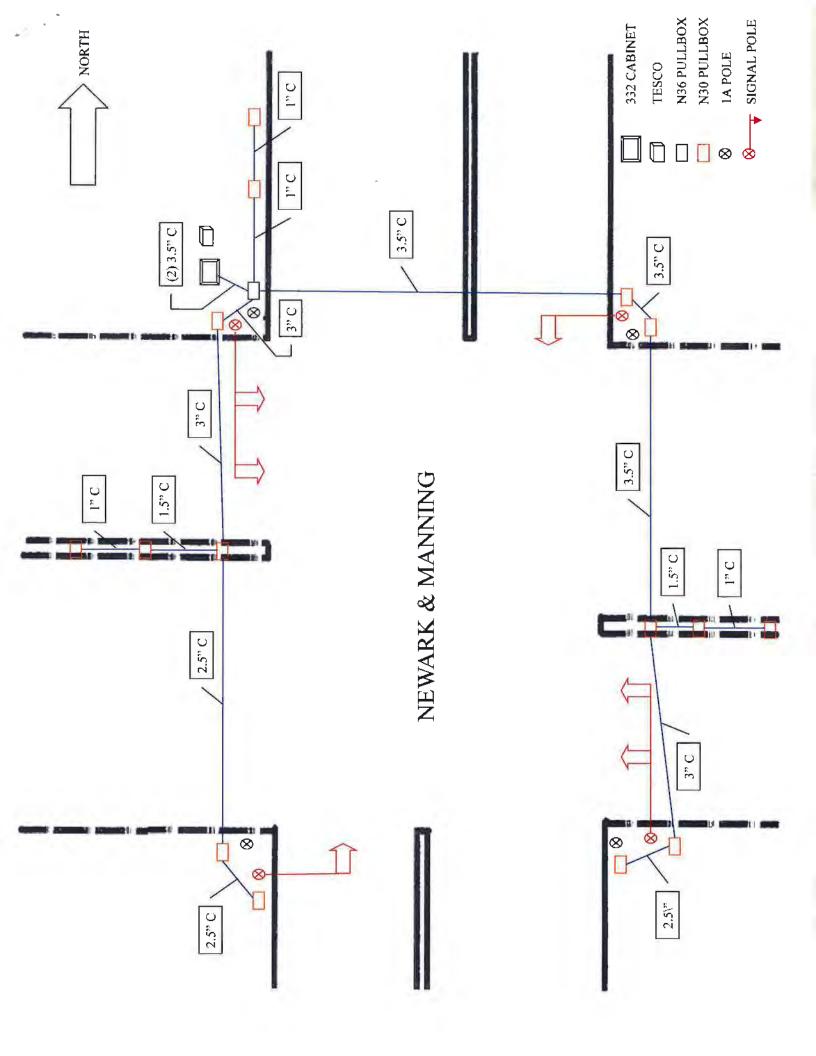
E-14

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1 1110	L	L	X	L	L	L	L	L	L	L	L	4P	8P	SI
J - file	X	X	X	U	U	Ņ	γί	U	U	U	U	EVA	EVB	RR:
	L	L	X	L	L	L	X	L	L	L	L	EVC	EVD	RR
			LOAD	BAY										
COMMEN	5	6	2P	7	8	4P 8P	V	Place "X" in box where either there is a active detector or active load switch.						
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Ped Phasi			-			udible !		Yes / (	(o)	School	Crossir	ng? Ye:	s (No.	)
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CMU Mod	el No: (	Examp	le - 210	DE) (	2108	·								
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PPB = Pec	Push E	utton												
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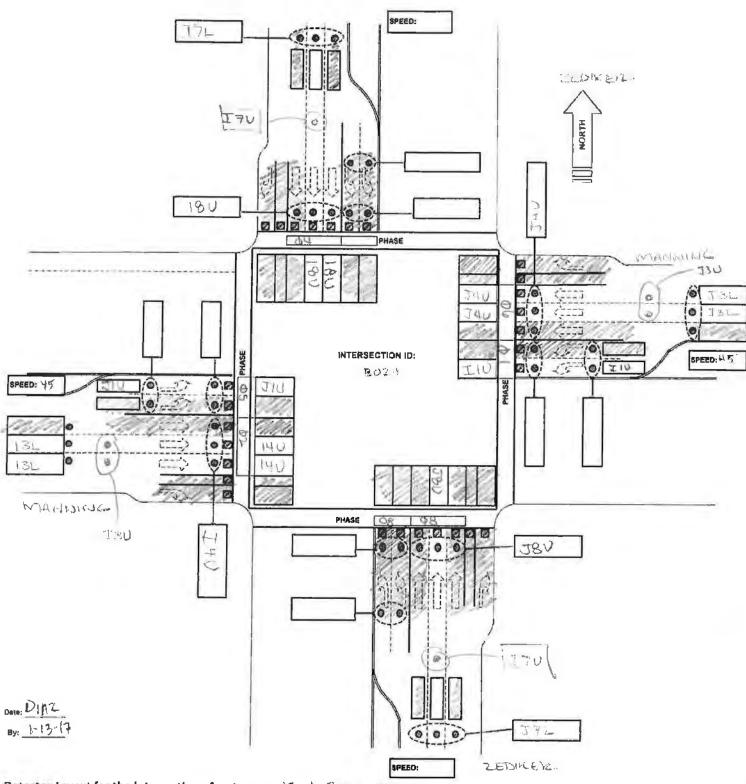
332



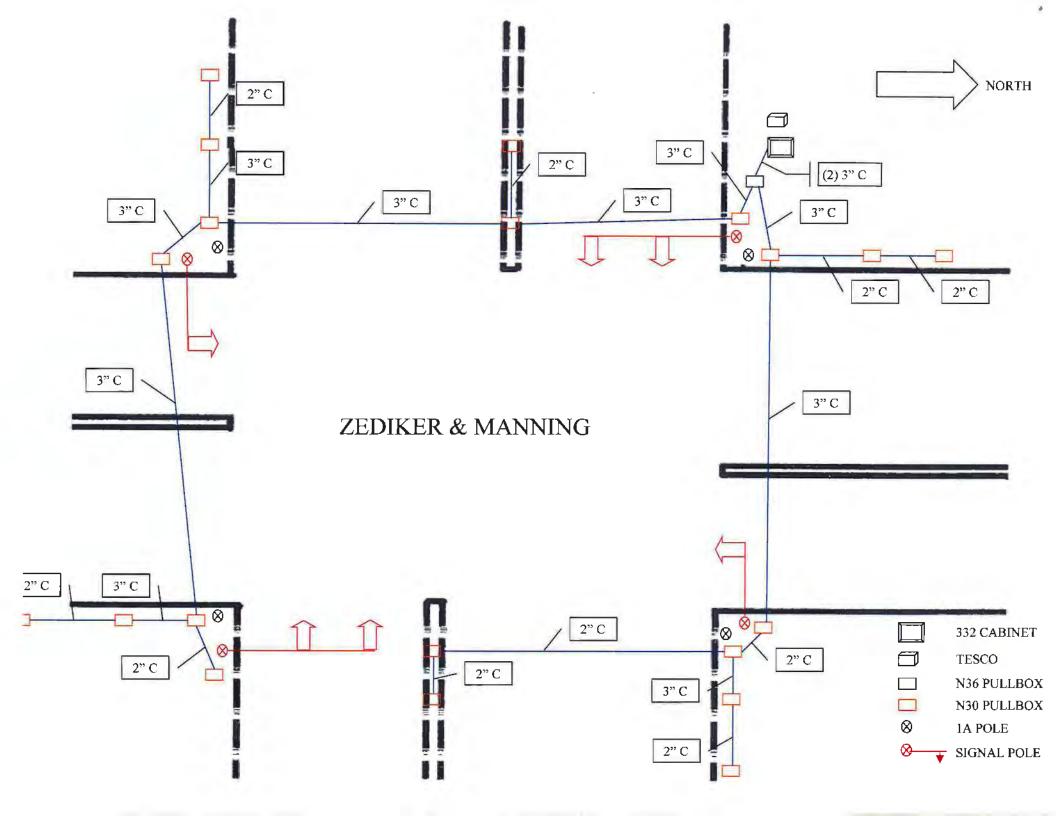
Attachment E



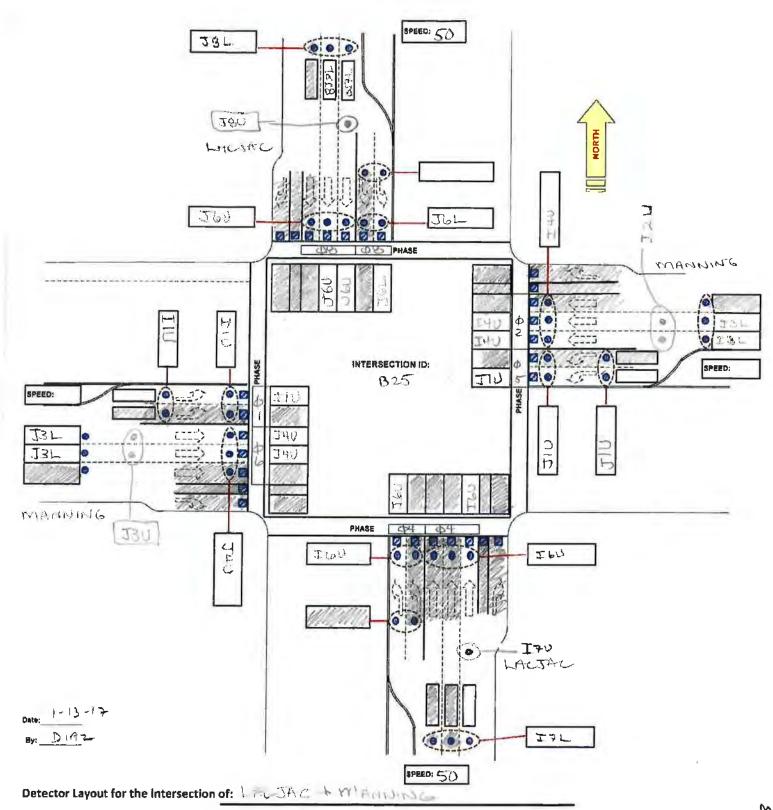
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T-file  L L L L L L L L L L L L L L L L L L	DATE:								BY:	Die	17				
T-file  L L L L L L L L L L L L L L L L L L L		1	2	3	4	5	6	7	8	9			12	13	14
J-file  L L L L L L L L L L L L EVC EVD RR  LOAD BAY  LOAD BAY  Place "X" in box where either there is an active detector or active load switch.  Sometimes:  Description:  What direction? EB - WB - NB - SB NA  Has a Auxiliary Load Bay been installed? Yes / No  Ped Phasing: PPB installed? Yes / No  Audible Peds? Yes / No  School Crossing? Yes / No  Railroad Preemption: RR1 or RR2  CMU Model No: (Example - 210E)  Recommended Requirement or other features of note: 17 OE  Cartificate  Continued To the set of the set	1 - file	X	U	X	N	U	U	X	X	U	U	U	2P	6P	Jes
LOAD BAY  LOAD BAY  Place "X" in box where either there is an active detector or active load switch.  COMMENTS:  Overlaps: Lt or Rt NA What direction? EB - WB - NB - SB NA  Has a Auxiliary Load Bay been installed? Yes /No  Ped Phasing: PPB installed? Yes /No  Audible Peds? Yes /No School Crossing? Yes /No  Railroad Preemption: RR1 or RR2 NA  CMU Model No: (Example - 210E) AOIO ECL.  Special Equipment or other features of note: 17 DE Cantibable 14	1 1110	L	L	X	L	L	L	Ŀ	L	L	L	L	4P	8P	ST
L L L L L L L L L L EVC EVD RR.  LOAD BAY    Place "X" in box where either there is an active detector or active load switch.    Place "X" in box where either there is an active detector or active load switch.    Second Every Indian	3 6la	V	U	X	W	U	U	X	W	U	U	U	EVA	EVB	RR1
Place "X" in box where either there is an active detector or active load switch.  Soverlaps: Lt or Rt NA What direction? EB - WB - NB - SB NA  What direction? EB - WB - NB - SB NA  What direction? EB - WB - NB - SB NA  Has a Auxiliary Load Bay been installed? Yes /No  Ped Phasing: PPB installed? Yes /No  Audible Peds? Yes //No  School Crossing? Yes /(No)  Railroad Preemption: RR1 or RR2 NA  CMU Model No: (Example - 210E) 2010 EZL-  Special Equipment or other features of note: 170E Cantibule 14	J - Tile	L	L	X	L	L	L	X	L	Ļ	L	L	EVC	EVD	RR2
Place "X" in box where either there is an active detector or active load switch.  COMMENTS:  Overlaps: Lt or Rt NA What direction? EB - WB - NB - SB NA  Has a Auxiliary Load Bay been installed? Yes / No  Ped Phasing: PPB installed? Yes / No Audible Peds? Yes / (No School Crossing? Yes / (No				LOAD	BAY								1		
COMMENTS:  Overlaps: Lt or Rt NA What direction? EB - WB - NB - SB NA  Has a Auxiliary Load Bay been installed? Yes / No  Ped Phasing: PPB installed? Yes / No Audible Peds? Yes / (No School Crossing? Yes / (No Railroad Preemption: RR1 or RR2 NA  CMU Model No: (Example - 210E) 2010 ECL  Special Equipment or other features of note: 170E Cantibule (Example - 210E)		$\bigwedge$	X X	2P	3	*	4P		Place "Y" in hoy where either there is a						
Overlaps: Lt or Rt NA What direction? EB - WB - NB - SB NA  Has a Auxiliary Load Bay been installed? Yes / No  Ped Phasing: PPB installed? Yes / No Audible Peds? Yes / (No School Crossing? Yes / (No Railroad Preemption: RR1 or RR2 NA  CMU Model No: (Example - 210E) 2010 EZL  Special Equipment or other features of note: 170E Castificate Example - 210E		5	6	6P	7		8P		act	active detector or active load switch.					ch.
Has a Auxiliary Load Bay been installed? Yes /No  Ped Phasing: PPB installed? Yes /No  Audible Peds? Yes /No  School Crossing? Yes /No  Railroad Preemption: RR1 or RR2  CMU Model No: (Example - 210E)  Special Equipment or other features of note: 170E Cast Required.	COMMEN	TS:						11 19							
Ped Phasing: PPB installed? Yes / No Audible Peds? Yes / No School Crossing? Yes / No Railroad Preemption: RR1 or RR2 NA  CMU Model No: (Example - 210E) 2010 EZL  Special Equipment or other features of note: 170E Castification	Overlaps:	Lt or	Rt N	JA.		What •	directi	ion? El	3 - <u>WB</u>	- NB - :	SB \	JA_			
Railroad Preemption: RR1 or RR2 NA  CMU Model No: (Example - 210E) 2010 EZL  Special Equipment or other features of note: 170E Carriculated	Has a Aux	ciliary L	Load B	ay bee	n inst	alled?	Yes /	(No)							
CMU Model No: (Example - 210E) 2010 EZL.  Special Equipment or other features of note: 170E Contribute to	Ped Phas	ing: PP	3 inștal	led? Ye	es / No	) A	udible	Peds?	Yes / N	0	School	Crossii	ng? Ye	s / No	
Special Equipment or other features of note: 170E Continue E	Railroad I	Preemp	tion:	RR1 o	r RR2	NA	+								
	CMU Mod	el No: (	(Examp	le - 210	DE)	2010	EZI								
PPB = Ped Push Button	Special E	quipme	nt or o	other f	eature	s of n	ote:	170E	Cao	ATE UL	). E 14				
	PPB = Pec	Push f	<b>3</b> utton												



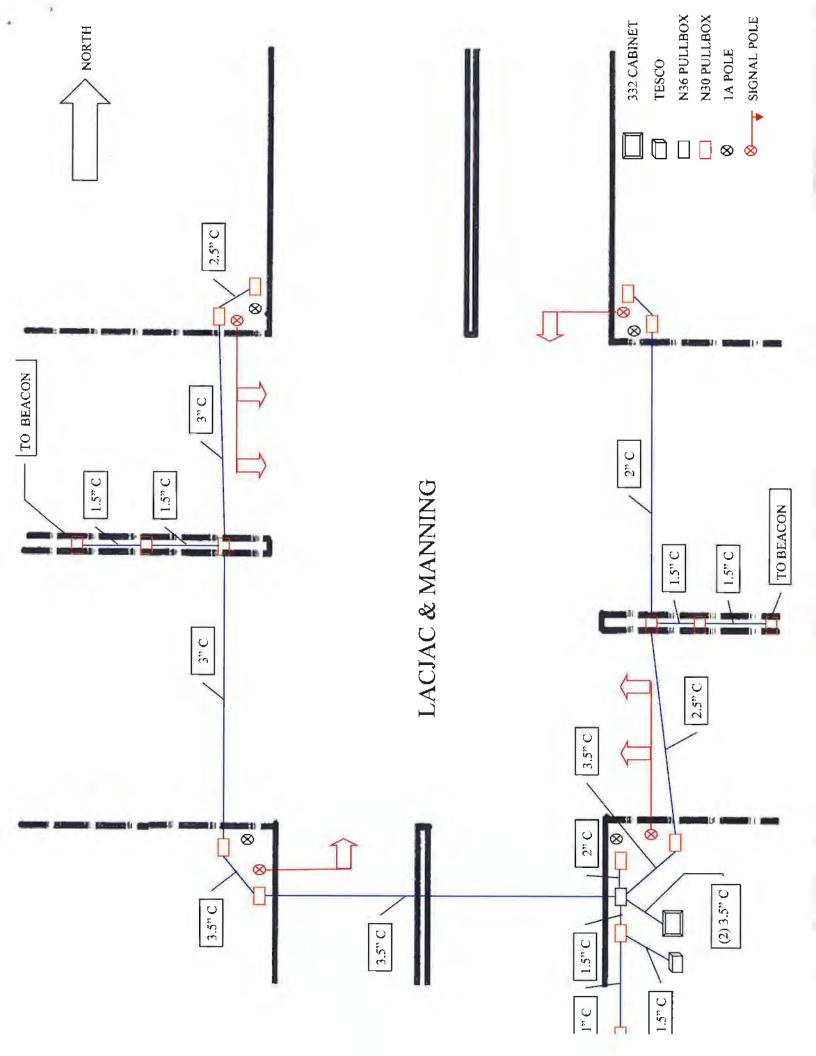
Detector Layout for the intersection of: MANUNG + 7 COME TO



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			LOA	BAY										
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A Hachment E



# FRESNO COUNTY DEPARTMENT OF PUBLIC WORKS AND PLANNING

## FIELD REVIEW FOR RSTP ASPHALT OVERLAYS

PROJECT: Shaw Avenue Limits: McCall Ave to Academy Ave.

Total Miles: 3.02

REMARKS: All odometer readings are from beginning at McCall Ave and traveling East

DIRECTION	ODOMETER	DESCRIPTION
E/B	0.01	
W/B	0.01	Painted Type "A" dike 125'
W/B	0.05	Wide Shoulder 0.2 mile long
W/B	0.13	Repair 12' x 260'
E/B	0.14	Repair 4' x 70'
W/B	0.16	Repair 12' x 175'
E/B	0.18	DI Marker 13' from traveledway
W/B	0.18	DI Marker 28' from traveledway
E/B	0.21	Repair 6' x 60'
E/B	0.21	Repair 12' x 144'
E/B	0.28	Repair 12' x 145'
W/B	0.30	Repair 6' x 67'
E/B	0.32	Repair 12' x 1,200'
E/B	0.45	Begin Quail Lake 10' Shoulder & "A" Dike
E/B	0.50	Roadside Marker (unknown)
E/B	0.60	Repair 6' x 665'
E/B	0.62	Begin Center Turn Lane
W/B	0.74	Gas Marker & Cover 4' from TW
E/B	0.76	Repair 12' x 50'
E/B	0.76	Repair 12' x 60'
E/B	0.77	Marker Bridge Rail 7' from TW
W/B	0.78	Marker Bridge Rail 7' from TW
E/B	0.84	Marker DI 20' from TW
W/B	0.84	Marker DI 47' from TW
W/B	0.92	Repair 6' x 64'
W/B	1.00	Repair 6' x 105'
W/B	1.00	Repair 6' x 114'
W/B	1.00	Repair 12' x 82'
E/B	1.13	End Center Turn Lane
W/B	1.13	Repair 6' x 180'
E/B	1.14	End Quail Lake 10' Shoulder & "A" Dike
E/B	1.54	Begin Center Turn Lane (Wild Water)
E/B	1.56	Begin Type "E" Dike 215'
E/B	1.58	AC Type "E" Overside Drain
W/B	1.58	Marker DI 40' from TW
E/B	1.60	Marker Box Culvert Rail 12' from TW
W/B	1.61	Marker Box Culvert Rail 28' from TW
W/B	1.62	Repair 6' x 142'
W/B	1.62	Repair 12' x 30'
E/B	1.64	Shoulder Down Spout
E/B	1.64	Begin Right Turn Lane (Wild Water)
W/B	1.64	Repair 12' x 90'
W/B	1.67	Repair 12' x 70'

W/B	1.67	Repair 12' x 41'
W/B	1.67	Repair 12' x 40'
E/B	1.70	End Right Turn Lane (Wild Water)
W/B	1.70	Repair 12' x 56'
W/B	1.73	Repair 12' x 40'
E/B	1.76	End Center Turn Lane
E/B	1.84	Driveway "Pavers" @ EP
E/B	2.03	Marker ATT Manhole 8' from TW
E/B	2.34	Begin AC Dike Type "E" 450'
E/B	2.34	AC Overside Drain
E/B	2.40	Marker Culvert 12' from TW
W/B	2.40	Marker Culvert 37' from TW
E/B	2.41	AC Overside Drain
E/B	2.45	Marker Bridge Rail 10' from TW
W/B	2.46	Marker Bridge Rail 26' from TW
W/B	2.46	Repair 12' x 10'
W/B	2.46	Repair 12' x 32'
E/B	2.46	Repair 4' x 31'
E/B	2.46	Repair 12' x 31'
E/B	2.46	Repair 12' x 19'
E/B	2.55	Marker CMP crossing Greenwood
W/B	2.55	Repair 4' x 20' (x 2)
W/B	2.76	Marker CMP opening 45' from TW
E/B	3.02	Unmarked DI's 16' S/O TW, & 24' N/O TW
	Reviewed B	y: J Drews / R Hendrickson

# FRESNO COUNTY DEPARTMENT OF PUBLIC WORKS AND PLANNING

## **FIELD REVIEW FOR RSTP ASPHALT OVERLAYS**

PROJECT: Manning Ave Limits: Kings River to 0.24 mi E/O Mendocino

Total Miles: 4.2

REMARKS: All odometer readings are from beginning at Kings River and traveling West

DIRECTION	ODOMETER	DESCRIPTION
W/B	0.00	
W/B	0.00	Median Concrete Curb
W/B	0.00	Shoulder AC Dike
W/B	0.00	Shoulder Rumble Strip
W/B	0.09	Begin Median Turn Pocket
W/B	0.10	End AC Dike
W/B	0.13	End Median Turn Pocket
W/B	0.26	Begin Median Turn Pocket
W/B	0.31	End Median Turn Pocket
W/B	0.33	Repair Area 12' x 40'
W/B	0.37	End Median Concrete Curb
W/B	0.72	Marker DI, 7' from travelway
W/B	0.72	Begin Lac Jac Turn Pocket
W/B	0.72	Begin Shoulder AC Dike
W/B	0.73	Repair Area 12' x 160' Lac Jac
W/B	0.74	Lac Jac Curb Ramps
W/B	0.78	End Lac Jac Turn Pocket
W/B	0.86	Markers Lac Jac Shoulder
W/B	0.88	End AC Dike
W/B	0.92	Repair Area 6' x 160'
W/B	1.10	Transverse Cracking
W/B	1.26	Begin Median Turn Pocket
W/B	1.26	Marker, Turn Pocket Concrete Curb (Only 3 Markers for 8 Turn Pockets)
W/B	1.31	End Median Turn Pocket
W/B	1.75	Marker DI, 12' from travelway
W/B	1.75	(Unmarked) Median DI, 12' from Travelway
W/B	1.77	Begin Median Turn Pocket
W/B	1.81	End Median Turn Pocket
W/B	2.27	Begin Median Turn Pocket
W/B	2.31	End Median Turn Pocket
W/B	2.79	Begin Zediker Turn Pocket
W/B	2.81	End Shoulder Rumble Strip (Zediker)
W/B	2.83	Zediker Curb Ramps
W/B	2.84	End Zediker Turn Pocket

Reviewed By: J Drews

## FRESNO COUNTY DEPARTMENT OF PUBLIC WORKS AND PLANNING

### FIELD REVIEW FOR RSTP ASPHALT OVERLAYS

PROJECT: Manning Ave Limits: Newmark to Kings River

Total Miles: 3.365

REMARKS: Location has rumble strip throughout the length of the projet on the paved shoulder.

Gas valve on Zediker will be in paving area.

DIRECTION	ODOMETER	DESCRIPTION
E/B	0.00	Newmark
E/B	0.10	Repair # 2 Lane 6'x150'
E/B	0.17	Repair # 2 Lane 6'x255'
E/B	0.20	OMPI No Marker 13' from ETL
E/B	0.30	
		Intersection of Zediker and Manning Signal Light Concrete Median, AC Dike on
E/B	0.50	the South side of Zediker
E/B	0.51	Repair # 2 Lane 12'x180'
E/B	0.51	OMPI Marker 11' from ETL
E/B	0.58	Repair # 2 Lane 12'x20'
E/B	0.62	Repair # 2 Lane 12'X28'
E/B	0.90	OMPI Marker 11' from ETL
E/B	1.00	Intersection of Riverbend and Manning.Concrete Median
E/B	1.01	j i i i i i i i i i i i i i i i i i i i
E/B	1.02	OMPI Marker 12' from ETL
E/B	1.00	Intersection of Smith and Manning Concrete Median
E/B	1.51	
E/B	2.00	
E/B	2.40	Marker 7' from ETL
E/B	2.41	Marker 1' from ETL Medain
E/B	2.42	Marker 7' from ETL
E/B	2.43	Marker 7' from ETL
E/B	2.44	Marker 7' from ETL
		1,163 LF of Type A Dike, wraps aound the intersection of Lac Jac and Manning
E/B	2.45	Ave.
E/B	2.48	Marker 7' from ETL
E/B	2.49	Marker 7' from ETL
		Intersection of Lac Jac and Manning signal light intersection Concrete Median,
E/B	2.50	AC Dike on south side of Lac Jac
E/B	2.50	Repair # 2 Lane 12'x225'
E/B	2.51	Tropair in 2 Earle 12 X223
E/B	3.00	Intersection of Rio Vista and Manning Ave, Concrete Median
E/B	3.01	The rota and manning rive, denoted median
E/B	3.10	Intersection of Ash and Manning
_,	0.10	Intersection of Nurmi and Manning, 960 LF of Type A dike on the south side of
E/B	3.12	the roadway
E/B	3.36	Match Line
L/ <i>U</i>	0.50	INGCOT LITE
	Reviewed By	: J Drews



# INSTRUCTIONS AND REQUIREMENTS FOR ROAD ENCROACHMENT PERMIT AND UTILITY TAP-INS

**PUBLIC WORKS DEPARTMENT** 

### INSTRUCTIONS TO APPLICANT

The applicant must complete attached form(s) and submit all required information before the application can be accepted for filing and processing.

A Public Works Encroachment Permit is required for any work within the City right-of-way (street/sidewalk area), public easements, or utility easements. The property owner and/or contractor performing the work are required to fill out and submit an Application for Road Encroachment Permit and Utility Tap-ins (attached). The application shall include a diagram/plot/site plan, with dimensions, showing proposed work. The contractor performing the work is **required** to have a current City of Parlier business license on file with the City of Parlier Finance Department, located at 1100 E. Parlier Ave. Please attach a copy of the contractor's business license with your permit application.

- Responsible Party No party other than the named permittee or their agent is authorized to work under this permit.
- <u>Acceptance of Provisions</u> It is understood and agreed by the permittee that commencement of work authorized by the issuance of this permit shall constitute acceptance of the provisions of this permit and all attachments.
- Notice Prior to Starting Work Before starting work under the Encroachment Permit, the permittee shall notify the inspector (named on your application) a minimum of 48 hours prior to initial start of any work.
- <u>Standards of Construction</u> All work shall be done in accordance to the most current City of Parlier *Standards and Specifications* unless otherwise approved on the plans or in the permit.
- <u>Inspection and Approval by the City</u> All work shall be subject to monitoring, inspection and approval by the City. All form work must be inspected by the City prior to the placement of concrete. The permittee shall request a final inspection and acceptance of the work.
- <u>Permit on the Work Site</u> The Encroachment Permit or a copy shall be kept at the site of the work and must be shown to any representative of the City or any law enforcement office on demand.
- <u>Minimum Interference with Traffic</u> All work shall be planned and carried out so that there will be the least possible inconvenience to the traveling public.

## **REQUIREMENTS**

- 1. Applicant shall complete the attached Application for Road Encroachment Permit and Utility Tap-ins. Type or neatly print all information in highlighted blanks on the application.
- 2. Applicant shall submit a completed diagram/plot/site plan. This shall be neat, readable, fully dimensioned and inclusive of all site conditions. Show features that might be impacted by construction activities, such as operation of equipment, utility installation, material storage, excavation, etc. In all cases, the following information must be included in the appropriate drawing when submitting for a permit:
  - a. Lot dimensions
  - b. Property line
  - **c.** Indicate all property improvements; existing or proposed (driveway, sidewalks, fire hydrant, water meter, utility poles, street lights or any other structures that may affect the proposed work)
- 3. If necessary, provide a traffic control plan.
- 4. If applicable, applicant shall submit a copy of contractor's license.
- 5. If applicable, applicant shall submit a copy of general liability insurance and property damage insurance indicating the City of Parlier as an additional insured. Please attach this with your application.
- 6. Payment for the Encroachment Permit shall be made with the Finance Department (provide permit number).

Work may begin only AFTER the City has issued the APPROVED ENCROACHMENT PERMIT.



# **APPLICATION FOR ROAD ENCROACHMENT PERMIT AND UTILITY TAP-INS**

PUBLIC WORKS DEPARTMENT	Permit Number:
defend and hold them harmless from any and all claim of liability for	the applicant shall indemnify the City of Parlier and any of its officers, employees and agents and shall rersonal injury or property damage due to any acts or failure to act in connection with any construction, ermitted herein. Applicant further agrees to comply with all terms, conditions, and specifications
Company/Contractor's Name:	License Number:
Applicant's Name:	
Applicant's Address:	
	Contact Phone Number:
Location of Proposed Work:	
Description of Proposed Work:	
Project Start Date:	Project End Date:
Applicant's Signature:	
	PERMIT APPROVAL
construed and no work other than that specified is authorized hereb accordance with <u>City Standards and Specifications</u> shall be deemed Permittee shall notify Inspector <u>RAY MARTINEZ</u> at 559-246-9953 a m THIS PERMIT SHALL BE VOID UNLESS THE WORK HEREIN CONTE To commence or complete work after said date requires approved a	subject to all terms, conditions and restrictions contained on this application. This permit is to be strictly y. This permit is expressly conditioned upon performance of the work. Failure to so perform said work in an immediate revocation of this permit and without notice. Work shall be subject to inspection.
PERMIT Q	UANTITIES AND INSPECTION FEES
B. L.F. Trenches (off Pavement)   C. L.F. Trenches (on Pavement)	
D. Encroachments	Total Fees:
Comments: See Page 3 of 3 (attached).	,531,533,
CITY	ENGINEER AUTHORIZATION
Signature:	Date:
PUBL	IC WORKS OFFICE USE ONLY
Permit Returned to:	Date:

Receipt Received: □Yes □No



### San Joaquin Valley Air Pollution Control District Regulation VIII – Fugitive PM10 Prohibitions Dust Control Plan

Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities requires the owner or operator of a construction project to submit a Dust Control Plan to the District if at anytime the project involves:

- Residential developments of ten or more acres of disturbed surface area,
- · Non-residential developments of five or more acres of disturbed surface area, or
- Moving, depositing, or relocating of more than 2,500 cubic yards per day of bulk materials on at least three days of the project.

A Dust Control Plan identifies the fugitive dust sources at the construction site and describes all of the dust control measures to be implemented before, during, and after any dust generating activity for the duration of the project. The District will review and approve, conditionally approve, or disapprove the Dust Control Plan within 30 days of submittal. Construction activities shall not commence until the Dust Control Plan has been approved or conditionally approved. An owner or operator must also provide written notification to the District via fax or mail within 10 days prior to the commencement of earthmoving activities. A copy of the approved Dust Control Plan must be retained at the project site and made available upon request by a District inspector.

Pursuant to <u>Rule 3135</u> – *Dust Control Plan Fee*, payment must accompany each Dust Control Plan submitted to the District. A separate fee is charged for any major modification made to an approved plan, such as modifying the size and scope of the project or making significant changes to the types of control or preventative measures. No fees are charged for administrative changes to an approved plan.

At least one key individual representing the owner or operator, or any person who prepares a Dust Control Plan must complete a Dust Control Training Course presented by the District. Please contact the District to find out when courses are being offered.

Regardless of whether a District-approved Dust Control Plan is in place or not, the owner or operator is required to comply with all requirements of the applicable rules under Regulation VIII and the District's Rules and Regulations at all times.

Submit the Dust Control Plan to the District's Compliance Division at the office listed below:

For San Joaquin, Stanislaus, and Merced Counties:

Northern Region Office 4800 Enterprise Way Modesto, CA 95356 (209) 557-6400 FAX (209) 557-6475

For Madera, Fresno, and Kings Counties:

Central Region Office 1990 East Gettysburg Avenue Fresno, CA 93726 (559) 230-5950 FAX (559) 230-6062

For Tulare County and the valley portion of Kern County

Southern Region Office 34946 Flyover Court Bakersfield, CA 93308 (661) 392-5500 FAX (661) 392-5585

www.valleyair.org

# Dust Control Plan Section 1 – General Information – Page 1

1-A Project Na	me and Location		
Project Name:	Federal Asphalt Concre	te Overlays and Shoulder Winding	
, , , , , , , , , , , , , , , , , , , ,		to Academy Ave, and Manning Ave from 0.243 miles	
Project Address:	east of Mendocino Ave to Ree	•	
	Clovis and Parlier	_	
		Township: 15S Range: 22E	
		End Date: August, 2017	
1-B Contacts			
preparation, submi		s of persons and owners or operators responsible for the he Dust Control Plan and responsible for the dust (Rule 8021 Sec. 6.3.6.1)	
Property Owne	er: County of Fresno		
Addres	SS:		
		Fax:	
Develope	ər:		
	ne:		
General Contracto	or: TBD		
Addres	SS:		
City / State / Zi	ip:		
Contact Perso	on:		
	ne:		
This Dust Control	Plan was prepared by:		
	ne: Michael Stavropoulos	Title: Senior Engineer	
Company Nam	ie: Fresno County, Public We	orks And Planning Department.	
Addres	ss: 2220 Tulare Street		
•	ip: <b>Fresno, Ca 93721</b>		
	ne: <u>559 600 4534</u>	Fax: 559 600 4200	
Date training comp	oleted: 8/13/14 🔀 Af	ttach a copy of the course certificate	
☐ I would like add	ditional information about oppor	tunities to reduce water usage on the project site.	

## Section 1 – General Information – Page 2

Proje	ct Name: Federal Asphalt Concrete Overlays and Shoulder Winding
1-C	Contractors
	e the names, addresses, and phone numbers of the contractors involved in dust generating activities forming dust control as part of this project (Rule 8021 Sec. 6.3.6.1). A supplemental list may be attached.
1	TBD
<b>2.</b> _	
3	
4	
_	
1-D	Who will have the primary responsibility for implementing this Dust Control Plan? (Rule 8021 Sec 6.3.6.1)
	Property Owner Developer X General / Prime Contractor
	Sub-Contractor(s)
Prima	ary Project Contact: TBD
	Title:
Com	pany Name:
	Address:
City /	State / Zip:
On-	Site Phone: Fax:
Mo	bile Phone: Pager:
Date	raining completed:
1-E	Indirect Source Review (ISR) (Rule 9510)
An Air	Impact Assessment application was submitted to the District on:
Discret	ionary Approval: Received on:
X Exer	npt from ISR. Explain: No lanes are being added. No capacity increased.
1-F	Provide a brief description of the project's operations.
Sha	w Ave; Overlay existing road with Hot Mix Asphalt (HMA)
Mar	ning Ave: Shoulder widening, varies width, to make existing shoulder to 8' wide and overlay
exis	ting roadway with HMA.

### Dust Control Plan Section 2 – Plot Plan – Page 1

Project Name: Federal Asphalt Concrete Overlays and Shoulder Winding
2-A Plot Plan
A plot plan identifies the type and location of each project. Attach appropriately sized maps with the project boundaries outlined or use the space in sections 2-B or 2-C to draw a plot plan. Attached maps may include tract maps, site maps, and topographic maps. Use the checklist below to make sure all areas have been identified on the plot plan. (Rule 8021 Sec. 6.3.6.2 & 6.3.6.5)
Identify the relative locations of actual and potential sources of fugitive dust emissions.   Bulk material handling and storage areas.
Paved and unpaved access roads, haul roads, traffic areas, and equipment storage yards.  X Exit points where carryout and trackout onto paved public roads may occur.
X Water supply locations if water application will be used for controlling visible dust emissions.  Identify the relative locations of sensitive receptors within ¼ mile of the project. (Rule 4102 Sec. 4.1)
<ul> <li>No sensitive receptors within ¼ mile of the project.</li> <li>X Residential areas, schools, day care, churches, hospitals, nursing facilities, commercial, retail, etc.</li> <li>☐ Freeways, roads, or traffic areas that may be affected by the dust generating activities.</li> <li>☐ Other:</li> </ul>
2-B Draw Plot Plan (if one is not attached)  May use the back of this form Include a North Arrow
X Plot plan is attached (Skip to 3-A).

## Section 2 - Plot Plan - Page 2

Project Name:	Federal Asphalt Concrete Ove	erlays and Shoulder Winding	
2-C Draw Plot	Plan (if one is not attached)		Include a North Arrow
See attachmen	nt		
AND THE RESERVE OF THE PARTY OF	Manager and the second	1 500 14 10 14 10	

# Dust Control Plan Section 3 – Fugitive PM10 Sources – Page 1

Project Name: Federal Aspha	alt Concrete Overlays and Shoulder W	inding
3-A Disturbed Surface Area		
	ce to be disturbed, the daily throughp f the entire project site. (Rule 8021 Sec. 6.3	
Tota Daily maximu Daily avera	al area of land surface to be disturbed:  um throughput volume of earthmoving:  ge throughput volume of earthmoving:  Total area of entire project site:  left inactive for more than seven days:	12.61       Acres         400       Cubic Yards         200       Cubic Yards         85.33       Acres
The expected start and completion	dates of <b>dust generating activities</b> and projects, it may be necessary to rep	
Expected start date: M	ay, 2017 Completion Da	te: August, 2017
Phase Project Start – A:	Completion –	A:
Phase Project Start – B:	Completion –	B:
Phase Project Start – C:	Completion –	C:
3-C Other Locations		
Identify whether any other locations example may include listing any sit	s should be included with this plan that e where materials will be imported from	are involved with this project. An or exported to. (Rule 8021 Sec. 6.3.2)
X No other locations are included v	with this project. (Skip to 3-D)	
Location 1:		
☐ No Dust Control Plan Require	ed Included with this plan	Included with another plan
Location 2:		
☐ No Dust Control Plan Require	ed  Included with this plan	Included with another plan
Location 3:		
☐ No Dust Control Plan Require	ed Included with this plan	Included with another plan

# Section 3 – Fugitive PM10 Sources – Page 2

Project	Name: Federal Asphalt Concrete Overlays and Shoulder Winding
3-D S	ources of Fugitive Dust
	tion describes the minimum requirements for limiting visible dust emissions from activities that gitive dust emissions. (Rule 8021 Sec. 6.3.6.5) Check at least one box under each category.
Structu	ral Demolition. (Rule 8021 Sec. 5.1, 6.3.3, & 6.3.6.5)
Х	No demolitions are planned for this project.
	Asbestos NESHAP notification and fees have been submitted to the District. (Rule 3050 and Rule 4002).
X	Water will be applied to the following areas for the duration of the demolition activities:
	<ul> <li>Building exterior surfaces;</li> <li>Unpaved surface areas where equipment will operate;</li> </ul>
	<ul> <li>Razed building materials; and</li> </ul>
	<ul> <li>Water or dust suppressants will be applied to unpaved surface areas within 100 feet of structure</li> </ul>
D 4 . 4	during demolition.
Pre-Act	ivity. (Rule 8021 Sec. 5.2)
	Not applicable for this project (Please explain why in Section 3-F).
X	The site will be pre-watered and work will be phased to reduce the amount of disturbed surface area at any one time (Complete Section 4-A).
Active (	Operations. (Rule 8021 Sec. 5.2)
	Water will be applied to dry areas during leveling, grading, trenching, and earthmoving activities (Complete Section 4-A).
	Wind barriers will be constructed and maintained, and water or dust suppressants will be applied to the disturbed surface areas (Complete Sections 4-A or 4-B, and 4-C).
Inactive	Operations, including after work hours, weekends, and holidays. (Rule 8021 Sec. 5.2)
	Not applicable for this project (Please explain why in Section 3-F).
Х	Water or dust suppressants will be applied on disturbed surface areas to form a visible crust, and vehicle access will be restricted to maintain the visible crust. (Complete Section 4-A or 4-B, and 4-C)
Tempor	ary stabilization of areas that remain unused for seven or more days. (Rule 8021 Sec. 5.2)
	Not applicable for this project (Please explain why in Section 3-F)
Х	Vehicular access will be restricted and water or dust suppressants will be applied and maintained at all un-
	vegetated areas (Complete Section 4-A or 4-B, and 4-C).  Vegetation will be established on all previously disturbed areas (Complete Section 4-C).
	Gravel will be applied and maintained at all previously disturbed areas (Complete Section 4-C).
	Previously disturbed areas will be paved (Complete Section 4-C).
Unnave	d Access and Haul Roads, Traffic and Equipment Storage Areas. (Rule 8021 Sec. 5.2 and 5.3)
X	Not applicable for this project (Please explain why in Section 3-F)
	Apply water or dust suppressants to unpaved haul and access roads (Complete Section 4-A or 4-B)
	Post speed limit signs of not more than 15 miles per hour at each entrance, and again every 500 feet.
_	(Complete Section 4-C)
	Water or dust suppressants will be applied to vehicle traffic and equipment storage areas (Complete Section 4-A or 4-B).
Wind Ev	/ents. (Rule 8021 Sec. 5.4)
х	Water application equipment will apply water to control fugitive dust during wind events, unless unsafe to do so. Outdoor construction activities that disturb the soil will cease whenever visible dust emissions cannot be effectively controlled.

# Section 3 – Fugitive PM10 Sources – Page 3

3-E	Bulk Materials (Rule 8021 Sec. 6.3.6.6 and Rule 8031)
Outdo	or Handling of Bulk Materials. (Rule 8031 Sec. 5.0 A)
Х	No bulk materials will be handled during this project.
	Water or dust suppressants will be applied when handling bulk materials.
	Wind barriers with less than 50 percent porosity will be installed and maintained, and water or dust suppressants will be applied.
Outdo	or Storage of Bulk Materials. (Rule 8031 Sec. 5.0 B)
X	
Ĺ	
	that prevents the cover from being removed by wind action.
L	Wind barriers with less than 50 percent porosity will be installed and maintained around the storage piles, and water or dust suppressants will be applied.
	A three-sided structure (< 50% porosity) will be used that is at least as high as the storage piles.
On-Sit	e Transporting of Bulk Materials. (Rule 8031 Sec. 5.0 C)
	No bulk materials will be transported on the project site.
$\boxtimes$	Vehicle speed will be limited on the work site.
	· · · · · · · · · · · · · · · · · · ·
$\boxtimes$	any paved public access road.  A sufficient amount of water will be applied to the top of the load to limit visible dust emissions.
_	e Transporting of Bulk Materials. (Rule 8031 Sec. 5.0 D)
	<ul> <li>The interior of emptied truck cargo compartments will be cleaned or covered before leaving the site.</li> </ul>
	<ul> <li>Spillage or loss of bulk materials from holes or other openings in the cargo compartment's floor, sides, and tailgates will be prevented.</li> </ul>
	<ul> <li>Haul trucks will be covered with a tarp or other suitable cover or will be loaded such that the freeboard</li> </ul>
	is not less than six inches when transported on any paved public access road to or from the project
	site and a sufficient amount of water will be applied to the top of the load to limit visible dust emissions.
Outdo	or Transport using a Chute or Conveyor. (Rule 8031 Sec. 5.0 E)
$\boxtimes$	
	Chute or conveyor will be fully enclosed.
	Water spray equipment will be used to sufficiently wet the materials.
	Transported materials will be washed or screened to remove fines (PM10 or smaller).
3-F	Comments
None	

# Dust Control Plan Section 4 – Dust Control Methods – Page 1

Project Name: Federal Asphalt Concrete Overlays and Shoulder Winding
4-A Water Application
Complete this section if water application will be used as a control method for limiting visible dusemissions and stabilizing surface areas. Check and answer everything that applies to this project.  (Rule 8021 Sec. 6.3.6.6)
Water Application Equipment:
Sprinklers: Describe the activities that will utilize sprinklers:
Minimum treated area:
Maximum treated area: Square Feet Acres
Minimum water flow rate: Gallons/minute Duration:
☑ Water Truck, ☐ Water Trailer, ☐ Water Wagon, ☐ Other:
Describe the activities that will utilize this equipment:
Shoulder Work
Number of application equipment available: TBD
Application equipment capacity: _TBD
Application frequency: TBD
Application rate: TBD Gallons per acre per application
Hours of operation: Daylight
Water application equipment is available to operate after normal working hours, on weekends, and holidays.
After-hours contact: TBD Phone No.: TBD
After-hours contact: TBD Phone No.: TBD
Nater Supply: Include the relative locations of these sources on the plot plan in Section 2.
Fire hydrants
Number of hydrants available On-Site: Off-Site:
Approval granted by the owner or public agency to use their fire hydrants for this project.
Storage tanks Number and consoits:
Wells Number and flaw rate:
Wells Number and flow rate:
Canal, River, Pond, Lake, etc. Describe: Approval granted by the owner or public agency to use their water source for this project.
Owner or Agency
Owner or Agency:  Contact: Phone No.:
Other: TBD

## Section 4 – Dust Control Methods – Page 2

Project Name: Fe	ederal Asphalt Concrete Overlays and Shoulder Winding
4-B Dust Suppres	ssant Products
not limited to: hyg emulsions, and bitumir	n if a dust suppressant product will be used. These materials include, but are roscopic suppressants (road salts), adhesives, petroleum emulsions, polymer nous materials (road oils). (Rule 8021 Sec. 6.3.6.6)  re than one dust suppressant product will be used.
☐ Not Applicable.	Only water application will be the control method used. Skip to 4-C.
	Phone No:
	e: Gallons of undiluted material per [] mile or [] acre treated.
Application Frequency	r: Applications per ☐ week, ☐ month, ☐ year
Application Equipment	
Number of Applicatio	n Equipment Available:
Application	on Equipment Capacity:
	owing information that fully describes this product. Use the checklist below to make submitted with this plan.
☐ Product Specifi	cations (MSDS, Product Safety Data Sheet, etc.)
☐ Manufacturer's	Usage Instructions (method, frequency, and intensity of application)
☐ Environmental ground applicat	impacts and approvals or certifications related to the appropriate and safe use for tion.

## Section 4 – Dust Control Methods – Page 3

Project Name: Federal Asphalt Concrete Overlays and Shoulder Winding
4-C Other Dust Control Methods
Check below the other types of dust control methods that will be employed at the construction site. (Rule 8021 Sec. 5.2)
Physical barriers for restricting unauthorized vehicle access:  Fences Gates Posts Berms Concrete Barriers  Other: TBD
Wind barriers Describe:
Posted speed limit signs meet State and Federal Department of Transportation standards. (Rule 8021 Sec. 5.3)
Posted at 15 miles per hour, Posted at miles per hour (less than 15 MPH)  Re-establish vegetation for temporarily stabilizing previously disturbed surfaces.
Explain:
Apply and maintain gravel:  ☐ On haul roads ☐ On access roads ☒ At equipment storage yards ☐ At vehicle traffic areas ☐ For temporarily stabilizing previously disturbed areas.
Explain:
Apply pavement:
Explain:
U Other: TBD
4-D Contingencies
Contingencies to be implemented if application equipment becomes inoperable, more equipment in needed to effectively control fugitive dust emissions during active and inactive periods, accessibility limitations occur at the water sources, or staff is not available to operate the application equipment Describe the contingencies that will be in place and when they will be implemented. Attach any additional information if needed. (Rule 4102 and Rule 8021 Sec. 6.3.6.6)
TBD
4-E Record keeping (Rule 8011 Sec. 6.2)
4-E Record keeping (Rule 8011 Sec. 6.2)  Records and any other supporting documents for demonstrating compliance must be maintained but only for those days when a control measure is implemented. The District has developed record keeping forms that may be used for complying with this requirement. Check one or both below:
Records and any other supporting documents for demonstrating compliance must be maintained but only for those days when a control measure is implemented. The District has developed record
Records and any other supporting documents for demonstrating compliance must be maintained but only for those days when a control measure is implemented. The District has developed record keeping forms that may be used for complying with this requirement. Check one or both below:
Records and any other supporting documents for demonstrating compliance must be maintained but only for those days when a control measure is implemented. The District has developed record keeping forms that may be used for complying with this requirement. Check one or both below:    Records will be maintained using the forms developed by the District.

# Dust Control Plan Section 5 – Carryout and Trackout – Page 1

Project Name: Federal Asphalt Concrete Overlays and Shoulder Winding
5-A Treatments for Preventing Trackout
Select the control devices that will be used for preventing trackout from occurring onto paved public roads. Trackout is any material that adheres to vehicle tires and is deposited onto a paved public road or the paved shoulder of a paved public road. Check one or a combination that will apply to this project.
Grizzly: Rails, pipes, or grates used to dislodge debris off of vehicles before exiting the site. Extends from the intersection with the paved public road surface for the full width of the unpaved exit surface for a distance of at least 25 feet. (Rule 8041 Sec. 5.9.1)
Describe:
Gravel Pad: A layer of washed gravel at least one (1) inch or larger in diameter, three (3) inches deep, and extends from the intersection with the public paved road surface for the full width of the unpaved exit surface for a distance of at least 50 feet. (Rule 8041 Sec. 5.9.2)
Gravel Size: TBD Inches
Pad Width: TBD Feet Length: TBD Feet Depth: TBD Inches
Paved Surface: Extends from the intersection with the paved public road surface for the full width of the unpaved access road for at least 100 feet to allow mud and dirt to drop off of vehicles before exiting the site. (Rule 8041 Sec. 5.9.3)
Width: Feet Length: Feet Mud and dirt deposits accumulating on paved interior roads will be removed with sufficient frequency, but not less frequently than once per workday. Cleanup will commence within ½ hour of generating any carryout and trackout. (Rule 8041 Sec. 5.8.2 and 5.9.3)
Clean-up Frequency:
Wheel Washer: Uses water to dislodge debris from tires and vehicle undercarriage. (Rule 8011 Sec. 3.73)  Describe:
Describe:
5-B Treatments for Preventing Carryout
Report the required treatments that will be used for preventing carryout from occurring on paved public roads. Carryout occurs when materials from emptied or loaded haul trucks, vehicles, or trailers falls onto a paved public road or paved shoulder of a paved public road.
<ul> <li>No haul trucks will be routinely entering or leaving the project site.</li> <li>Emptied Haul Trucks: (Rule 8031 Sec 5.0)</li> <li>☑ Interior cargo compartments will be cleaned before leaving the project site.</li> <li>☐ Cargo compartment will be covered with a tarp or suitable cover before leaving the project site.</li> </ul>
<ul> <li>Loaded Haul Trucks: Spillage or loss of materials from holes or other opening in the cargo compartment will be prevented when material is transported onto any paved public access road. (Rule 8031 Sec 5.0)</li> <li>Select one or both of the required applications:</li> <li>☑ Haul trucks will be loaded such that the freeboard is not less than six inches with water applied to the top of the load before leaving the project site.</li> </ul>
Cargo compartment and load will be covered with a tarp or suitable cover before leaving the project site.
Other:

# Section 5 - Carryout and Trackout - Page 2

Project Name: Federal Asphalt Concrete Overlays and Shoulder Winding			
5-C Cleaning up Carryout and Trackout			
Check and report below the methods and frequency for cleaning up carryout and trackout from the surface and paved shoulders of paved public roads.			
The use of blower devices, or dry rotary brushers or brooms, for removal of carryout and trackout from paved public roads is prohibited. (Rule $8041~Sec.~5.0$ ).			
In the event the control device becomes ineffective due to an accumulation of mud and dirt, material must be removed within ½ hour of the generation of carryout and trackout. (Rule 8041 Sec. 5.8.2.)			
The project is located in:			
<ul> <li>An Urban Area, within an incorporated city boundary or an unincorporated area surrounded by a city.</li> <li>Minimum cleanup frequency will be at the end of the workday and removed immediately if carryout and trackout extends beyond 50 feet. (Rule 8041 Sec. 5.4)</li> <li>A Rural Area, located within an unincorporated area and not surrounded by an incorporated city.</li> </ul>			
The construction project is less than 10 acres in size: minimum cleanup frequency is at the end of the workday. (Rule 8041 Sec. 5.1)  X Construction projects 10 or more acres in size: minimum cleanup frequency is end of the workday and immediately if carryout and trackout extends beyond 50 feet. (Rule 8041 Sec. 5.5)			
Clean up Method: Check the method below that will be used for cleaning carryout and trackout.  Manually sweeping and picking up. (Rule 8041 Sec. 5.7.1)  Mechanical sweeping with a rotary brush or broom accompanied or preceded by water. (Rule 8041 Sec. 5.7.2)  Describe the types of equipment that will used:			
TBD			
Operating a PM10-efficient street sweeper. (Rule 8041 Sec. 5.7.3)			
Make and Model: TBD			
Flushing with water: allowed if: (Rule 8041 Sec. 5.7.4)  No curbs or gutters are present.			
Using water will not result as a source of trackout and carryout.			
<ul> <li>Using water will not result in adverse impacts on storm water drainage systems.</li> <li>Using water will not violate any National Pollutant Discharge Elimination System permit program.</li> </ul>			
E.D. Danard keeping for Cleanup of Comment and Treakent and a			
5-D Record keeping for Cleanup of Carryout and Trackout (Rule 8011 Sec. 6.2)			
Records and any other supporting documents for demonstrating compliance must be maintained. The District has developed a record keeping form specific for cleaning carryout and trackout from paved public roads and may be used for complying with this requirement. Check one or both below:			
Records will be maintained using the form developed by the District.			
Records will be maintained using documents or forms developed by the owner or operator.			
Explain and include copies:			

### Dust Control Plan Section 6 – Certification

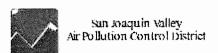
Project Name: Federal Asphalt Concrete Overlays and Shoulder Winding						
6-A Certification						
	그 물이 하면서 보다는 그리는 그리고 있을까요 하는 것이 없는 사람들이 되었다. 그 사람들은 사람들이 되었다.	ementing must certify the plan (Rule 8021 Sec 6.3). ride the certification (Rule 2520 Sec. 3.28 and 10.0).				
I certify that all information documents are true and o		ormation submitted in the attachments to this				
Michael Stavropoulos		Senior Engineer				
Print Name	$\mathscr{V}$	Title				
M		12-13-2016				
Signature	·	Date				
559 600 4534	559 600 4399					
Phone Number	Fax Number	Cell Number				

# SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT COMPLIANCE DIVISION

Presents this
Certificate of Completion
to

# Michael Stavropoulos

On August 13, 2014, at Fresno, California for REGULATION VIII — DUST CONTROL TRAINING



<u>19-13-14</u> Date

### **SELF-DEALING TRANSACTION DISCLOSURE FORM**

(1)	Company Board Member Information:				
	Name:	Date:			
	Job Title:				
(2)	Company/Agency Name and Address:				
(3)	Disclosure (Please describe the nature of the self-dealing	transaction you are a party to)			
(4)	Explain why this self-dealing transaction is consistent with Code 5233 (a)	the requirements of Corporations			
(5)	Authorized Signature				
	Signature:	Date:			

#### SELF-DEALING TRANSACTION DISCLOSURE FORM INSTRUCTIONS

In order to conduct business with the County of Fresno (hereinafter referred to as "County"), members of a contractor's board of directors (hereinafter referred to as "County Contractor"), must disclose any self-dealing transactions that they are a party to while providing goods, performing services, or both for the County. A self-dealing transaction is defined below:

"A self-dealing transaction means a transaction to which the corporation is a party and which one or more of its directors has a material financial interest"

The definition above will be utilized for purposes of completing the disclosure form.

- (1) Enter board member's name, job title (if applicable), and date this disclosure is being made.
- (2) Enter the board member's company/agency name and address.
- (3) Describe in detail the nature of the self-dealing transaction that is being disclosed to the County. At a minimum, include a description of the following:
  - a. The name of the agency/company with which the corporation has the transaction; and
  - b. The nature of the material financial interest in the Corporation's transaction that the board member has.
- (4) Describe in detail why the self-dealing transaction is appropriate based on applicable provisions of the Corporations Codes.
- (5) Form must be signed by the board member that is involved in the self-dealing transaction described in Sections (3) and (4).

#### CONTRACTOR REQUEST FOR CLARIFICATION

# FEDERAL ASPHALT CONCRETE OVERLAYS VARIOUS LOCATIONS IN FRESNO COUNTY

**CONTRACT NUMBER: 16-17-C** 

Requests for clarification of the plans and specifications regarding this project shall be submitted on this form. Any change or clarification of the project plans and specifications shall be in the form of a written addendum issued to planholders of record. Contractors requesting clarification shall complete the following:

Fax form to (559) 600-4399 or e-mail to <a href="mailto:DesignServices@co.fresno.ca.us">DesignServices@co.fresno.ca.us</a>				
FIRM NAME:				
SENDER / CONTACT NAME:				
MAILING ADDRESS:				
BUSINESS PHONE: ()	FAX NUMBER: ()	Zip Code		
Drawing No.:	Spec Section	on:		
Question Type or print one question below				
Response				
Nesponse				
The following section is for County use only.				
	Doto:			
Response By:	_ Date:			
Included in Addendum No	Date:	-		
Date Received: Time Received:_	am / pm	RFC Number:		

This form may be removed from the project specifications and/or reproduced as needed.

# REVISED STANDARD SPECIFICATIONS DATED 3-21-14

# REVISED STANDARD SPECIFICATIONS DATED 03-21-14

#### **ORGANIZATION**

Revised standard specifications are under headings that correspond with the main-section headings of the *Standard Specifications*. A main-section heading is a heading shown in the table of contents of the *Standard Specifications*. A date under a main-section heading is the date of the latest revision to the section.

Each revision to the *Standard Specifications* begins with a revision clause that describes or introduces a revision to the *Standard Specifications*. For a revision clause that describes a revision, the date on the right above the clause is the publication date of the revision. For a revision clause that introduces a revision, the date on the right above a revised term, phrase, clause, paragraph, or section is the publication date of the revised term, phrase, clause, paragraph, or section. For a multiple-paragraph or multiple-section revision, the date on the right above a paragraph or section is the publication date of the paragraphs or sections that follow.

Any paragraph added or deleted by a revision clause does not change the paragraph numbering of the *Standard Specifications* for any other reference to a paragraph of the *Standard Specifications*.

#### ORGANIZATIONAL REVISIONS

^^^^^

07-19-13

Transfer section 36 from division IV to division V.

#### ^^^^^^

# DIVISION I GENERAL PROVISIONS 1 GENERAL

02-21-14

Replace "current" in the 2nd paragraph of section 1-1.05 with:

04-20-12

most recent

#### Add to the 4th paragraph of section 1-1.05:

04-20-12

Any reference directly to a revised standard specification section is for convenience only. Lack of a direct reference to a revised standard specification section does not indicate a revised standard specification for the section does not exist.

#### Add to the 1st table in section 1-1.06:

04-19-13

LCS	Department's lane closure system		
POC	pedestrian overcrossing		
QSD	qualified SWPPP developer		
QSP	qualified SWPPP practitioner		
TRO	time-related overhead		
WPC	water pollution control		

06-20-12

Delete the abbreviation and its meaning for UDBE in the 1st table of section 1-1.06.

10-19-12

Delete "Contract completion date" and its definition in section 1-1.07B.

10-19-12

Delete "critical delay" and its definition in section 1-1.07B.

#### Replace "day" and its definition in section 1-1.07B with:

10-19-12

day: 24 consecutive hours running from midnight to midnight; calendar day.

- 1. **business day:** Day on the calendar except a Saturday and a holiday.
- working day: Time measure unit for work progress. A working day is any 24-consecutive-hour period except:
  - 2.1. Saturday and holiday.
  - 2.2. Day during which you cannot perform work on the controlling activity for at least 50 percent of the scheduled work shift with at least 50 percent of the scheduled labor and equipment due to any of the following:
    - 2.2.1. Adverse weather-related conditions.
    - 2.2.2. Maintaining traffic under the Contract.
    - 2.2.3. Suspension of a controlling activity that you and the Engineer agree benefits both parties.
    - 2.2.4. Unanticipated event not caused by either party such as:
      - 2.2.4.1. Act of God.
      - 2.2.4.2. Act of a public enemy.
      - 2.2.4.3. Epidemic.
      - 2.2.4.4. Fire.
      - 2.2.4.5. Flood.
      - 2.2.4.6. Governor-declared state of emergency.
      - 2.2.4.7. Landslide.
      - 2.2.4.8. Quarantine restriction.
    - 2.2.5. Issue involving a third party, including:
      - 2.2.5.1. Industry or area-wide labor strike.
      - 2.2.5.2. Material shortage.
      - 2.2.5.3. Freight embargo.
      - 2.2.5.4. Jurisdictional requirement of a law enforcement agency.
      - 2.2.5.5. Workforce labor dispute of a utility or nonhighway facility owner resulting in a nonhighway facility rearrangement not described and not solely for the Contractor's convenience. Rearrangement of a nonhighway facility includes installation, relocation, alteration, or removal of the facility.
  - 2.3. Day during a concurrent delay.
- 3. original working days:

- 3.1. Working days to complete the work shown on the *Notice to Bidders* for a non–cost plus time based bid.
- 3.2. Working days bid to complete the work for a cost plus time based bid.

Where working days is specified without the modifier "original" in the context of the number of working days to complete the work, interpret the number as the number of original working days as adjusted by any time adjustment.

#### Replace "Contract" in the definition of "early completion time" in section 1-1.07B with:

10-19-12

work

#### Replace "excusable delay" and its definition in section 1-1.07B with:

10-19-12

**delay:** Event that extends the completion of an activity.

- 1. **excusable delay:** Delay caused by the Department and not reasonably foreseeable when the work began such as:
  - 1.1. Change in the work
  - 1.2. Department action that is not part of the Contract
  - 1.3. Presence of an underground utility main not described in the Contract or in a location substantially different from that specified
  - 1.4. Described facility rearrangement not rearranged as described, by the utility owner by the date specified, unless the rearrangement is solely for the Contractor's convenience
  - 1.5. Department's failure to obtain timely access to the right-of-way
  - 1.6. Department's failure to review a submittal or provide notification in the time specified
- 2. critical delay: Excusable delay that extends the scheduled completion date
- 3. **concurrent delay:** Occurrence of at least 2 of the following events in the same period of time, either partially or entirely:
  - 3.1. Critical delay
  - 3.2. Delay to a controlling activity caused by you
  - 3.3. Non-working day

#### Replace "project" in the definition of "scheduled completion date" in section 1-1.07B with:

10-19-12

work

#### Add to section 1-1.07B:

10-19-12

Contract time: Number of original working days as adjusted by any time adjustment.

06-20-12

Disadvantaged Business Enterprise: Disadvantaged Business Enterprise as defined in 49 CFR 26.5.

#### Replace "PO BOX 911" in the District 3 mailing address in the table in section 1-1.08 with:

04-20-12

703 B ST

# Replace the Web site for the Department of General Services, Office of Small Business and DVBE Services in the table in section 1-1.11 with:

11-15-13

http://www.dgs.ca.gov/dgs/ProgramsServices/BusServices.aspx

#### ^^^^^

#### 2 BIDDING

02-21-14

#### Replace the headings and paragraphs in section 2 with:

02-21-14

#### **2-1.01 GENERAL**

Section 2 includes specifications related to bid eligibility and the bidding process.

The electronic bid specifications in section 2 apply if *Electronic Bidding Contract* is shown on the cover of the *Notice to Bidders and Special Provisions*.

#### 2-1.02 BID INELIGIBILITY

A firm that has provided architectural or engineering services to the Department for this contract before bid submittal for this contract is prohibited from any of the following:

- 1. Submitting a bid
- 2. Subcontracting for a part of the work
- 3. Supplying materials

#### 2-1.03-2-1.05 RESERVED

#### 2-1.06 BID DOCUMENTS

#### 2-1.06A General

Standard Specifications and Standard Plans may be viewed at the Bidders' Exchange website and may be purchased at the Publication Distribution Unit.

The *Notice to Bidders and Special Provisions* and project plans may be viewed at the Bidders' Exchange website and at the street address.

Bid books may be ordered at the Bidders' Exchange website.

For an informal-bid contract, in addition to viewing and ordering them as specified above, the *Notice to Bidders and Special Provisions*, project plans, and *Bid* book may be obtained at the Bidders' Exchange street address.

The *Notice to Bidders and Special Provisions* includes the *Notice to Bidders*, revised standard specifications, and special provisions.

#### 2-1.06B Supplemental Project Information

The Department makes supplemental information available as specified in the special provisions.

Logs of test borings are supplemental project information.

If an Information Handout or cross sections are available:

- 1. You may view them at the Contract Plans and Special Provisions link at the Bidders' Exchange website
- 2. For an informal-bid contract, you may obtain them at the Bidders' Exchange street address

If rock cores are available, you may view them by sending a request to Coreroom@dot.ca.gov.

If other supplemental project information is available for inspection, you may view it by phoning in a request.

Make your request at least 7 days before viewing. Include in your request:

- 1. District-County-Route
- 2. Contract number
- 3. Viewing date
- 4. Contact information, including telephone number

For rock cores, also include the bridge number in your request.

If bridge as-built drawings are available:

- 1. For a project in District 1 through 6 or 10, you may request them from the Office of Structure Maintenance and Investigations, fax (916) 227-8357
- 2. For a project in District 7, 8, 9, 11, or 12, you may request them from the Office of Structure Maintenance and Investigations, fax (916) 227-8357, and they are available at the Office of Structure Maintenance and Investigations, Los Angeles, CA, telephone (213) 897-0877

As-built drawings may not show existing dimensions and conditions. Where new construction dimensions are dependent on existing bridge dimensions, verify the field dimensions and adjust dimensions of the work to fit existing conditions.

#### 2-1.06C-2-1.06D Reserved

#### 2-1.07 JOB SITE AND DOCUMENT EXAMINATION

Examine the job site and bid documents.

Bid submission is your acknowledgment that you have examined the job site and bid documents and are satisfied with:

- 1. General and local conditions to be encountered
- 2. Character, quality, and scope of work to be performed
- 3. Quantities of materials to be furnished
- 4. Character, quality, and quantity of surface and subsurface materials or obstacles
- 5. Requirements of the contract

#### 2-1.08 RESERVED

#### 2-1.09 BID ITEM LIST

Submit a bid based on the bid item quantities the Department shows on the Bid Item List.

#### 2-1.10 SUBCONTRACTOR LIST

On the Subcontractor List form, list each subcontractor to perform work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.).

The Subcontractor List form must show the name, address, and work portions to be performed by each subcontractor listed. Show work portions by bid item number, description, and percentage of each bid item subcontracted.

#### **2-1.11 RESERVED**

#### 2-1.12 DISADVANTAGED BUSINESS ENTERPRISES

#### 2-1.12A General

Section 2-1.12 applies to a federal-aid contract.

Under 49 CFR 26.13(b):

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

Take necessary and reasonable steps to ensure that DBEs have opportunity to participate in the Contract (49 CFR 26).

#### 2-1.12B Disadvantaged Business Enterprise Goal

#### 2-1.12B(1) General

Section 2-1.12B applies if a DBE goal is shown on the Notice to Bidders.

To ensure equal participation of DBEs provided in 49 CFR 26.5, the Department shows a goal for DBEs.

Make work available to DBEs and select work parts consistent with available DBE subcontractors and suppliers.

Meet the DBE goal shown on the *Notice to Bidders* or demonstrate that you made adequate good faith efforts to meet this goal.

You are responsible to verify that the at the bid opening date the DBE firm is certified as DBE by the CA Unified Certification Program.

All DBE participation will count toward the Department's federally-mandated statewide overall DBE goal.

Credit for materials or supplies you purchase from DBEs counts toward the goal in the following manner:

- 1. 100 percent if the materials or supplies are obtained from a DBE manufacturer.
- 2. 60 percent if the materials or supplies are obtained from a DBE regular dealer.
- Only fees, commissions, and charges for assistance in the procurement and delivery of materials or supplies, if they are obtained from a DBE that is neither a manufacturer nor regular dealer. 49 CFR 26.55 defines "manufacturer" and "regular dealer."

You receive credit toward the goal if you employ a DBE trucking company that performs a commercially useful function as defined in 49 CFR 26.55(d)(1)–(4), (6).

#### 2-1.12B(2) DBE Commitment Submittal

Submit DBE information under section 2-1.33.

Bidders other than the apparent low bidder, the 2nd low bidder, and the 3rd low bidder are not required to submit the DBE commitment form unless the Department requests it. If the Department requests a DBE commitment form from you, submit the completed form within 4 business days of the request.

Submit written confirmation from each DBE shown on the form stating that it will be participating in the Contract. Include confirmation with the DBE commitment form. A copy of a DBE's quote will serve as written confirmation that the DBE will be participating in the Contract.

#### 2-1.12B(3) Good Faith Efforts Submittal

If you have not met the DBE goal, complete and submit the Good Faith Efforts Documentation under section 2-1.33 showing that you made adequate good faith efforts to meet the goal. Only good faith efforts directed toward obtaining participation by DBEs are considered.

If your DBE commitment form shows that you have met the DBE goal or if you are required to submit the DBE commitment form, you must submit good faith efforts documentation within the specified time to protect your eligibility for award of the contract in the event the Department finds that the DBE goal has not been met.

The Department may consider DBE commitments of the 2nd and 3rd bidders in determining whether the low bidder made good faith efforts to meet the DBE goal.

#### 2-1.13-2-1.14 RESERVED

#### 2-1.15 DISABLED VETERAN BUSINESS ENTERPRISES

#### 2-1.15A General

Section 2-1.15 applies to a non-federal-aid contract.

Take necessary and reasonable steps to ensure that DVBEs have opportunity to participate in the Contract.

Comply with Mil & Vet Code § 999 et seq.

#### 2-1.15B Projects \$5 Million or Less

Section 2-1.15B applies to a project with an estimated cost of \$5 million or less.

Make work available to DVBEs and select work parts consistent with available DVBE subcontractors and suppliers.

Meet the goal shown on the Notice to Bidders.

Complete and submit the Certified DVBE Summary form under section 2-1.33. List all DVBE participation on this form.

If a DVBE joint venture is used, submit the joint venture agreement with the Certified DVBE Summary form.

List each 1st-tier DVBE subcontractor on the Subcontractor List form regardless of percentage of the total bid.

#### 2-1.15C Projects More Than \$5 Million

#### 2-1.15C(1) General

Section 2-1.15C applies to a project with an estimated cost of more than \$5 million.

The Department encourages bidders to obtain DVBE participation to ensure the Department achieves its State-mandated overall DVBE goal.

If you obtain DVBE participation:

- Complete and submit the Certified DVBE Summary form under section 2-1.33. List all DVBE participation on this form.
- List each 1st tier DVBE subcontractor in the Subcontractor List form regardless of percentage of the total bid.

If a DVBE joint venture is used, submit the joint venture agreement with the Certified DVBE Summary form.

#### 2-1.15C(2) DVBE Incentive

The Department grants a DVBE incentive to each bidder who achieves a DVBE participation of 1 percent or greater (Mil & Vet Code 999.5 and Code of Regs § 1896.98 et seq.).

To receive this incentive, submit the Certified DVBE Summary form under section 2-1.33.

Bidders other than the apparent low bidder, the 2nd low bidder, and the 3rd low bidder may be required to submit the Certified DVBE Summary form if the bid ranking changes. If the Department requests a Certified DVBE Summary form from you, submit the completed form within 4 business days of the request.

#### 2-1.15C(3) Incentive Evaluation

The Department applies the small business and non–small business preference during bid verification and proceeds with the evaluation specified below for DVBE incentive.

The DVBE incentive is a reduction, for bid comparison only, in the total bid submitted by the lesser of the following amounts:

- Percentage of DVBE achievement rounded to 2 decimal places of the verified total bid of the low bidder
- 2. 5 percent of the verified total bid of the low bidder
- 3. \$250,000

The Department applies DVBE incentive and determines whether bid ranking changes.

A non–small business bidder cannot displace a small business bidder. However, a small business bidder with higher DVBE achievement can displace another small business bidder.

The Department proceeds with awarding the contract to the new low bidder and posts the new verified bid results at the Department's Web site.

#### 2-1.16-2-1.17 RESERVED

### 2-1.18 SMALL BUSINESS AND NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCES

#### 2-1.18A General

Section 2-1.18 applies to a non-federal-aid contract.

The Department applies small business preferences and non–small business preferences under Govt Code § 14835 et seq. and 2 CA Code of Regs § 1896 et seq.

Any contractor, subcontractor, supplier, or service provider who qualifies as a small business is encouraged to apply for certification as a small business by submitting its application to the Department of General Services, Office of Small Business and DVBE Services.

Contract award is based on the total bid, not the reduced bid.

#### 2-1.18B Small Business Preference

The Department allows a bidder certified as a small business by the Department of General Services, Office of Small Business and DVBE Services, a preference if:

- 1. Bidder submitted a completed Request for Small Business Preference or Non–Small Business Preference form with its bid
- 2. Low bidder did not request the preference or is not certified as a small business

The bidder's signature on the Request for Small Business Preference or Non–Small Business Preference form certifies that the bidder is certified as a small business at the date and time of bid or has submitted a complete application to the Department of General Services. The complete application and any required substantiating documentation must be received by the Department of General Services by 5:00 p.m. on the bid opening date.

The Department of General Services determines whether a bidder was certified on the bid opening date. The Department of Transportation confirms the bidder's status as a small business before applying the small business preference.

The small business preference is a reduction for bid comparison in the total bid submitted by the small business contractor by the lesser of the following amounts:

- 1. 5 percent of the verified total bid of the low bidder
- 2. \$50,000

If the Department determines that a certified small business bidder is the low bidder after the application of the small business preference, the Department does not consider a request for non–small business preference.

#### 2-1.18C Non-Small Business Subcontractor Preference

The Department allows a bidder not certified as a small business by the Department of General Services, Office of Small Business and DVBE Services, a preference if:

- 1. Bidder submitted a completed Request for Small Business Preference or Non–Small Business Preference form with its bid
- 2. Certified Small Business Listing for the Non–Small Business Preference form shows that you are subcontracting at least 25 percent to certified small businesses

Each listed subcontractor and supplier must be certified as a small business at the date and time of bid or must have submitted a complete application to the Department of General Services. The complete application and any required substantiating documentation must be received by the Department of General Services by 5:00 p.m. on the bid opening date.

The non–small business subcontractor preference is a reduction for bid comparison in the total bid submitted by the non–small business contractor requesting the preference by the lesser of the following amounts:

- 1. 5 percent of the verified total bid of the low bidder
- 2. \$50,000

#### 2-1.19-2-1.26 RESERVED

#### 2-1.27 CALIFORNIA COMPANIES

Section 2-1.27 applies to a non-federal-aid contract.

Under Pub Cont Code § 6107, the Department gives preference to a "California company," as defined, for bid comparison purposes over a nonresident contractor from any state that gives or requires a preference to be given to contractors from that state on its public entity construction contracts.

Complete a California Company Preference form.

The California company reciprocal preference amount is equal to the preference amount applied by the state of the nonresident contractor with the lowest responsive bid unless the California company is eligible for a small business preference or a non–small business subcontractor preference, in which case the preference amount is the greater of the two, but not both.

If the low bidder is not a California company and a California company's bid with reciprocal preference is equal to or less than the lowest bid, the Department awards the contract to the California company on the basis of its total bid.

#### 2-1.28 RESERVED

#### 2-1.29 OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

You may opt out of the payment adjustments for price index fluctuations specified in section 9-1.07. To opt out, submit a completed Opt Out of Payment Adjustments for Price Index Fluctuations form under section 2-1.33.

#### 2-1.30-2-1.32 RESERVED

#### 2-1.33 BID DOCUMENT COMPLETION AND SUBMITTAL

Complete forms in the Bid book.

For a paper bid, submit your bid:

- 1. Under sealed cover
- 2. Marked as a bid
- 3. Identifying the contract number and the bid opening date

For an electronic bid, complete and submit the *Bid* book under the *Electronic Bidding Guide* at the Bidders' Exchange website.

Submit the forms and form information at the times shown in the following table:

Bid Form Submittal Schedule						
Contract type	Forms to be submitted at the time of bid	Forms to be submitted no later than 24 hours after bid opening <sup>a</sup>	Forms to be submitted no later than 4 p.m. on the 2nd business day after bid opening <sup>a</sup>	Forms to be submitted no later than 4 p.m. on the 4th business day after bid opening <sup>a</sup>		
All contracts	Bid to the Department of Transportation Business name and location; description of subcontracted work on the Subcontractor List Opt Out of Payment Adjustments for Price Index Fluctuations	Bid item nos. and percentage of bid item subcontracted on the SubcontractorList <sup>b</sup>				
Non- federal-aid contracts only	California Company     Preference     Request for Small     Business Preference or     Non–Small Business     Preference <sup>c</sup>		• Certified Small Business Listing for the Non–Small Business Preference <sup>c</sup>	Certified DVBE Summary <sup>d</sup>		
Federal- aid contracts only	Small Business Status			Caltrans Bidder -     DBE - Commitment <sup>e</sup> Good Faith Efforts     Documentation -     DBE <sup>f</sup>		

<sup>&</sup>lt;sup>a</sup>The forms and information may be submitted at the time of bid.

#### For an electronic bid:

- 1. Forms to be submitted at the time of bid must be submitted as described in the *Electronic Bidding Guide* or faxed to (916) 227-6282 before the bid opening date and time.
- 2. Your authorized digital signature is your confirmation of and agreement to all certifications and statements contained in the *Bid* book.
- 3. On forms and certifications that you submit through the electronic bidding service, you agree that each form and certification where a signature is required is deemed as having your signature. On forms that you submit after bid opening, sign the forms where a signature is required in ink.

Failure to submit the forms and information as specified results in a nonresponsive bid.

<sup>&</sup>lt;sup>b</sup>If the information is not submitted at the time of bid, fax it to (916) 227-6282. This after-bid submittal does not apply to an informal-bid contract. For an informal bid contract, submit the completed form at the time of bid.

<sup>&</sup>lt;sup>c</sup>Applicable only if the preference or option is chosen.

<sup>&</sup>lt;sup>d</sup>Not applicable to an informal-bid contract or a project with an estimated cost of more than \$5 million. For an informal bid contract, submit the completed form at the time of bid. For a project with an estimated cost of more than \$5 million, applicable only if you obtain DVBE participation or you are the apparent low bidder, 2nd low bidder, or 3rd low bidder and you choose to receive the specified incentive.

<sup>&</sup>lt;sup>e</sup>If not submitted at the time of bid, applicable only to the apparent low bidder, 2nd low bidder, and 3rd low bidder.

<sup>&</sup>lt;sup>f</sup>Applicable only if you have not met the DBE goal.

If an agent other than the authorized corporation officer or a partnership member signs the bid, file a Power of Attorney with the Department either before opening bids or with the bid. Otherwise, the bid may be nonresponsive.

#### 2-1.34 BIDDER'S SECURITY

Submit one of the following forms of bidder's security equal to at least 10 percent of the bid:

- 1. Cash
- 2. Cashier's check
- 3. Certified check
- 4. Signed bidder's bond by an admitted surety insurer
- 5. For an electronic bid, electronic bidder's bond by an admitted surety insurer submitted using an electronic registry service approved by the Department.

Submit cash, cashier's check, certified check, or bidder's bond to the Department at the Bidders Exchange before the bid opening time.

Submit electronic bidder's bond with the electronic bid.

If using a bidder's bond, you may use the form in the *Bid* book. If you do not use the form in the *Bid* book, use a form containing the same information.

#### 2-1.35-2-1.39 RESERVED

#### 2-1.40 BID WITHDRAWAL

For a paper bid:

- 1. An authorized agent may withdraw a bid before the bid opening date and time by submitting a written bid withdrawal request at the location where the bid was submitted. Withdrawing a bid does not prevent you from submitting a new bid.
- 2. After the bid opening time, you cannot withdraw a bid.

For an electronic bid:

- 1. Bids are not filed with the Department until the date and time of bid opening.
- 2. A bidder may withdraw or revise a bid after it has been submitted to the electronic bidding service if this is done before the bid opening date and time.

#### 2-1.41-2-1.42 RESERVED

#### 2-1.43 BID OPENING

The Department publicly opens and reads bids at the time and place shown on the *Notice to Bidders*.

#### 2-1.44-2-1.45 RESERVED

#### 2-1.46 DEPARTMENT'S DECISION ON BID

The Department's decision on the bid amount is final.

The Department may reject:

- 1. All bids
- 2. A nonresponsive bid

#### **2-1.47 BID RELIEF**

The Department may grant bid relief under Pub Cont Code § 5100 et seq. Submit any request for bid relief to the Office Engineer. The Relief of Bid Request form is available at the Department's website.

#### 2-1.48 RESERVED

#### 2-1.49 SUBMITTAL FAILURE HISTORY

The Department considers a bidder's past failure to submit documents required after bid opening in determining a bidder's responsibility.

#### 2-1.50 BID RIGGING

Section 2-1.50 applies to a federal-aid contract.

The U.S. Department of Transportation (DOT) provides a toll-free hotline to report bid rigging activities. Use the hotline to report bid rigging, bidder collusion, and other fraudulent activities. The hotline number is (800) 424-9071. The service is available 24 hours 7 days a week and is confidential and anonymous.. The hotline is part of the DOT's effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General.

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#### 3 CONTRACT AWARD AND EXECUTION

02-21-14

#### Replace section 3-1.02 with:

02-21-14

#### 3-1.02 CONSIDERATION OF BIDS

#### 3-1.02A General

For a lump sum based bid, the Department compares bids based on the total price.

For a unit price based bid, the Department compares bids based on the sum of the item totals.

For a cost plus time based bid, the Department compares bids based on the sum of the item totals and the total bid for time.

#### 3-1.02B Tied Bids

The Department breaks a tied bid with a coin toss except:

- 1. If a small business bidder and a non–small business bidder request preferences and the reductions result in a tied bid, the Department awards the contract to the small business bidder.
- If a DVBE small business bidder and a non-DVBE small business bidder request preferences and the reduction results in a tied bid, the Department awards the contract to the DVBE small business bidder.

#### Add to the end of section 3-1.04:

10-19-12

You may request to extend the award period by faxing a request to (916) 227-6282 before 4:00 p.m. on the last day of the award period. If you do not make this request, after the specified award period:

- 1. Your bid becomes invalid
- 2. You are not eligible for the award of the contract

#### Replace the paragraph in section 3-1.11 with:

10-19-12

Complete and deliver to the Office Engineer a Payee Data Record when requested by the Department.

#### Replace section 3-1.13 with:

07-27-12

#### 3-1.13 FORM FHWA-1273

For a federal-aid contract, form FHWA-1273 is included with the Contract form in the documents sent to the successful bidder for execution. Comply with its provisions. Interpret the training and promotion section as specified in section 7-1.11A.

#### Add to item 1 in the list in the 2nd paragraph of section 3-1.18:

, including the attached form FHWA-1273

07-27-12

10-19-12

Delete item 4 of the 2nd paragraph of section 3-1.18.

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#### 5 CONTROL OF WORK

11-15-13

Add between "million" and ", professionally" in the 3rd paragraph of section 5-1.09A:

and 100 or more working days

10-19-12

#### Add to the list in the 4th paragraph of section 5-1.09A:

9. Considering discussing with and involving all stakeholders in evaluating potential VECPs

10-19-12

#### Add to the end of item 1.1 in the list in the 7th paragraph of section 5-1.09A:

, including VECPs

10-19-12

#### Replace the 1st paragraph of section 5-1.09C with:

10-19-12

For a contract with a total bid over \$10 million and 100 or more working days, training in partnering skills development is required.

10-19-12

Delete the 2nd paragraph of section 5-1.09C.

#### Replace "at least 2 representatives" in the 5th paragraph of section 5-1.09C with:

field supervisory personnel

10-19-12

#### Replace the 1st and 2nd sentences in the 7th paragraph of section 5-1.13B(1) with:

06-20-12

If a DBE is decertified before completing its work, the DBE must notify you in writing of the decertification date. If a business becomes a certified DBE before completing its work, the business must notify you in writing of the certification date.

30

Replace "Underutilized" in "Underutilized Disadvantaged Business Enterprises" in the heading of section 5-1.13B(2) with:

06-20-12

06-20-12

Performance of

06-20-12

Delete *U* in *UDBE* at each occurrence in section 5-1.13B(2).

#### Replace the 3rd paragraph of section 5-1.13B(2) with:

06-20-12

Do not terminate or substitute a listed DBE for convenience and perform the work with your own forces or obtain materials from other sources without authorization from the Department.

#### Replace item 6 in the list in the 4th paragraph of section 5-1.13B(2) with:

06-20-12

6. Listed DBE is ineligible to work on the project because of suspension or debarment.

#### Add to the list in the 4th paragraph of section 5-1.13B(2):

06-20-12

- 8. Listed DBE voluntarily withdraws with written notice from the Contract.
- 9. Listed DBE is ineligible to receive credit for the type of work required.
- Listed DBE owner dies or becomes disabled resulting in the inability to perform the work on the Contract.
- 11. Department determines other documented good cause.

#### Add between the 4th and 5th paragraphs of section 5-1.13B(2):

07-20-12

Notify the original DBE of your intent to use other forces or material sources and provide the reasons. Provide the DBE with 5 days to respond to your notice and advise you and the Department of the reasons why the use of other forces or sources of materials should not occur. Your request to use other forces or material sources must include:

- 1. 1 or more of the reasons listed in the preceding paragraph
- 2. Notices from you to the DBE regarding the request
- 3. Notices from the DBE to you regarding the request

#### Add between "terminated" and ", you" in the 5th paragraph of section 5-1.13B(2):

07-20-12

or substituted

#### Replace the paragraphs of section 5-1.13C with:

11-15-13

Section 5-1.13C applies to a non-federal-aid contract.

Use each DVBE as shown on the *Certified DVBE Summary* form unless you receive authorization from the Department for a substitution. The substitute must be another DVBE unless DVBEs are not available, in which case, you must substitute with a small business. Any authorization for a substitute is contingent upon the Department of General Services' approval of the substitute.

The requirement that DVBEs be certified by the bid opening date does not apply to DVBE substitutions after Contract award.

The Department authorizes substitutions for any of the reasons provided in 2 CA Code of Regs § 1896.73.

Include in your substitution request:

- 1. Copy of the written notice issued to the DVBE with proof of delivery
- 2. Copy of the DVBE's response to the notice
- 3. Name and certification number of the listed DVBE and the proposed substitute

Requests for substitutions of a listed DVBE with a small business must include documentation of the unavailability of DVBEs, including:

- Contact with the small business/DVBE advocate from the Department and the Department of Veterans Affairs
- 2. Search results from the Department of General Services' website of available DVBEs
- 3. Communication with a DVBE community organization nearest the job site, if applicable
- 4. Documented communication with the DVBE and small businesses describing the work to be performed, the percentage of the total bid, the corresponding dollar amount, and the responses to the communication

The Department forwards your substitution request to the Department of General Services. The Department of General Services issues a notice of approval or denial. The Department provides you this notice.

If you fail to use a listed DVBE without an authorized substitution request, the Department issues a penalty of up to 10 percent of the dollar amount of the work of the listed DVBE.

Maintain records of subcontracts made with DVBEs. Include in the records:

- 1. Name and business address of each business
- 2. Total amount paid to each business

For the purpose of determining compliance with Pub Cont Code § 10115 et seq.:

- 1. Upon work completion, complete and submit *Final Report Utilization of Disabled Veteran Business Enterprises (DVBE) State Funded Projects Only* form.
- 2. Upon reasonable notice and during normal business hours, permit access to its premises for the purposes of:
  - 2.1. Interviewing employees.
  - 2.2. Inspecting and copying books, records, accounts and other material that may be relevant to a matter under investigation.

#### Replace "Reserved" in section 5-1.20C with:

10-19-12

If the Contract includes an agreement with a railroad company, the Department makes the provisions of the agreement available in the *Information Handout* in the document titled "Railroad Relations and Insurance Requirements." Comply with the requirements in the document.

#### Add between the 2nd and 3rd paragraphs of section 5-1.23A:

Submit action and informational submittals to the Engineer.

10-19-12

#### Add between the 5th and 6th paragraphs of section 5-1.23B(1):

07-19-13

For a revised submittal, allow the same number of days for review as for the original submittal.

07-19-13

#### Delete the 1st sentence in the 10th paragraph of section 5-1.23B(2).

#### Add to the list in the 1st paragraph of section 5-1.36A:

10. Survey monuments

07-19-13

#### Add to section 5-1.36C:

07-20-12

If the Contract does not include an agreement with a railroad company, do not allow personnel or equipment on railroad property.

Prevent material, equipment, and debris from falling onto railroad property.

#### Add to section 5-1.36:

07-19-13

#### 5-1.36E Survey Monuments

Protect survey monuments on and off the highway. Upon discovery of a survey monument not identified and located immediately:

- 1. Stop work near the monument
- 2. Notify the Engineer

Do not resume work near the monument until authorized.

#### Add between the 1st and 2nd paragraphs of section 5-1.37A:

10-19-12

Do not remove any padlock used to secure a portion of the work until the Engineer is present to replace it. Notify the Engineer at least 3 days before removing the lock.

#### Replace the 1st sentence of the 1st paragraph of section 5-1.39C(2) with:

10-19-12

Section 5-1.39C(2) applies if a plant establishment period of 3 years or more is shown on the *Notice to Bidders*.

#### Replace "working days" in the 1st paragraph of section 5-1.43E(1)(a) with:

original working days

10-19-12

#### **6 CONTROL OF MATERIALS**

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07-19-13

Replace section 6-2.05C with:

04-19-13

#### 6-2.05C Steel and Iron Materials

Steel and iron materials must be melted and manufactured in the United States except:

- 1. Foreign pig iron and processed, pelletized, and reduced iron ore may be used in the domestic production of the steel and iron materials
- 2. If the total combined cost of the materials does not exceed the greater of 0.1 percent of the total bid or \$2,500, materials produced outside the United States may be used if authorized

Furnish steel and iron materials to be incorporated into the work with certificates of compliance and certified mill test reports. Mill test reports must indicate where the steel and iron were melted and manufactured.

All melting and manufacturing processes for these materials, including an application of a coating, must occur in the United States. Coating includes all processes that protect or enhance the value of the material to which the coating is applied.

Replace "Precast concrete members specified section 11-2" in the table in section 6-3.05B with:

07-19-13

Precast concrete members specified as tier 1 or tier 2 in section 90-4.01D(1)

\*

#### 7 LEGAL RELATIONS AND RESPONSIBILITY TO THE PUBLIC

07-19-13

Replace "\$50" in the 1st sentence in the 6th paragraph of section 7-1.02K(2) with:

\$200

07-19-13

Replace "\$25" in the 2nd sentence in the 13th paragraph of section 7-1.02K(3) with:

\$100

07-19-13

Replace "20 days" in the 14th paragraph of section 7-1.04 with:

25 days

09-16-11

125 days

#### Add between the 18th and 19th paragraphs of section 7-1.04:

09-16-11

09-16-11

Temporary facilities that could be a hazard to public safety if improperly designed must comply with design requirements described in the Contract for those facilities or, if none are described, with standard design criteria or codes appropriate for the facility involved. Submit shop drawings and design calculations for the temporary facilities and show the standard design criteria or codes used. Shop drawings and supplemental calculations must be sealed and signed by an engineer who is registered as a civil engineer in the State.

#### Replace the 2nd paragraph of section 7-1.11A with:

07-27-12

A copy of form FHWA-1273 is included in section 7-1.11B. The training and promotion section of section II refers to training provisions as if they were included in the special provisions. The Department specifies the provisions in section 7-1.11D of the Standard Specifications. If a number of trainees or apprentices is required, the Department shows the number on the Notice to Bidders. Interpret each FHWA-1273 clause shown in the following table as having the same meaning as the corresponding Department clause:

#### FHWA-1273 Nondiscrimination Clauses

FHWA-1273	FHWA-1273 clause	Department clause
section		
Training and	In the event a special provision for training is provided	If section 7-1.11D applies,
Promotion	under this contract, this subparagraph will be	section 7-1.11D supersedes this
	superseded as indicated in the special provision.	subparagraph.
Records and	If on-the-job training is being required by special	If the Contract requires on-the-
Reports	provision, the contractor will be required to collect and	job training, collect and report
	report training data.	training data.

#### Replace the form in section 7-1.11B with:

07-20-12

## REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

- General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- Implementation of Clean Air Act and Federal Water Pollution Control Act
- Compliance with Governmentwide Suspension and Debarment Requirements
- 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

 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 designbuild 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).

 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

1

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 whote 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 shell 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, cotor, 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 nonminority 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 <a href="Form FHWA-1391">Form FHWA-1391</a>. 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 finge 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 federallyassisted 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 payrotts to the contracting agency. The payrotis 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 payrolis 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 eamed, 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 falls 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 quards.

- 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 contacting 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 necessery 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 whote and in general are to be limited to minor components of the overall contract.
- 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.

 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 fumished or to be fumished, 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," "in eligible," "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:
- Are not presently debarred, suspended, proposed for debarment, declared in eligible, 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 Tler 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 department

. . . . .

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

- 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.

^^^^^

#### **8 PROSECUTION AND PROGRESS**

10-19-12

Replace "working days" in the 1st paragraph of section 8-1.02B(1) with:

original working days

10-19-12

Replace "working days" at each occurrence in the 1st paragraph of section 8-1.02C(1) with:

original working days

10-19-12

Delete the 4th paragraph of section 8-1.02C(1).

04-20-12

Replace "Contract" in the 9th paragraph of section 8-1.02C(1) with:

work

10-19-12

Replace the 1st paragraph of section 8-1.02C(3)(a) with:

Submit a description of your proposed schedule software for authorization.

04-20-12

Delete the last paragraph of section 8-1.02C(3)(a).

04-20-12

Replace section 8-1.02C(3)(b) with:

8-1.02C(3)(b) Reserved

10-19-12

Delete the 3rd paragraph of section 8-1.02C(5).

04-20-12

Replace "Contract" in the last paragraph of section 8-1.02C(5) with:

original

10-19-12

Replace "working days" in the 1st paragraph of section 8-1.02D(1) with:

original working days

10-19-12

Replace "8-1.02D(1)" in the 2nd paragraph of section 8-1.02D(1) with:

01-20-12

8-1.02C(1)

#### Replace "Contract" in the 3rd paragraph of section 8-1.02D(2) with:

work

Replace "Contract" in item 9 in the list in the 4th paragraph of section 8-1.02D(4) with:

work

10-19-12

10-19-12

Replace "Contract completion" in the 4th paragraph of section 8-1.02D(6) with:

work completion

10-19-12

Replace "Contract working days" in the 4th paragraph of section 8-1.02D(6) with:

original working days

10-19-12

04-20-12

Delete items 1.3 and 1.4 in the list in the 1st paragraph of section 8-1.02D(10).

Replace the last paragraph of section 8-1.04B with:

10-19-12

The Department does not adjust time for starting before receiving notice of Contract approval.

### Replace the 1st paragraph of section 8-1.05 with:

10-19-12

Contract time starts on the last day specified to start job site activities in section 8-1.04 or on the day you start job site activities, whichever occurs first.

#### Replace the 2nd paragraph of section 8-1.05 with:

10-19-12

Complete the work within the Contract time.

10-19-12

Delete "unless the Contract is suspended for reasons unrelated to your performance" in the 4th paragraph of section 8-1.05.

#### Replace the headings and paragraphs in section 8-1.06 with:

10-19-12

The Engineer may suspend work wholly or in part due to conditions unsuitable for work progress. Provide for public safety and a smooth and unobstructed passageway through the work zone during the suspension as specified under sections 7-1.03 and 7-1.04. Providing the passageway is force account work. The Department makes a time adjustment for the suspension due to a critical delay.

The Engineer may suspend work wholly or in part due to your failure to (1) fulfill the Engineer's orders, (2) fulfill a Contract part, or (3) perform weather-dependent work when conditions are favorable so that weather-related unsuitable conditions are avoided or do not occur. The Department may provide for a

smooth and unobstructed passageway through the work during the suspension and deduct the cost from payments. The Department does not make a time adjustment for the suspension.

Upon the Engineer's order of suspension, suspend work immediately. Resume work when ordered.

#### Replace the 1st sentence in the 1st paragraph of section 8-1.07B with:

For a critical delay, the Department may make a time adjustment.

10-19-12

#### Add to the end of section 8-1.07C:

10-19-12

The Department does not make a payment adjustment for overhead incurred during non–working days that extend the Contract into an additional construction season.

#### Replace the 1st paragraph of section 8-1.07C with:

10-19-12

For an excusable delay that affects your costs, the Department may make a payment adjustment.

#### Replace "8-1.08B and 8-1.08C" in the 1st paragraph of section 8-1.10A with:

8-1.10B and 8-1.10C

08-05-11

#### Replace section 8-1.10D with:

10-19-12

8-1.10D Reserved

### ^^^^^

#### 9 PAYMENT

11-15-13

#### Add to the list in the 1st paragraph of section 9-1.03:

07-19-13

3. Any royalties and costs arising from patents, trademarks, and copyrights involved in the work

#### Replace item 1 in the 3rd paragraph of section 9-1.03 with:

01-18-13

1. Full compensation for all work involved in each bid item shown on the Bid Item List by the unit of measure shown for that bid item

#### Replace "in" in the 3rd paragraph of section 9-1.04A with:

10-19-12

for

#### Add to the end of section 9-1.04A:

10-19-12

For nonsubcontracted work paid by force account for a contract with a TRO bid item, the markups are those shown in the following table instead of those specified in sections 9-1.04B–D:

Cost	Percent markup	
Labor	30	
Materials	10	
Equipment rental	10	

04-20-12

Delete ", Huntington Beach," in the 3rd paragraph of section 9-1.07A.

#### Replace the formula in section 9-1.07B(2) with:

04-20-12

 $Qh = HMATT \times Xa$ 

Replace "weight of dry aggregate" in the definition of the variable Xa in section 9-1.07B(2) with:

04-20-12

total weight of HMA

Replace the formula in section 9-1.07B(3) with:

04-20-12

 $Qrh = RHMATT \times 0.80 \times Xarb$ 

Replace "weight of dry aggregate" in the definition of the variable Xarb in section 9-1.07B(3) with:

total weight of rubberized HMA

04-20-12

Replace the heading of section 9-1.07B(4) with:

Hot Mix Asphalt with Modified Asphalt Binder

04-20-12

Add between "in" and "modified" in the introductory clause of section 9-1.07B(4):

04-20-12

HMA with

Replace the formula in section 9-1.07B(4) with:

04-20-12

 $Qmh = MHMATT \times [(100 - Xam) / 100] \times Xmab$ 

Replace "weight of dry aggregate" in the definition of the variable Xmab in section 9-1.07B(4) with:

04-20-12

total weight of HMA

#### Replace the formula in section 9-1.07B(5) with:

04-20-12

Qrap = HMATT x Xaa

## Replace "weight of dry aggregate" in the definitions of the variables *Xaa* and *Xta* in section 9-1.07B(5) with:

04-20-12

total weight of HMA

#### Add after the variable definitions in section 9-1.07B(9):

04-20-12

The quantity of extender oil is included in the quantity of asphalt.

#### Replace the headings and paragraphs in section 9-1.11 with:

10-19-12

#### 9-1.11A General

Section 9-1.11 applies if a bid item for time-related overhead is included in the Contract. If a bid item for time-related overhead is included, you must exclude the time-related overhead from every other bid item price.

#### 9-1.11B Payment Quantity

The TRO quantity does not include the number of working days to complete plant establishment work.

For a contract with a TRO lump sum quantity on the Bid Item List, the Department pays you based on the following conversions:

- 1. LS unit of measure is replaced with WDAY
- 2. Lump sum quantity is replaced with the number of working days bid
- 3. Lump sum unit price is replaced with the item total divided by the number of working days bid

#### 9-1.11C Payment Inclusions

Payment for the TRO bid item includes payment for time-related field- and home-office overhead for the time required to complete the work.

The field office overhead includes time-related expenses associated with the normal and recurring construction activities not directly attributed to the work, including:

- 1. Salaries, benefits, and equipment costs of:
  - 1.1. Project managers
  - 1.2. General superintendents
  - 1.3. Field office managers
  - 1.4. Field office staff assigned to the project
- 2. Rent
- 3. Utilities
- 4. Maintenance
- 5. Security
- 6. Supplies
- 7. Office equipment costs for the project's field office

The home-office overhead includes the fixed general and administrative expenses for operating your business, including:

1. General administration

- 2. Insurance
- 3. Personnel and subcontract administration
- 4. Purchasing
- 5. Accounting
- 6. Project engineering and estimating

Payment for the TRO bid item does not include payment for:

- 1. The home-office overhead expenses specifically related to:
  - 1.1. Your other contracts or other businesses
  - 1.2. Equipment coordination
  - 1.3. Material deliveries
  - 1.4. Consultant and legal fees
- 2. Non-time-related costs and expenses such as mobilization, licenses, permits, and other charges incurred once during the Contract
- 3. Additional overhead involved in incentive/disincentive provisions to satisfy an internal milestone or multiple calendar requirements
- 4. Additional overhead involved in performing additional work that is not a controlling activity
- 5. Overhead costs incurred by your subcontractors of any tier or suppliers

#### 9-1.11D Payment Schedule

For progress payments, the total work completed for the TRO bid item is the number of working days shown for the pay period on the *Weekly Statement of Working Days*.

For progress payments, the Department pays a unit price equal to the lesser of the following amounts:

- 1. Price per working day as bid or as converted under section 9-1.11B.
- 2. 20 percent of the total bid divided by the number of original working days

For a contract without plant establishment work, the Department pays you the balance due of the TRO item total as specified in section 9-1.17B.

For a contract with plant establishment work, the Department pays you the balance due of the TRO item total in the 1st progress payment after all non–plant establishment work is completed.

#### 9-1.11E Payment Adjustments

The 3rd paragraph of section 9-1.17C does not apply.

The Department does not adjust the unit price for an increase or decrease in the TRO quantity except as specified in section 9-1.11E.

Section 9-1.17D(2)(b) does not apply except as specified for the audit report below.

If the TRO bid item quantity exceeds 149 percent of the quantity shown on the Bid Item List or as converted under section 9-1.11B, the Engineer may adjust or you may request an adjustment of the unit price for the excess quantity. For the adjustment, submit an audit report within 60 days of the Engineer's request. The report must be prepared as specified for an audit report for an overhead claim in section 9-1.17D(2)(b).

Within 20 days of the Engineer's request, make your financial records available for an audit by the State for the purpose of verifying the actual rate of TRO described in your audit. The actual rate of TRO described is subject to the Engineer's authorization.

The Department pays the authorized actual rate for TRO in excess of 149 percent of the quantity shown on the Bid Item List or as converted under section 9-1.11B.

The Department pays for 1/2 the cost of the report; the Contractor pays for the other 1/2. The cost is determined under section 9-1.05.

#### Replace the paragraphs of section 9-1.16D with:

07-19-13

#### 9-1.16D(1) General

Section 9-1.16D applies if a bid item for mobilization is shown on the Bid Item List.

Payments for mobilization made under section 9-1.16D are in addition to the partial payments made under Pub Cont Code § 10261.

Section 9-1.16D(2) applies unless the Contract includes a special provision for section 9-1.16D(1) that specifies section 9-1.16D(3) applies.

11-15-13

#### 9-1.16D(2) Mobilization for Projects Except for Those Over Water Requiring Marine Access

07-19-13

The Department makes partial payments for mobilization under Pub Cont Code § 10264(a) except the amount of work completed does not include the amount earned for mobilization. The partial payment amount is reduced by a prorated amount bid in excess of the maximum allowed under Pub Cont Code § 10264(a)(5).

The Department pays the item total for mobilization in excess of the maximum allowed under Pub Cont Code § 10264(a)(5) in the 1st payment after Contract acceptance.

#### 9-1.16D(3) Mobilization for Projects Over Water Requiring Marine Access

The Department makes partial payments for mobilization under Pub Cont Code § 10264(b) except the amount of work completed does not include the amount earned for mobilization. The partial payment amount is reduced by a prorated amount bid in excess of the maximum allowed under Pub Cont Code § 10264(b)(6).

The Department pays the item total for mobilization in excess of the maximum allowed under Pub Cont Code § 10264(b)(6) in the 1st payment after Contract acceptance.

10-19-12

Delete "revised Contract" in item 1 of the 1st paragraph of section 9-1.16E(2).

Replace "2014" in the 1st paragraph of section 9-1.16F with:

10-19-12

2020

#### Replace the 2nd paragraph of section 9-1.17C with:

10-19-12

Submit either a written acceptance of the proposed final estimate or a claim statement postmarked or hand delivered before the 31st day after receiving the proposed final estimate.

Add between "the" and "final estimate" in the 1st sentence in the 3rd paragraph of section 9-1.17C:

10-19-12

proposed

#### Replace the 1st sentence in the 6th paragraph of section 9-1.17D(2)(b) with:

07-19-13

The CPA's audit must be performed as an examination-level engagement under the attestation engagements in the *Government Auditing Standards* published by the Comptroller General of the United States.