

# 038

**Letting November 6, 2026**

## **Notice to Bidders, Specifications and Proposal**



**Illinois Department  
of Transportation**

**Contract No. 61M88  
MCHENRY County  
Section 23-00045-00-RS (Lake In The Hills)  
Route FAU 4038 (Crystal Lake Road)  
Project MMXM-446 ()  
District 1 Construction Funds**

Prepared by

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Checked by

(Printed by authority of the State of Illinois)



**Illinois Department  
of Transportation**

**NOTICE TO BIDDERS**

1. **TIME AND PLACE OF OPENING BIDS.** Electronic bids are to be submitted to the electronic bidding system (iCX-Integrated Contractors Exchange). All bids must be submitted to the iCX system prior to 12:00 p.m. November 6, 2026 at which time the bids will be publicly opened from the iCX SecureVault.
2. **DESCRIPTION OF WORK.** The proposed improvement is identified and advertised for bids in the Invitation for Bids as:

**Contract No. 61M88  
MCHENRY County  
Section 23-00045-00-RS (Lake In The Hills)  
Project MMXM-446 ()  
Route FAU 4038 (Crystal Lake Road)  
District 1 Construction Funds**

**HMA resurfacing of Crystal Lake Rd. from Algonquin Rd. to Miller Rd. in the village of Lake in the Hills. Additional work includes pavement patching, drainage improvements, sidewalks, ADA improvements and other required work.**

3. **INSTRUCTIONS TO BIDDERS.** (a) This Notice, the invitation for bids, proposal and letter of award shall, together with all other documents in accordance with Article 101.09 of the Standard Specifications for Road and Bridge Construction, become part of the contract. Bidders are cautioned to read and examine carefully all documents, to make all required inspections, and to inquire or seek explanation of the same prior to submission of a bid.  
  
(b) State law, and, if the work is to be paid wholly or in part with Federal-aid funds, Federal law requires the bidder to make various certifications as a part of the proposal and contract. By execution and submission of the proposal, the bidder makes the certification contained therein. A false or fraudulent certification shall, in addition to all other remedies provided by law, be a breach of contract and may result in termination of the contract.
4. **AWARD CRITERIA AND REJECTION OF BIDS.** This contract will be awarded to the lowest responsive and responsible bidder considering conformity with the terms and conditions established by the Department in the rules, Invitation for Bids and contract documents. The issuance of plans and proposal forms for bidding based upon a prequalification rating shall not be the sole determinant of responsibility. The Department reserves the right to determine responsibility at the time of award, to reject any or all proposals, to re-advertise the proposed improvement, and to waive technicalities.

By Order of the  
Illinois Department of Transportation

Gia Biagi,  
Secretary

**CONTRACT 61M88**

INDEX  
FOR  
SUPPLEMENTAL SPECIFICATIONS  
AND RECURRING SPECIAL PROVISIONS

Adopted January 1, 2026

This index contains a listing of SUPPLEMENTAL SPECIFICATIONS, frequently used RECURRING SPECIAL PROVISIONS, and LOCAL ROADS AND STREETS RECURRING SPECIAL PROVISIONS.

ERRATA    Standard Specifications for Road and Bridge Construction  
              (Adopted 1-1-22) (Revised 1-1-26)

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## BDE SPECIAL PROVISIONS

The following special provisions indicated by an "X" are applicable to this contract. An \* indicates a new or revised special provision for the letting.

| <u>File Name</u> | <u>Pg.</u> |                                     | <u>Special Provision Title</u>                                    | <u>Effective</u> | <u>Revised</u> |
|------------------|------------|-------------------------------------|-------------------------------------------------------------------|------------------|----------------|
| 80099            |            | <input type="checkbox"/>            | Accessible Pedestrian Signals (APS)                               | April 1, 2003    | Jan. 1, 2022   |
| 80274            | 44         | <input checked="" type="checkbox"/> | Aggregate Subgrade Improvement                                    | April 1, 2012    | April 1, 2022  |
| 80192            |            | <input type="checkbox"/>            | Automated Flagger Assistance Device                               | Jan. 1, 2008     | April 1, 2023  |
| 80173            |            | <input type="checkbox"/>            | Bituminous Materials Cost Adjustments                             | Nov. 2, 2006     | Aug. 1, 2017   |
| 80426            |            | <input type="checkbox"/>            | Bituminous Surface Treatment with Fog Seal                        | Jan. 1, 2020     | April 1, 2026  |
| 80475            |            | <input type="checkbox"/>            | Bridge Deck Concrete Overlays                                     | Jan. 1, 2026     |                |
| 80241            |            | <input type="checkbox"/>            | Bridge Demolition Debris                                          | July 1, 2009     |                |
| 50531            |            | <input type="checkbox"/>            | Building Removal                                                  | Sept. 1, 1990    | Aug. 1, 2022   |
| 50261            |            | <input type="checkbox"/>            | Building Removal with Asbestos Abatement                          | Sept. 1, 1990    | Aug. 1, 2022   |
| 80460            | 47         | <input checked="" type="checkbox"/> | Cement, Finely Divided Minerals, Admixtures, Concrete, and Mortar | Jan. 1, 2025     | Jan. 1, 2026   |
| 80384            | 54         | <input checked="" type="checkbox"/> | Compensable Delay Costs                                           | June 2, 2017     | April 1, 2019  |
| 80198            |            | <input type="checkbox"/>            | Completion Date (via calendar days)                               | April 1, 2008    |                |
| 80199            |            | <input type="checkbox"/>            | Completion Date (via calendar days) Plus Working Days             | April 1, 2008    |                |
| 80461            |            | <input type="checkbox"/>            | Concrete Barrier                                                  | Jan. 1, 2025     |                |
| 80453            |            | <input type="checkbox"/>            | Concrete Sealer                                                   | Nov. 1, 2023     |                |
| 80261            | 68         | <input checked="" type="checkbox"/> | Construction Air Quality – Diesel Retrofit                        | June 1, 2010     | Jan. 1, 2025   |
| 80476            |            | <input type="checkbox"/>            | Deck Slab Repair                                                  | Jan. 1, 2026     |                |
| * 80029          | 70         | <input checked="" type="checkbox"/> | Disadvantaged Business Enterprise Participation                   | Sept. 1, 2000    | July 2, 2026   |
| * 80486          |            | <input type="checkbox"/>            | Engineer's Field Office                                           | Nov. 1, 2026     |                |
| 80467            |            | <input type="checkbox"/>            | Erosion Control Blanket                                           | Aug. 1, 2025     |                |
| 80229            |            | <input type="checkbox"/>            | Fuel Cost Adjustment                                              | April 1, 2009    | Aug. 1, 2017   |
| 80452            |            | <input type="checkbox"/>            | Full Lane Sealant Waterproofing System                            | Nov. 1, 2023     |                |
| 80433            |            | <input type="checkbox"/>            | Green Preformed Thermoplastic Pavement Markings                   | Jan. 1, 2021     | Jan. 1, 2022   |
| 80471            |            | <input type="checkbox"/>            | Guardrail                                                         | Nov. 1, 2025     |                |
| 80472            |            | <input type="checkbox"/>            | High Friction Surface Treatment                                   | Nov. 1, 2025     |                |
| 80456            |            | <input type="checkbox"/>            | Hot-Mix Asphalt                                                   | Jan. 1, 2024     | April 1, 2026  |
| 80446            | 74         | <input checked="" type="checkbox"/> | Hot-Mix Asphalt – Longitudinal Joint Sealant                      | Nov. 1, 2022     | Aug. 1, 2023   |
| 80438            |            | <input type="checkbox"/>            | Illinois Works Apprenticeship Initiative – State Funded Contracts | June 2, 2021     | April 2, 2024  |
| 80483            | 76         | <input checked="" type="checkbox"/> | Inlet Filters                                                     | April 1, 2026    |                |
| 80477            |            | <input type="checkbox"/>            | Longitudinal Tining                                               | Jan. 1, 2026     | July 1, 2026   |
| 80450            |            | <input type="checkbox"/>            | Mechanically Stabilized Earth Retaining Walls                     | Aug. 1, 2023     | Aug. 1, 2025   |
| 80478            |            | <input type="checkbox"/>            | Modified Longitudinal Construction Joint                          | Jan. 1, 2026     |                |
| 80464            | 78         | <input checked="" type="checkbox"/> | Pavement Marking                                                  | April 1, 2025    | Nov. 1, 2025   |
| 80468            |            | <input type="checkbox"/>            | Pavement Patching                                                 | Aug. 1, 2025     |                |
| 80441            | 79         | <input checked="" type="checkbox"/> | Performance Graded Asphalt Binder                                 | Jan 1, 2023      | April 1, 2026  |
| 80459            |            | <input type="checkbox"/>            | Preformed Plastic Pavement Marking                                | June 2, 2024     |                |
| 34261            |            | <input type="checkbox"/>            | Railroad Protective Liability Insurance                           | Dec. 1, 1986     | Jan. 1, 2022   |
| 80473            |            | <input type="checkbox"/>            | Raised Reflective Pavement Markers                                | Nov. 1, 2025     |                |
| 80455            | 85         | <input checked="" type="checkbox"/> | Removal and Disposal of Regulated Substances                      | Jan. 1, 2024     | April 1, 2026  |
| 80474            |            | <input type="checkbox"/>            | Residential Driveway Temporary Signal                             | Nov. 1, 2025     |                |
| 80445            |            | <input type="checkbox"/>            | Seeding                                                           | Nov. 1, 2022     | July 1, 2026   |
| * 80457          | 87         | <input checked="" type="checkbox"/> | Short Term and Temporary Pavement Markings                        | April 1, 2024    | Nov. 1, 2026   |
| 80462            | 91         | <input checked="" type="checkbox"/> | Sign Panels and Appurtenances                                     | Jan. 1, 2025     | Jan. 1, 2026   |
| 80479            |            | <input type="checkbox"/>            | Sinusoidal Rumble Strips                                          | Jan. 1, 2026     |                |
| 80469            |            | <input type="checkbox"/>            | Slope Wall                                                        | Aug. 1, 2025     |                |
| 80448            | 93         | <input checked="" type="checkbox"/> | Source of Supply and Quality Requirements                         | Jan. 2, 2023     | Jan. 1, 2026   |
| 80340            |            | <input type="checkbox"/>            | Speed Display Trailer                                             | April 2, 2014    | Jan. 1, 2022   |
| 80127            |            | <input type="checkbox"/>            | Steel Cost Adjustment                                             | April 2, 2004    | Nov. 1, 2025   |
| 80480            |            | <input type="checkbox"/>            | Structural Repair of Concrete                                     | Jan. 1, 2026     |                |
| 80397            | 95         | <input checked="" type="checkbox"/> | Subcontractor and DBE Payment Reporting                           | April 2, 2018    |                |
| 80391            | 96         | <input checked="" type="checkbox"/> | Subcontractor Mobilization Payments                               | Nov. 2, 2017     | April 1, 2019  |

| <b><u>File Name</u></b> | <b><u>Pg.</u></b> |                                     | <b><u>Special Provision Title</u></b>                           | <b><u>Effective</u></b> | <b><u>Revised</u></b> |
|-------------------------|-------------------|-------------------------------------|-----------------------------------------------------------------|-------------------------|-----------------------|
| 80463                   | 97                | <input checked="" type="checkbox"/> | Submission of Bidders List Information                          | Jan. 2, 2025            | Mar. 2, 2025          |
| 80482                   | 98                | <input checked="" type="checkbox"/> | Submission of Payroll Records – Federal Aid Contract            | April 1, 2026           |                       |
| 80437                   |                   | <input type="checkbox"/>            | Submission of Payroll Records – State Contract                  | April 1, 2021           | April 1, 2026         |
| 80435                   |                   | <input type="checkbox"/>            | Surface Testing of Pavements – IRI                              | Jan. 1, 2021            | Jan. 1, 2023          |
| 80465                   | 100               | <input checked="" type="checkbox"/> | Surveying Services                                              | April 1, 2025           |                       |
| 80481                   |                   | <input type="checkbox"/>            | Temporary Concrete Barrier                                      | Jan. 1, 2026            |                       |
| 80466                   |                   | <input type="checkbox"/>            | Temporary Rumble Strips                                         | April 1, 2025           |                       |
| 80484                   |                   | <input type="checkbox"/>            | Tolerance in Thickness for Continuously Reinforced PCC Pavement | July 1, 2026            |                       |
| 80470                   |                   | <input type="checkbox"/>            | Traffic Signal Backplate                                        | Aug. 1, 2025            |                       |
| 20338                   |                   | <input type="checkbox"/>            | Training Special Provisions                                     | Oct. 15, 1975           | Sept. 2, 2021         |
| 80429                   |                   | <input type="checkbox"/>            | Ultra-Thin Bonded Wearing Course                                | April 1, 2020           | Jan. 1, 2022          |
| * 80439                 | 101               | <input checked="" type="checkbox"/> | Vehicle and Equipment Warning Lights                            | Nov. 1, 2021            | Nov. 1, 2026          |
| 80458                   |                   | <input type="checkbox"/>            | Waterproofing Membrane System                                   | Aug. 1, 2024            |                       |
| 80302                   | 102               | <input checked="" type="checkbox"/> | Weekly DBE Trucking Reports                                     | June 2, 2012            | Jan. 2, 2025          |
| 80454                   |                   | <input type="checkbox"/>            | Wood Sign Support                                               | Nov. 1, 2023            |                       |
| 80427                   | 103               | <input checked="" type="checkbox"/> | Work Zone Traffic Control Devices                               | Mar. 2, 2020            | Jan. 1, 2026          |
| 80485                   | 106               | <input checked="" type="checkbox"/> | Work Zone Width Restriction                                     | July 1, 2026            |                       |
| 80071                   |                   | <input type="checkbox"/>            | Working Days                                                    | Jan. 1, 2002            |                       |

Village of Lake in the Hills  
Crystal Lake Road (FAU 4038)  
23-00045-00-RS  
McHenry County  
Contract 61M88

STATE OF ILLINOIS  
SPECIAL PROVISIONS

CONTRACT NO: 61M88

The following Special Provisions supplement the "Standard Specifications for Road and Bridge Construction", adopted January 1, 2022, the latest edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways", and the "Manual of Test Procedures for Materials" in effect on the date of invitation for bids, and the Supplemental Specifications and Recurring Special Provisions indicated on the Check Sheet included herein which apply to and govern the construction of Crystal Lake Road, and in case of conflict with any part, or parts, of said Specifications, the said Special Provisions shall take precedence and shall govern.  
Section: 23-00045-00-RS, Project No. MMXM(446), Job No. C-91-317-26.

**LOCATION OF PROJECT**

The project is located on Crystal Lake Road, from Algonquin Road to Miller Road, in the Village of Lake in the Hills, McHenry County, Illinois. A location map is shown on the cover of the Plans. The gross and net lengths of the project are 4,727.99 feet, approximately 0.895 Miles.

**DESCRIPTION OF WORK**

The work consists of furnishing all labor, materials, equipment, and other incidentals necessary for the completion of HMA surface removal and resurfacing; pavement patching; curb repairs; sidewalk repairs; intersection ADA improvements; drainage structure adjustments and replacements; pavement markings; and miscellaneous items of work to complete the project as shown on the plans and described herein.

**MAINTENANCE OF ROADWAYS**

Effective: September 30, 1985

Revised: November 1, 1996

Beginning on the date that work begins on this project, the Contractor shall assume responsibility for normal maintenance of all existing roadways within the limits of the improvement. This normal maintenance shall include all repair work deemed necessary by the Engineer, but shall not include snow removal operations. Traffic control and protection for maintenance of roadways will be provided by the Contractor as required by the Engineer.

If items of work have not been provided in the contract, or otherwise specified for payment, such items, including the accompanying traffic control and protection required by the Engineer, will be paid for in accordance with Article 109.04 of the Standard Specifications.

Village of Lake in the Hills  
Crystal Lake Road (FAU 4038)  
23-00045-00-RS  
McHenry County  
Contract 61M88

### **WORKING HOURS**

The Contractor will be required to comply with state regulations regarding air, water and noise pollution. Construction operations shall be confined to the period beginning at 7:00 A.M. and ending at 10:00 P.M. Monday through Friday, 8:00 A.M. to 8:00 P.M. Saturday, and no work shall be performed on Sundays or holidays. 48-hour notice from the Contractor shall be required for Saturday work.

### **COOPERATION WITH ADJACENT CONTRACTS**

The intent of this provision is to inform the Contractor that the Village of Lake in the Hills is aware of adjacent contracts that are currently scheduled during the same time period as this contract:

McHenry County, 06-00329-02-PW, Contract 61J93

The Contractor is required to cooperate with these adjacent contracts in accordance with Section 105.08 of the Standard Specifications and may be required to modify his/her staging operations in order to meet these requirements.

### **COMPLETION DATE PLUS WORKING DAYS (D1)**

Effective: September 30, 1985

Revised: January 1, 2007

Revise Article 108.05 (b) of the Standard Specifications as follows:

"When a completion date plus working days is specified, the Contractor shall complete all contract items and safely open all roadways to traffic by 11:59 PM on, October 31<sup>st</sup>, 2027 except as specified herein.

The Contractor will be allowed to complete all parkway restoration, clean-up work, and punch list items within 10 working days after the completion date for opening the roadway to traffic. Under extenuating circumstances the Engineer may direct that certain items of work, not affecting the safe opening of the roadway to traffic, may be completed within the working days allowed for clean-up work and punch list items. Temporary lane closures for this work may be allowed at the discretion of the Engineer.

Article 108.09 or the Special Provision for "Failure to Complete the Work on Time", if included in this contract, shall apply to both the completion date and the number of working days.

Village of Lake in the Hills  
Crystal Lake Road (FAU 4038)  
23-00045-00-RS  
McHenry County  
Contract 61M88

**AVAILABLE REPORTS (D1 LR)**

Effective: July 1, 2021.

Revised: January 22, 2026

☐ No project specific reports were prepared.

When applicable, the following checked reports and record information is available for Bidders' reference upon request:

- ☐ Record structural plans
- ☐ Preliminary Site Investigation (PSI) (IDOT ROW)
- ☐ Preliminary Site Investigation (PSI) (Local ROW)
- ☐ Preliminary Environmental Site Assessment (PESA) (IDOT ROW)
- ☒ Preliminary Environmental Site Assessment (PESA) (Local ROW)
- ☐ Soils/Geotechnical Report
- ☐ Boring Logs
- ☒ Pavement Cores
- ☐ Location Drainage Study (LDS)
- ☐ Hydraulic Report
- ☐ Noise Analysis
- ☐ Other:

Those seeking these reports should request access from:

Colin P. McGovern, P.E.

Baxter & Woodman, Inc.

[cmcgovern@baxterwoodman.com](mailto:cmcgovern@baxterwoodman.com)

815-444-3297

Available 7:30AM – 5 PM Monday-Thursday and 7:30AM – 12:30PM Friday

**STATUS OF UTILITIES (D-1)**

Effective: June 1, 2016

Revised: April 1, 2025

Utility companies and/or municipal owners located within the construction limits of this project have provided the following information regarding their facilities and the proposed improvements. The tables below contain a description of specific conflicts to be resolved and/or facilities which will require some action on the part of the Department's contractor to proceed with work. Each table entry includes an identification of the action necessary and, if applicable, the estimated duration required for the resolution.

**UTILITIES TO BE ADJUSTED**

Conflicts noted below have been identified by following the suggested staging plan included in the contract. The company has been notified of all conflicts and will be required to obtain the necessary permits to complete their work; in some instances, resolution will be a function of the construction staging. The responsible agency must relocate, or complete new installations as noted below; this work has been deemed necessary to be complete for the Department's contractor to then work in the stage under which the item has been listed.

No conflicts to be resolved.

**UTILITIES TO BE WATCHED AND PROTECTED**

The areas of concern noted below have been identified by following the suggested staging plan included for the contract. The information provided is not a comprehensive list of all remaining utilities, but those which during coordination were identified as ones which might require the Department's contractor to take into consideration when making the determination of the means and methods that would be required to construct the proposed improvement. In some instances, the contractor will be responsible to notify the owner in advance of the work to take place so necessary staffing on the owner's part can be secured.

No facilities requiring extra consideration.

The following contact information is what was used during the preparation of the plans as provided by the owner of the facility.

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Crystal Lake Road (FAU 4038)  
23-00045-00-RS  
McHenry County  
Contract 61M88

| <b>Agency/Company Responsible to Resolve Conflict</b> | <b>Name of contact</b> | <b>Phone</b> | <b>E-mail address</b>                       |
|-------------------------------------------------------|------------------------|--------------|---------------------------------------------|
| AT&T                                                  | Vanessa Ross           | 217-381-4284 | VF2021@ATT.COM                              |
| Broadband                                             | TJ McMillian           | 309-670-0400 | ENGINEERING@I3BROADBAND.NET                 |
| ComEd                                                 | Lisa Argast            | 708-277-8511 | plansubmittalsandmaprequests@exeloncorp.com |
| ComCast                                               | Martha Gieras          | 224-229-5862 | martha_gieras@cable.comcast.com             |
| Nicor                                                 | Karey Johnson          | 224-471-9356 | karejohn@southernco.com                     |

The above represents the best information available to the Department and is included for the convenience of the bidder. The days required for conflict resolution should be considered in the bid as this information has also been factored into the timeline identified for the project when setting the completion date. The applicable portions of the Standard Specifications for Road and Bridge Construction shall apply.

Estimated duration of time provided above for the first conflicts identified will begin on the date of the executed contract regardless of the status of the utility relocations. The responsible agencies will be working toward resolving subsequent conflicts in conjunction with contractor activities in the number of days noted.

The estimated relocation duration must be part of the progress schedule submitted by the contractor. A utility kickoff meeting will be scheduled between the Department, the Department's contractor, and the utility companies when necessary.

The contractor is responsible for contacting JULIE (or DIGGER within the City of Chicago) prior to any excavation work. Please note that IDOT electrical facilities are not part of the one-call locating services, such as JULIE or DIGGER.

If the contract requires the services of an electrical contractor, it is the contractor's responsibility, at their own expense, to locate existing IDOT electrical facilities before commencing work. For contracts that do not require an electrical contractor, the contractor may request one free locate of IDOT electrical facilities by contacting the Department's Electrical Maintenance Contractor. Additional locate requests will be at the contractor's expense.

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The Department's Electrical Maintenance Contractor must be notified at least 72 hours in advance of the work by calling 773-287-7600 or emailing [dispatch@meade100.com](mailto:dispatch@meade100.com) to arrange for the locating of underground electrical facilities.

Please note, the marking of underground facilities does not absolve the contractor of their responsibility to repair or replace any facilities damaged during construction at their expense.

### **TRAFFIC CONTROL PLAN (D1)**

Effective: September 30, 1985

Revised: January 1, 2007

Traffic Control shall be according to the applicable sections of the Standard Specifications, the Supplemental Specifications, the "Illinois Manual on Uniform Traffic Control Devices for Streets and Highways", any special details and Highway Standards contained in the plans, and the Special Provisions contained herein.

Special attention is called to Article 107.09 of the Standard Specifications and the following Highway Standards, Details, Quality Standard for Work Zone Traffic Control Devices, Recurring Special Provisions and Special Provisions contained herein, relating to traffic control.

The Contractor shall contact the District One Bureau of Traffic at least 72 hours in advance of beginning work.

**STANDARDS:** 701006-05, 701011-04, 701301-04, 701311-03, 701501-06, 701801-06, 701901-11

### **DETAILS:**

- Traffic Control and Protection for Side Roads, Intersections, and Driveways (TC-10)
- Typical Pavement Markings (TC-13)
- Arterial Road Information Sign (TC-22)
- Driveway Entrance Signing (TC-26)

### **SPECIAL PROVISIONS:**

- Public Convenience and Safety (D-1)
- Temporary Information Signing (D-1)
- Maintenance of Roadways (D-1)
- Work Zone Traffic Control Surveillance (LRS 3)
- Short Term and Temporary Pavement Markings (BDE)
- Vehicle and Equipment Warning Lights (BDE)
- Work Zone Traffic Control Devices (BDE)
- Work Zone Width Restriction (BDE)

**PUBLIC CONVENIENCE AND SAFETY (D-1)**

Effective: May 1, 2012

Revised: July 15, 2012

Add the following to the end of the fourth paragraph of Article 107.09:

“If the holiday is on a Saturday or Sunday, and is legally observed on a Friday or Monday, the length of Holiday Period for Monday or Friday shall apply.”

Add the following sentence after the Holiday Period table in the fourth paragraph of Article 107.09:

“The Length of Holiday Period for Thanksgiving shall be from 5:00 AM the Wednesday prior to 11:59 PM the Sunday After”

Delete the fifth paragraph of Article 107.09 of the Standard Specifications:

“On weekends, excluding holidays, roadways with Average Daily Traffic of 25,000 or greater, all lanes shall be open to traffic from 3:00 P.M. Friday to midnight Sunday except where structure construction or major rehabilitation makes it impractical.”

**PROTECTION OF EXISTING TREES**

The Contractor shall be responsible for taking measures to minimize damage to the tree limbs, tree trunks, and tree roots at each work site. All such measures shall be included in the contract price for other work except that payment will be made for TREE TRUNK PROTECTION and TREE ROOT PRUNING.

The Contractor shall coordinate with the village forester or arborist prior to the start of construction to do a walk through and determine which trees or shrubs are to be protected, method of protection, and determine type of work to minimize damage to the tree.

All work, materials and equipment shall conform to Section 201 and 1081 of the Standard Specifications except as modified herein.

A. Earth Saw Cut of Tree Roots (Root Pruning):

1. Whenever proposed excavation falls within a drip-line of a tree, the Contractor shall:

a. Root prune 6-inches behind and parallel to the proposed edge of trench a neat, clean vertical cut to a minimum depth directed by the Engineer

through all affected tree roots.

b. Root prune to a maximum width of 4-inches using a reciprocating saw blade for cutting tree roots or similar cutting machine. Trenching machines will not be permitted.

c. Exercise care not to cut any existing utilities.

d. If during construction it becomes necessary to expose tree roots which have not been pre-cut, the Engineer shall be notified and the Contractor shall provide a clean, vertical cut at the proper root location, nearer the tree trunk, as necessary, by means of hand-digging and trimming with chain saw or hand saw. Ripping, shredding, shearing, chopping, or tearing will not be permitted.

e. Top Pruning: When thirty percent (30%) or more of the root zone is pruned, an equivalent amount of the top vegetative growth or the plant material shall be pruned off within one (1) week following root pruning.

2. Whenever curb and gutter is removed for replacement, or excavation for removal of or construction of a structure is within the drip line/root zone of a tree, the Contractor shall:

a. Root prune 6-inches behind the curbing so as to neatly cut the tree roots.

b. Depth of cut shall be 12 inches for curb removal and replacement and 24 inches for structural work. Any roots encountered at a greater depth shall be neatly saw cut at no additional cost.

c. Locations where earth saw cutting of tree roots is required will be marked in the field by the Engineer.

3. All root pruning work is to be performed through the services of a licensed arborist to be approved by the Engineer.

Root pruning will be paid for at the contract unit price each for TREE ROOT PRUNING, which price shall be payment for all labor, materials, and equipment.

B. Tree Trunk Protection:

1. The Contractor shall erect trunk protection around all trees within the construction area to prevent damage to the trunk of the tree when temporary fence is not an option before any work begins or any material is delivered to the jobsite. No work is to be performed (other than root pruning), materials stored, or vehicles driven

or parked within the "tree protection zone".

2. The 2 inch x 8 inch x 8 foot boards shall be banded continuously around the trunk of each tree to prevent scarring of the trees shown on the plans or designated by the Engineer.

3. Multi-stem trees, saplings, and shrubs to be protected within the area of construction, temporary fence may be used for trunk protection.

Tree trunk protection will be paid for at the contract unit price per each for TREE TRUNK PROTECTION ), which price shall include materials, installation, and removal.

C. Removal of Driveway Pavement and Sidewalk:

1. In order to minimize the potential damage to the tree root system(s), the Contractor will not be allowed to operate any construction equipment or machinery within the "tree protection zone" located between the curb or edge of pavement and the right-of-way property line.

2. Sidewalk to be removed in the areas adjacent to the "tree protection zones" shall be removed with equipment operated from the street pavement. Removal shall be done by excavation equipment, or by hand, or a combination of these methods. The method of removal shall be approved by the Engineer prior to commencing any work.

3. Any pavement or pavement related work that is removed shall be immediately disposed of from the area and shall not be stockpiled or stored within the parkway area under any circumstances.

D. Backfilling:

1. Prior to placing the topsoil and/or sod, in areas outside the protection zone, the existing ground shall be disked to a depth no greater than one (1"), unless otherwise directed by the Engineer. No grading will be allowed within the drip-line of any tree unless directed by the Engineer.

E. Damages:

1. In the event that a tree not scheduled for removal is injured such that potential irreparable damage may ensue, as determined by the Roadside Development Unit, the Contractor shall be required to remove the damage tree and replace it on a three to one (3:1) basis, at his own expense. The Roadside Development Unit will select replacement trees from the pay items already established in the

contract.

2. The Contractor shall place extreme importance upon the protection and care of trees and shrubs which are to remain during all times of this improvement. It is of paramount importance that the trees and shrubs which are to remain are adequately protected by the Contractor and made safe from harm and potential damage from the operations and construction of this improvement. If the Contractor is found to be in violation of storage or operations within the "tree protection zone" or construction activities not approved by the Engineer, a penalty shall be levied against the Contractor with the monies being deducted from the contract. The amount of the penalty shall be two hundred fifty dollars (\$250.00) per occurrence per day.

### **SUPPLEMENTAL WATERING**

This work will include watering sod at the rates specified and as directed by the Engineer.

Schedule: Watering will only begin after the successful completion of all period of establishment requirements. Water sod a minimum of twice a week. The Engineer may direct the Contractor to adjust the watering rate and frequency depending upon weather conditions.

Watering must be completed in a timely manner. When the Engineer directs the Contractor to do supplemental watering, the Contractor must begin the watering operation within 24 hours of notice. **The Contractor shall give an approximate time window of when they will begin at the work location to the Engineer. The Engineer shall be present during the watering operation.** A minimum of 10 units of water per day must be applied until the work is complete.

Should the Contractor fail to complete the work on a timely basis or within such extended times as may have been allowed by the Department, the Contractor shall be liable to the Department liquidated damages as outlined in the **"Failure to Complete Plant Care and Establishment Work on Time" special provision.**

In fixing the damages as set out herein, the desire is to establish a mode of calculation for the work since the Department's actual loss, in the event of delay, cannot be predetermined, would be difficult of ascertainment, and a matter of argument and unprofitable litigation. This said mode is an equitable rule for measurement of the Department's actual loss and fairly takes into account the loss of the trees if the watering is delayed. The Department shall not be required to provide any actual loss in order to recover these liquidated damages provided herein, as said damages are very difficult to ascertain. Furthermore, no provision of this clause shall be construed as a penalty, as such is not the intention of the parties.

A calendar day is every day shown on the calendar and starts at 12:00 midnight and ends at the

following 12:00 midnight, twenty-four hours later.

Source of Water: The Contractor shall notify the Engineer of the source of water used and provide written certification that the water does not contain chemicals harmful to plant growth.

Rate of Application: The normal rates of application for watering are as follows. The Engineer will adjust these rates as needed depending upon weather conditions.

6 gallons per square yard for Sodded Areas

Method of Application: Watering of plants in beds shall be applied in such a manner that all plant holes are uniformly saturated without allowing the water flow beyond the periphery of the bed. Water shall slowly infiltrate into soil and completely soak the root zone. The Contractor must supply metering equipment as needed to assure the specified application rate of water.

Method of Measurement: Supplemental watering will be measured in units of 1000 gallons of water applied as directed.

Basis of Payment: This work will be paid for at the contract unit price per unit of SUPPLEMENTAL WATERING, measured as specified. Payment will include the cost of all water, equipment and labor needed to complete the work specified herein and to the satisfaction of the Engineer.

#### **FAILURE TO COMPLETE PLANT CARE AND ESTABLISHMENT WORK ON TIME**

Should the Contractor fail to complete the plant care and/or supplemental watering work as per the standard specifications or within 24 hours notification from the Engineer, or within such extended times as may have been allowed by the Department, the Contractor shall be liable to the Department in the amount of:

- \$20.00 per sq yd sod/per day

not as penalty but as liquidated damages, for each calendar day or a portion thereof of overrun in the contract time or such extended time as may have been allowed.

In fixing the damages as set out herein, the desire is to establish a mode of calculation for the work since the Department's actual loss, in the event of delay, cannot be predetermined, would be difficult of ascertainment, and a matter of argument and unprofitable litigation. This said mode is an equitable rule for measurement of the Department's actual loss and fairly takes into account the loss of the sod if the watering or plant care is delayed. The Department shall not be required to provide any actual loss in order to recover these liquidated damages provided herein, as said damages are very difficult to ascertain. Furthermore, no provision of this clause

shall be construed as a penalty, as such is not the intention of the parties.

A calendar day is every day shown on the calendar and starts at 12:00 midnight and ends at the following 12:00 midnight, twenty-four hours later.

#### **AGGREGATE BASE COURSE, TYPE B**

This work shall be done in accordance with Section 351 of the Standard Specifications except as modified herein.

351.02 Materials. Revise this article to read:

**“351.02 Materials.** Materials shall meet the requirements of Section 1004.04, except that the aggregate shall be crushed gravel or crushed stone.”

351.04 Subgrade. Add the following to the end of this article:

“Prior to placement of the aggregate base course, the subgrade shall be inspected and approved by the Engineer.”

351.12 Basis of Payment. Revise the first paragraph of this section to read:

“This work will be paid for at the contract unit price per square yard for AGGREGATE BASE COURSE, TYPE B, of the thickness specified.”

#### **DETECTABLE WARNINGS**

This work shall be done in accordance with Section 424.09 of the Standard Specifications except as modified herein.

Detectable warnings shall be constructed with the installation of an ADA-compliant cast-in-place composite 24” X 48” minimum nominal size panel. The domes located on the panel shall parallel the pavement cross walk with the closest edge located at the back of curb. The contrasting panel color shall be selected by the Village. Installation shall occur in accordance with the manufacturer’s recommendations.

Basis of Payment. This work will be paid for at the contract unit price per square foot for DETECTABLE WARNINGS.

## **REMOVAL AND DISPOSAL OF REGULATED SUBSTANCES**

Description. This work shall consist of the removal and disposal of regulated substances according to Section 669 of the Standard Specifications as revised below.

Soil Disposal Analysis. When the waste material requires sampling for landfill disposal acceptance, the Contractor shall secure a written list of the specific analytical parameters and analytical methods required by the landfill. The Contractor shall collect and analyze the required number of samples for the parameters required by the landfill using the appropriate analytical procedures. A copy of the required parameters and analytical methods (from landfill email or on landfill letterhead) shall be provided as Attachment 4A of the BDE 2733 (Regulated Substances Final Construction Report). The price shall include all sampling materials and effort necessary for collection and management of the samples, including transportation of samples from the job site to the laboratory. The Contractor shall be responsible for determining the specific disposal facilities to be utilized; and collect and analyze any samples required for disposal facility acceptance using a NELAP certified analytical laboratory registered with the State of Illinois.

Contract Specific Sites. The excavated soil and groundwater within the areas listed below shall be managed as either "uncontaminated soil", hazardous waste, special waste or non-special waste. For stationing, the lateral distance is measured from centerline and the farthest distance is the offset distance or construction limit, whichever is less.

### Crystal Lake Road

- Station 208+46.00 to Station 255+73.99 (CL Crystal Lake Road). All excavation planned within the proposed ROW. The Engineer has determined this material meets the criteria of and shall be managed in accordance with Article 669.05(a)(1). Contaminants of concern: VOCs, SVOCs and Metals.

### Work Zones

Three distinct OSHA HAZWOPER work zones (exclusion, decontamination, and support) shall apply to projects adjacent to or within sites with documented leaking underground storage tank (LUST) incidents, or sites under management in accordance with the requirements of the Site Remediation Program (SRP), Resource Conservation and Recovery Act (RCRA), or Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), or as deemed necessary. For this project, the work zones apply for the following ISGS PESA Sites: None

This work shall include monitoring and potential sampling, analytical testing, and management of a material contaminated by regulated substances. The Contractor or firm shall continuously monitor all soil excavation for worker protection and soil contamination. Soil samples or

analysis without the approval of the Engineer will be at no additional cost.

### **DRAINAGE AND UTILITY STRUCTURES TO BE ADJUSTED**

This work shall be done in accordance with Section 602 of the Standard Specifications except as modified herein.

602.01 Description. Revise this Article to read:

**“602.01 Description.** This work shall consist of adjusting existing catch basins, manholes, inlets, or valve vaults.”

602.02 Materials. Revise Note 2 to read:

Note 2. Riser rings fabricated from recycled rubber may be used to adjust the frames and grates of drainage and utility structures up to a maximum of 50 mm (2 in.). They shall be installed and sealed underneath the frames according to the manufacturer's specifications.

Recycled rubber products shall consist of no less than 80 percent by weight recycled rubber. The riser shall meet or exceed the following when maintained at  $23 \pm 2^{\circ}\text{C}$  ( $73 \pm 3^{\circ}\text{F}$ ) for at least 24 hours prior to and during testing.

| Physical Property                                                                       | Test Standard                                                                                       | Value                                                 |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Density                                                                                 | ASTM C 642-90                                                                                       | $1.10 \pm 0.034$ g/cu cm ( $68.63 \pm 2.11$ lb/cu ft) |
| Durometer Hardness                                                                      | ASTM D 2240-97 Shore A                                                                              | $72 \pm 6^1$                                          |
| Compression Deformation under 1000 kPa (145 psi)                                        | ASTM D 575 – Test Method B<br>Test of Specified Force                                               | $9 \pm 4$ %                                           |
| Compression Set                                                                         | ASTM D 395 – Illinois Modified<br>Test Method B Compression Set<br>under Constant Deflection in Air | $5 \pm 3$ % <sup>2</sup>                              |
| Weathering (70 hrs at $70^{\circ}\text{C}$ ( $158^{\circ}\text{F}$ )) Hardness retained | ASTM D 573                                                                                          | 98 %, minimum                                         |
| Freeze/thaw when exposed to deicing chemicals                                           | ASTM C 672-91                                                                                       | 3 % loss, maximum                                     |

<sup>1</sup> Average of three tests over a 28 mm (1.12") diameter sample.

<sup>2</sup> Samples compressed to 75 percent of initial height.

Recycled rubber adjusting rings shall have no void areas, cracks, or tears, and have no effects due to exposure to ultraviolet light. The actual diameter or length shall not vary more than 3 mm (0.125") from the specified diameter or length. Variations in height are limited to  $\pm 1.6$  mm (0.063") for parts up to 50 mm (2")."

602.11 Furnishing and Placing Castings. Revise the last three sentences of the second paragraph of part (c) of this Article to read:

"Castings shall be set to the finished pavement elevation so that no subsequent adjustment will be necessary, and the space around the casting shall be filled with Class SI concrete to the elevation of the surface of the base course or binder course. The Class SI concrete shall be cured for a period of 72 hours. HMA materials will not be allowed to backfill around an adjusted casting."

602.16 Basis of Payment. Revise the second paragraph of this Article to read:

"This work shall be paid for at the contract unit price each for DRAINAGE AND UTILITY STRUCTURES TO BE ADJUSTED, which price shall include the adjustment of existing catch basins, manholes, inlets or valve vaults, resetting the frame and grate or lid, removing and resetting the existing external chimney seal, and excavation and backfilling."

### **DRAINAGE AND UTILITY STRUCTURES TO BE RECONSTRUCTED**

This work shall be done in accordance with Section 602 of the Standard Specifications except as modified herein.

602.01 Description. Revise this Article to read:

**"602.01 Description.** This work shall consist of reconstructing existing catch basins, manholes, inlets, or valve vaults."

602.02 Materials. Revise Note 2 to read:

Note 2. Riser rings fabricated from recycled rubber may be used to adjust the frames and grates of drainage and utility structures up to a maximum of 50 mm (2 in.). They shall be installed and sealed underneath the frames according to the manufacturer's specifications.

Recycled rubber products shall consist of no less than 80 percent by weight recycled rubber. The riser shall meet or exceed the following when maintained at  $23 \pm 2^{\circ}\text{C}$  ( $73 \pm 3^{\circ}\text{F}$ ) for at least 24 hours prior to and during testing.

| Physical Property                                       | Test Standard                                                                                 | Value                                        |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------|
| Density                                                 | ASTM C 642-90                                                                                 | 1.10 ± 0.034 g/cu cm (68.63 ± 2.11 lb/cu ft) |
| Durometer Hardness                                      | ASTM D 2240-97 Shore A                                                                        | 72 ± 6 <sup>1</sup>                          |
| Compression Deformation under 1000 kPa (145 psi)        | ASTM D 575 –Test Method B Test of Specified Force                                             | 9 ± 4%                                       |
| Compression Set                                         | ASTM D 395 – Illinois Modified Test Method B Compression Set under Constant Deflection in Air | 5 ± 3% <sup>2</sup>                          |
| Weathering (70 hrs at 70 °C (158 °F)) Hardness retained | ASTM D 573                                                                                    | 98%, minimum                                 |
| Freeze/thaw when exposed to deicing chemicals           | ASTM C 672-91                                                                                 | 3% loss, maximum                             |

<sup>1</sup> Average of three tests over a 28 mm (1.12") diameter sample.

<sup>2</sup> Samples compressed to 75 percent of initial height.

Recycled rubber adjusting rings shall have no void areas, cracks, or tears, and have no effects due to exposure to ultraviolet light. The actual diameter or length shall not vary more than 3 mm (0.125") from the specified diameter or length. Variations in height are limited to ± 1.6 mm (0.063") for parts up to 50 mm (2")."

602.11 Furnishing and Placing Castings. Revise the last three sentences of the second paragraph of part (c) of this Article to read:

"Castings shall be set to the finished pavement elevation so that no subsequent adjustment will be necessary, and the space around the casting shall be filled with Class SI concrete to the elevation of the surface of the base course or binder course. The Class SI concrete shall be cured for a period of 72 hours. HMA materials will not be allowed to backfill around an adjusted casting."

602.16 Basis of Payment. Revise the second paragraph of this Article to read:

"This work shall be paid for at the contract unit price each for DRAINAGE AND UTILITY STRUCTURES TO BE RECONSTRUCTED, which price shall include the reconstruction of existing catch basins, manholes, inlets or valve vaults, resetting the frame and grate or lid, removing and resetting the existing external chimney seal, and excavation and backfilling."

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### **HOT-MIX ASPHALT DRIVEWAY REMOVAL AND REPLACEMENT**

This item shall consist of the removal and replacement of the existing HMA driveway surface. Replacement shall be constructed to match the existing pavement removed for thickness, however the minimum thickness shall not be less than 3 inches of HMA Surface Course, IL-9.5, Mix "D", N50 for residential driveways and 2 inches of HMA Surface Course, IL-9.5, Mix "D", N50 over 4 inches of HMA Binder Course, IL-19.0, N50 for commercial driveways. Prior to replacement with the surface course, the exposed base course shall be shaped, compacted and primed, including the exposed edge of the HMA surface remaining, to the satisfaction of the Engineer.

Contractor shall limit parkway disturbance as much as possible, parkway restoration with topsoil and seed for areas of low disturbance shall be an acceptable restoration method and is included in driveway removal & replacement work. A pay item for SODDING has been included and shall be used as determined by the Engineer in the field.

Removal of the driveway surface shall be in accordance with Section 440 of the Standard Specifications which includes sawcutting any tree roots as applicable. Replacement shall be done in accordance with Articles 406.02, 406.03, 406.05, 406.06, 406.07, and 406.12 of the Standard Specifications, except as modified herein.

Basis of Payment. This work will be paid for at the contract unit price per square yard for HOT-MIX ASPHALT DRIVEWAY REMOVAL AND REPLACEMENT.

### **PORTLAND CEMENT CONCRETE DRIVEWAY 7 INCH (SPECIAL)**

This work shall be done in accordance with Section 423 of the Standard Specifications and the Detail provided in the Plans, except as modified herein.

Work shall include all sawcutting; excavating for a 6-inch CA-6 granular subbase, matching existing driveway pattern and finish. In addition to sawcutting of pavement, sawcutting of tree roots shall also be included when applicable.

Contractor shall limit parkway disturbance as much as possible, parkway restoration with topsoil and seed for areas of low disturbance shall be an acceptable restoration method and is included in driveway work. A pay item for SODDING has been included and shall be used as determined by the Engineer in the field.

Any driveway removal shall be coordinated with the Engineer. Driveway closures shall not exceed five (5) business days.

Basis of Payment: This work will be paid for at the contract unit price per square yard for

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“PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT, 7 INCH (SPECIAL)”.

**PORTLAND CEMENT CONCRETE SIDEWALK 5 INCH (SPECIAL)**

This work shall be done in accordance with Section 424 of the Standard Specifications and the Detail provided in the Plans, except as modified herein.

Work shall include all sawcutting; excavating for a 4-inch CA-6 granular subbase, match. In addition to sawcutting of pavement, sawcutting of tree roots shall also be included when applicable.

Contractor shall limit parkway disturbance as much as possible, parkway restoration with topsoil and seed for areas of low disturbance shall be an acceptable restoration method and is included in sidewalk work. A pay item for SODDING has been included and shall be used as determined by the Engineer in the field.

Basis of Payment: This work will be paid for at the contract unit price per square foot for “PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH (SPECIAL)”

**FRAMES AND LIDS TO BE ADJUSTED (SPECIAL)**

Work shall be according to Section 603 and the District 1 Detail in the plans, except as modified herein:

603.01 Description. Add the following to the end of this Article:

“This work shall consist of adjusting existing catch basins, storm or sanitary manholes, inlets, or valve vaults in the pavement prior to milling and to the finished elevation prior to resurfacing as determined by the Engineer”.

603.02 Materials. Add the following to the end of the items:

“(I) High Density Polyethylene (HDPE) Plastic Adjusting Rings (Note 3)..... 1043.02

Note 3. HDPE plastic adjusting rings may be used to adjust the frames with grates or lids of existing drainage and utility structures up to a maximum of 3 in. (75 mm). They shall be installed and sealed underneath the frames according to the manufacturer’s specifications”

603.05 Replacement of Existing Flexible Pavement. Revise this Article to read:

“**603.05 Replacement of Existing Flexible Pavement.** After castings have been adjusted, the surrounding space shall be filled with Class SI concrete to the elevation of the

surface of the base course, binder course or milled surface. The Class SI concrete shall be cured for a period of not less than 72 hours. HMA materials will not be allowed to backfill around the adjusted casting.”

Method of Measurement. The work will be measured for payment in place for each structure adjusted.

603.09 Basis of Payment. Add the following to the end of this Article:

“This work shall be paid for at the contract unit price per each for frames and lids TO BE ADJUSTED (special) which price shall include the adjustment of existing catch basins, storm or sanitary manholes, inlets or valve vaults, resetting the frame and grate or lid, removing and installing a new chimney seal, and excavation and backfilling.

**COMBINATION CONCRETE CURB AND GUTTER, TYPE B-6.12 (SPECIAL)**

This work shall be done in accordance with Section 606 of the Standard Specifications and the Detail provided in the Plans, except as modified herein.

606.01 Description. Revise the Article to read:

**“606.01 Description.** This work shall consist of constructing combination concrete curb and gutter; which shall include all sawcutting; pavement removal for forming purposes; excavating for a 4-inch CA-6 granular subbase; installation of two No. 4 (1/2-inch) continuous reinforcing bars; backfilling in front of the curb with Class SI Concrete; backfilling behind the curb with sand or suitable excavated material; and dowel bars at construction and expansion joints. In addition to sawcutting of pavement and curb & gutter, sawcutting of tree roots shall also be included when applicable.”

606.04 Excavation. Add the following paragraphs to the end of this Article:

“A 4-inch thick CA-6 granular subbase shall be placed and compacted under the proposed curb and gutter as shown on the Detail provided in the Plans and shall be paid for separately as AGGREGATE BASE COURSE, TYPE B – 4 INCH.

Removal of the existing pavement will be required in order to install a front face form. The area between the edge of the existing pavement and the face of the new gutter shall be cleaned of all loose material and then filled with Class SI concrete to a minimum 6-inch width, 3.25” below the top of the proposed gutter flag. Driveways removed for forming shall be backfilled with an approved granular material as temporary pavement. (Driveway aprons shall not be removed for curb and gutter forming purposes unless otherwise determined by the Engineer.)

Driveways shall be protected during curb & gutter removal and curb & gutter shall be installed to match the existing driveway. Any driveway removal shall be coordinated with the Engineer. Driveway closures shall not exceed five (5) business days."

606.07 Concrete Gutter and Curb and Gutter. Add following to the fourth paragraph of this Article:

"Contraction joints shall be provided at uniform intervals not to exceed 15 feet. Construction joints with dowel bars shall be provided at the end of a day's work. Expansion joints shall be 1-inch thick with two No. 8 (1") smooth epoxy coated bars with greased cap and shall be constructed at intervals not to exceed 50 feet. Two No. 4 (1/2-inch diameter) reinforcing bars shall be placed continuously in the curb and gutter as shown in the Detail provided in the Plans. When adjacent to PCC pavement, 24" long No. 6 (3/4-inch diameter) epoxy coated, deformed tie bars shall be placed according to the detail provided in the plans. The curb shall be tapered to the gutter in a five-foot length wherever the curb and gutter terminates."

606.13 Backfill. Revise this Article to read:

"After the concrete has obtained the specified strength the space in back of the construction shall be backfilled to the top of the proposed curb with sand or other material approved by the Engineer, and neatly graded to the satisfaction of the Engineer. Excess sand behind the curb shall be removed just prior to parkway restoration work."

606.15 Basis of Payment. Revise the first paragraph of this Article to read:

**"606.15 Basis of Payment.** This work will be paid for at the contract unit price per foot for COMBINATION CONCRETE CURB AND GUTTER (SPECIAL), of the type specified. The cost of over cutting and filling behind and in front of the curb and gutter shall also be included in this contract unit price.

Removal of excess backfill material before parkway restoration work shall be included in the cost of parkway restoration pay items. Contractor shall limit parkway disturbance as much as possible, parkway restoration with topsoil and seed for areas of low disturbance shall be an acceptable restoration method and is included in curb and gutter work. A pay item for SODDING has been included and shall be used as determined by the Engineer in the field."

COMBINATION CONCRETE CURB AND GUTTER (SPECIAL) shall also include the replacement of Curb and Gutter M-6.12.

## **TEMPORARY INFORMATION SIGNING**

Effective: November 13, 1996

Revised: January 29, 2020

### **Description.**

This work shall consist of furnishing, installing, maintaining, relocating for various states of construction and eventually removing temporary informational signs. Included in this item may be ground mount signs, skid mount signs, truss mount signs, bridge mount signs, and overlay sign panels which cover portions of existing signs.

### **Materials.**

Materials shall be according to the following Articles of Section 1000 - Materials:

|     | <b><u>Item</u></b>      | <b><u>Article/Section</u></b> |
|-----|-------------------------|-------------------------------|
| a.) | Sign Base (Note 1)      | 1090                          |
| b.) | Sign Face (Note 2)      | 1091                          |
| c.) | Sign Legends            | 1091                          |
| d.) | Sign Supports           | 1093                          |
| e.) | Overlay Panels (Note 3) | 1090.02                       |

Note 1. The Contractor may use 5/8 inch (16 mm) instead of 3/4 inch (19 mm) thick plywood.

Note 2. The sign face material shall be in accordance with the Department's Fabrication of Highway Signs Policy.

Note 3. The overlay panels shall be 0.08 inch (2 mm) thick.

## **GENERAL CONSTRUCTION REQUIREMENTS**

### **Installation.**

The sign sizes and legend sizes shall be verified by the Contractor prior to fabrication.

Signs which are placed along the roadway and/or within the construction zone shall be installed according to the requirements of Article 701.14 and Article 720.04. The signs shall be 7 ft (2.1 m) above the near edge of the pavement and shall be a minimum of 2 ft (600 mm) beyond the edge of the paved shoulder. A minimum of two (2) posts shall be used.

The attachment of temporary signs to existing bridges, sign structures or sign panels shall be approved by the Engineer. Any damage to the existing signs and/or structures due to the Contractor's operations shall be repaired or signs replaced, as determined by the Engineer, at the Contractor's expense.

Method of Measurement.

This work shall be measured for payment in square feet (square meters) edge to edge (horizontally and vertically).

All hardware, posts or skids, supports, bases for ground mounted signs, connections, which are required for mounting these signs will be included as part of this pay item.

Basis Of Payment.

This work shall be paid for at the contract unit price per square foot (square meter) for TEMPORARY INFORMATION SIGNING.

**ADJUSTMENTS AND RECONSTRUCTIONS (D-1)**

Effective: March 15, 2011

Revised: October 1, 2021

Revise the first paragraph of Article 602.04 to read:

**“602.04 Concrete.** Cast-in-place concrete for structures shall be constructed of Class SI concrete according to the applicable portions of Section 503. Cast-in-place concrete for pavement patching around adjustments and reconstructions shall be constructed of Class PP-2 concrete, unless otherwise noted in the plans, according to the applicable portions of Section 1020.”

Revise the third, fourth and fifth sentences of the second paragraph of Article 602.11(c) to read:

“Castings shall be set to the finished pavement elevation so that no subsequent adjustment will be necessary, and the space around the casting shall be filled with Class PP-2 concrete, unless otherwise noted in the plans, to the elevation of the surface of the base course or binder course. HMA surface or binder course material shall not be allowed. The pavement may be opened to traffic according to Article 701.17(e)(3)b.”

Revise Article 603.05 to read:

**“603.05 Replacement of Existing Flexible Pavement.** After the castings have been adjusted, the surrounding space shall be filled with Class PP-2 concrete, unless otherwise noted in the plans, to the elevation of the surface of the base course or binder course. HMA surface or binder course material shall not be allowed. The pavement may be opened to traffic according to Article 701.17(e)(3)b.”

Revise Article 603.06 to read:

**“603.06 Replacement of Existing Rigid Pavement.** After the castings have been adjusted,

the pavement and HMA that was removed, shall be replaced with Class PP-2 concrete, unless otherwise noted in the plans, not less than 9 in. (225 mm) thick. The pavement may be opened to traffic according to Article 701.17(e)(3)b.

The surface of the Class PP concrete shall be constructed flush with the adjacent surface.”

Revise the first sentence of Article 603.07 to read:

“**603.07 Protection Under Traffic.** After the casting has been adjusted and the Class PP concrete has been placed, the work shall be protected by a barricade and two lights according to Article 701.17(e)(3)b.”

**DRAINAGE AND INLET PROTECTION UNDER TRAFFIC (D1)**

Effective: April 1, 2011

Revised: April 2, 2011

Add the following to Article 603.02 of the Standard Specifications:

- “(i) Temporary Hot-Mix Asphalt (HMA) Ramp (Note 1) ..... 1030
- “(j) Temporary Rubber Ramps (Note 2)

Note 1. The HMA shall have maximum aggregate size of 3/8 in. (95 mm).

Note 2. The rubber material shall be according to the following.

| Property                    | Test Method | Requirement    |
|-----------------------------|-------------|----------------|
| Durometer Hardness, Shore A | ASTM D 2240 | 75 ±15         |
| Tensile Strength, psi (kPa) | ASTM D 412  | 300 (2000) min |
| Elongation, percent         | ASTM D 412  | 90 min         |
| Specific Gravity            | ASTM D 792  | 1.0 - 1.3      |
| Brittleness, °F (°C)        | ASTM D 746  | -40 (-40)”     |

Revise Article 603.07 of the Standard Specifications to read:

“**603.07 Protection Under Traffic.** After the casting has been adjusted and the Class PP concrete has been placed, the work shall be protected by a barricade and two lights according to Article 701.17(e)(3)b.

When castings are under traffic before the final surfacing operation has been started, properly sized temporary ramps shall be placed around the drainage and/or utility castings according to

the following methods.

- (a) Temporary Asphalt Ramps. Temporary hot-mix asphalt ramps shall be placed around the casting, flush with its surface and decreasing to a featheredge in a distance of 2 ft (600 mm) around the entire surface of the casting.
- (b) Temporary Rubber Ramps. Temporary rubber ramps shall only be used on roadways with permanent posted speeds of 40 mph or less and when the height of the casting to be protected meets the proper sizing requirements for the rubber ramps as shown below.

| Dimension                                           | Requirement                                   |
|-----------------------------------------------------|-----------------------------------------------|
| Inside Opening                                      | Outside dimensions of casting + 1 in. (25 mm) |
| Thickness at inside edge                            | Height of casting $\pm$ 1/4 in. (6 mm)        |
| Thickness at outside edge                           | 1/4 in. (6 mm) max.                           |
| Width, measured from inside opening to outside edge | 8 1/2 in. (215 mm) min                        |

Placement shall be according to the manufacturer's specifications.

Temporary ramps for castings shall remain in place until surfacing operations are undertaken within the immediate area of the structure. Prior to placing the surface course, the temporary ramp shall be removed. Excess material shall be disposed of according to Article 202.03.

**AGGREGATE SURFACE COURSE FOR TEMPORARY ACCESS (D1)**

Effective: April 1, 2001

Revised: January 2, 2007

Revise Article 402.10 of the Standard Specifications to read:

**"402.10 For Temporary Access.** The contractor shall construct and maintain aggregate surface course for temporary access to private entrances, commercial entrances and roads according to Article 402.07 and as directed by the Engineer.

The aggregate surface course shall be constructed to the dimensions and grades specified below, except as modified by the plans or as directed by the Engineer.

- (a) Private Entrance. The minimum width shall be 12 ft (3.6 m). The minimum compacted thickness shall be 6 in. (150 mm). The maximum grade shall be eight percent, except as required to match the existing grade.
- (b) Commercial Entrance. The minimum width shall be 24 ft (7.2 m). The minimum compacted thickness shall be 9 in. (230 mm). The maximum grade shall be six percent, except as required to match the existing grade.
- (c) Road. The minimum width shall be 24 ft (7.2 m). The minimum compacted thickness shall be 9 in. (230 mm). The grade and elevation shall be the same as the removed pavement, except as required to meet the grade of any new pavement constructed.

Maintaining the temporary access shall include relocating and/or regrading the aggregate surface course for any operation that may disturb or remove the temporary access. The same type and gradation of material used to construct the temporary access shall be used to maintain it.

When use of the temporary access is discontinued, the aggregate shall be removed and utilized in the permanent construction or disposed of according to Article 202.03.”

Add the following to Article 402.12 of the Standard Specifications:

“Aggregate surface course for temporary access will be measured for payment as each for every private entrance, commercial entrance or road constructed for the purpose of temporary access. If a residential drive, commercial entrance, or road is to be constructed under multiple stages, the aggregate needed to construct the second or subsequent stages will not be measured for payment but shall be included in the cost per each of the type specified.”

Revise the second paragraph of Article 402.13 of the Standard Specifications to read:

“Aggregate surface course for temporary access will be paid for at the contract unit price per each for TEMPORARY ACCESS (PRIVATE ENTRANCE), TEMPORARY ACCESS (COMMERCIAL ENTRANCE) or TEMPORARY ACCESS (ROAD).

Partial payment of the each amount bid for temporary access, of the type specified, will be paid according to the following schedule:

- (a) Upon construction of the temporary access, sixty percent of the contract unit price per each, of the type constructed, will be paid.

- (b) Subject to the approval of the Engineer for the adequate maintenance and removal of the temporary access, the remaining forty percent of the pay item will be paid upon the permanent removal of the temporary access.”

**HOT-MIX ASPHALT BINDER AND SURFACE COURSE (D1)**

Effective: November 1, 2019

Revised: April 1, 2026

Add the following to the end of Article 406.06(c) of the Standard Specifications:

“ The amount of HMA binder course placed shall be limited to that which can be surfaced during the same construction season.”

Revise the fifteenth through eighteenth paragraphs of Article 406.14 of the Standard Specifications to read:

“ The mixture used in constructing acceptable HMA test strips will be paid for at the contract unit price. Unacceptable HMA test strips shall be removed and replaced at no additional cost to the Department.”

Revise Article 1004.03(c) to read:

“(c) Gradation. The coarse aggregate gradations shall be as listed in the following table.

| Use                   | Size/Application                       | Gradation No.                                |
|-----------------------|----------------------------------------|----------------------------------------------|
| Class A-1, A-2, & A-3 | 3/8 in. (10 mm) Seal                   | CA 16 or CA 20                               |
| Class A-1             | 1/2 in. (13 mm) Seal                   | CA 15                                        |
| Class A-2 & A-3       | Cover Coat                             | CA 14                                        |
| HMA High ESAL         | IL-19.0;<br>Stabilized Subbase IL-19.0 | CA 11 <sup>1/</sup>                          |
|                       | SMA 12.5 <sup>2/</sup>                 | CA 13 <sup>4/</sup> , CA 14, or CA 16        |
|                       | SMA 9.5 <sup>2/</sup>                  | CA 13 <sup>3/4/</sup> or CA 16 <sup>3/</sup> |
|                       | IL-9.5                                 | CA 16, CM 13 <sup>4/</sup>                   |
|                       | IL-9.5FG                               | CA 16                                        |
| HMA Low ESAL          | IL-19.0L                               | CA 11 <sup>1/</sup>                          |
|                       | IL-9.5L                                | CA 16                                        |

1/ CA 16 or CA 13 may be blended with the CA 11.

- 2/ The coarse aggregates used shall be capable of being combined with the fine aggregates and mineral filler to meet the approved mix design and the mix requirements noted herein.
- 3/ The specified coarse aggregate gradations may be blended.
- 4/ CA 13 shall be 100 percent passing the 1/2 in. (12.5mm) sieve.”

Revise Article 1004.03(e) of the Standard Specifications to read:

“(e) Absorption. For SMA the coarse aggregate shall also have water absorption  $\leq 2.0$  percent.”

Revise the “High ESAL” portion of the table in Article 1030.01 to read:

|            |                 |                                                                                     |
|------------|-----------------|-------------------------------------------------------------------------------------|
| “High ESAL | Binder Courses  | IL-19.0, IL-9.5, IL-9.5FG, IL-4.75, SMA 12.5, SMA 9.5<br>Stabilized Subbase IL-19.0 |
|            | Surface Courses | IL-9.5, IL-9.5FG, SMA 12.5, SMA 9.5”                                                |

Revise Note 2. and add Note 6 to Article 1030.02 of the Standard Specifications to read:

| “Item                                         | Article/Section |
|-----------------------------------------------|-----------------|
| (g)Performance Graded Asphalt Binder (Note 6) | 1032            |
| (h)Fibers (Note 2)                            |                 |

Note 2. A stabilizing additive such as cellulose or mineral fiber shall be added to the SMA mixture according to Illinois Modified AASHTO M 325. The stabilizing additive shall meet the Fiber Quality Requirements listed in Illinois Modified AASHTO M 325. Prior to approval and use of fibers, the Contractor shall submit a notarized certification by the producer of these materials stating they meet these requirements. Reclaimed Asphalt Shingles (RAS) may be used in Stone Matrix Asphalt (SMA) mixtures designed with an SBA polymer modifier as a fiber additive if the mix design with RAS included meets AASHTO T305 requirements. The RAS shall be from a certified source that produces either Type I or Type 2. Material shall meet requirements noted herein and the actual dosage rate will be determined by the Engineer.

Note 6. The asphalt binder shall be an SBS PG 76-28 when the SMA is used on a full-depth asphalt pavement and SBS PG 76-22 when used as an overlay, except where modified herein. The asphalt binder shall be a SBS PG 76-22 for IL-4.75, except where modified herein..”

Revise table in Article 1030.05(a) of the Standard Specifications to read:

| "MIXTURE COMPOSITION (% PASSING)" <sup>1/</sup> |            |     |          |                   |         |                   |                  |                  |          |                  |            |                   |
|-------------------------------------------------|------------|-----|----------|-------------------|---------|-------------------|------------------|------------------|----------|------------------|------------|-------------------|
| Sieve Size                                      | IL-19.0 mm |     | SMA 12.5 |                   | SMA 9.5 |                   | IL-9.5mm         |                  | IL-9.5FG |                  | IL-4.75 mm |                   |
|                                                 | min        | max | min      | max               | min     | max               | min              | max              | min      | max              | min        | max               |
| 1 1/2 in (37.5 mm)                              |            |     |          |                   |         |                   |                  |                  |          |                  |            |                   |
| 1 in. (25 mm)                                   |            | 100 |          |                   |         |                   |                  |                  |          |                  |            |                   |
| 3/4 in. (19 mm)                                 | 90         | 100 |          | 100               |         |                   |                  |                  |          |                  |            |                   |
| 1/2 in. (12.5 mm)                               | 75         | 89  | 80       | 100               |         | 100               |                  | 100              |          | 100              |            | 100               |
| 3/8 in. (9.5 mm)                                |            |     |          | 65                | 90      | 100               | 90               | 100              | 90       | 100              |            | 100               |
| #4 (4.75 mm)                                    | 40         | 60  | 20       | 30                | 36      | 50                | 34               | 69               | 60       | 75 <sup>6/</sup> | 90         | 100               |
| #8 (2.36 mm)                                    | 20         | 42  | 16       | 24 <sup>4/</sup>  | 16      | 32 <sup>4/</sup>  | 34 <sup>5/</sup> | 52 <sup>2/</sup> | 45       | 60 <sup>6/</sup> | 70         | 90                |
| #16 (1.18 mm)                                   | 15         | 30  |          |                   |         |                   | 10               | 32               | 25       | 40               | 50         | 65                |
| #30 (600 µm)                                    |            |     | 12       | 16                | 12      | 18                |                  |                  | 15       | 30               |            |                   |
| #50 (300 µm)                                    | 6          | 15  |          |                   |         |                   | 4                | 15               | 8        | 15               | 15         | 30                |
| #100 (150 µm)                                   | 4          | 9   |          |                   |         |                   | 3                | 10               | 6        | 10               | 10         | 18                |
| #200 (75 µm)                                    | 3.0        | 6.0 | 7.0      | 9.0 <sup>3/</sup> | 7.5     | 9.5 <sup>3/</sup> | 4.0              | 6.0              | 4.0      | 6.5              | 7.0        | 9.0 <sup>3/</sup> |
| #635 (20 µm)                                    |            |     | ≤ 3.0    |                   | ≤ 3.0   |                   |                  |                  |          |                  |            |                   |
| Ratio Dust/Asphalt Binder                       |            | 1.0 |          | 1.5               |         | 1.5               |                  | 1.0              |          | 1.0              |            | 1.0               |

1/ Based on percent of total aggregate weight.

2/ The mixture composition shall not exceed 44 percent passing the #8 (2.36 mm) sieve for surface courses with Ndesign = 90.

- 3/ Additional minus No. 200 (0.075 mm) material required by the mix design shall be mineral filler, unless otherwise approved by the Engineer.
- 4/ When establishing the Adjusted Job Mix Formula (AJMF) the percent passing the #8 (2.36 mm) sieve shall not be adjusted above the percentage stated on the table.
- 5/ When establishing the Adjusted Job Mix Formula (AJMF) the percent passing the #8 (2.36 mm) sieve shall not be adjusted below 34 percent.
- 6/ When the mixture is used as a binder, the maximum shall be increased by 0.5 percent passing.”

Revise Article 1030.05(b) of the Standard Specifications to read:

(b) Volumetric Requirements. The target value for the air voids of the HMA shall be 4.0 percent, for IL-4.75 and SMA mixtures it shall be 3.5 percent and for Stabilized Subbase it shall be 3.0 percent at the design number of gyrations. The voids in the mineral aggregate (VMA) and voids filled with asphalt binder (VFA) of the HMA design shall be based on the nominal maximum size of the aggregate in the mix and shall conform to the following requirements.

|                            | Voids in the Mineral Aggregate (VMA),<br>% Minimum for Ndesign |      |      |                                        |      |
|----------------------------|----------------------------------------------------------------|------|------|----------------------------------------|------|
| Mix Design                 | 30                                                             | 50   | 70   | 80                                     | 90   |
| IL-19.0                    |                                                                | 13.5 | 13.5 |                                        | 13.5 |
| IL-9.5                     |                                                                | 15.0 | 15.0 |                                        |      |
| IL-9.5FG                   |                                                                | 15.0 | 15.0 |                                        |      |
| IL-4.75 <sup>1/</sup>      |                                                                | 18.5 |      |                                        |      |
| SMA-12.5 <sup>1/2/5/</sup> |                                                                |      |      | 17.0 <sup>3/</sup> /16.0 <sup>4/</sup> |      |
| SMA-9.5 <sup>1/2/5/</sup>  |                                                                |      |      | 17.0 <sup>3/</sup> /16.0 <sup>4/</sup> |      |
| IL-19.0L                   | 13.5                                                           |      |      |                                        |      |
| IL-9.5L                    | 15.0                                                           |      |      |                                        |      |

- 1/ Maximum draindown shall be 0.3 percent according to Illinois Modified AASHTO T 305.
- 2/ The draindown shall be determined at the JMF asphalt binder content at the mixing temperature plus 30°F.
- 3/ Applies when specific gravity of coarse aggregate is  $\geq 2.760$ .
- 4/ Applies when specific gravity of coarse aggregate is  $< 2.760$ .
- 5/ For surface course, the coarse aggregate can be crushed steel slag, crystalline crushed stone or crushed sandstone. For binder course, coarse

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aggregate shall be crushed stone (dolomite), crushed gravel, crystalline crushed stone, or crushed sandstone”

Revise the last paragraph of Article 1102.01 (a) (5) of the Standard Specifications to read:

“IL-4.75 and Stone Matrix Asphalt (SMA) mixtures which contain aggregate having absorptions greater than or equal to 2.0 percent, or which contain steel slag sand, shall have minimum surge bin storage plus haul time of 1.5 hours.”

Revise the first and second paragraphs of Articles 1030.06(c)(2) of the Standard Specifications to read:

“(2) Personnel. The Contractor shall provide a QC Manager who shall have overall responsibility and authority for quality control. This individual shall maintain active certification as a Hot-Mix Asphalt Level II technician.

In addition to the QC Manager, the Contractor shall provide sufficient personnel to perform the required visual inspections, sampling, testing, and documentation in a timely manner. Mix designs shall be developed by personnel with an active certification as a Hot-Mix Asphalt Level III technician. Technicians performing mix design testing and plant sampling/testing shall maintain active certification as a Hot-Mix Asphalt Level I technician. The Contractor may provide a technician trainee who has successfully completed the Department’s “Hot-Mix Asphalt Trainee Course” to assist in the activities completed by a Hot-Mix Asphalt Level I technician for a period of one year after the course completion date. The Contractor may also provide a Gradation Technician who has successfully completed the Department’s “Gradation Technician Course” to run gradation tests only under the supervision of a Hot-Mix Asphalt Level II Technician. The Contractor shall provide a Hot-Mix Asphalt Density Tester who has successfully completed the Department’s “Nuclear Density Testing” course to run all nuclear density tests on the job site.”

Add Article 1030.06(d)(3) to the Standard Specifications to read:

“(3) The Contractor shall take possession of any Department unused backup or dispute resolution HMA mixture samples or density specimens upon notification by the Engineer. The Contractor shall collect the HMA mixture samples or density specimens from the location designated by the Engineer and may add these materials to RAP stockpiles according to Section 1031.”

Revise the second paragraph of Articles 1030.07(a)(11) and 1030.08(a)(9) of the Standard Specifications to read:

“When establishing the target density, the HMA maximum theoretical specific gravity (Gmm) will be based on the running average of four available Department test results for that project. If less than four Gmm test results are available, an average of all

available Department test results for that project will be used. The initial Gmm will be the last available Department test result from a QMP project. If there is no available Department test result from a QMP project, the Department mix design verification test result will be used as the initial Gmm.”

Revise the Quality Control Limits table in Article 1030.09(c) to read:

| CONTROL LIMITS                      |                                                    |                     |                      |                     |                    |                     |
|-------------------------------------|----------------------------------------------------|---------------------|----------------------|---------------------|--------------------|---------------------|
| Parameter                           | IL-19.0, IL-9.5,<br>IL-9.5FG, IL-19.0L,<br>IL-9.5L |                     | SMA-12.5,<br>SMA-9.5 |                     | IL-4.75            |                     |
|                                     | Individual<br>Test                                 | Moving<br>Avg. of 4 | Individual<br>Test   | Moving<br>Avg. of 4 | Individual<br>Test | Moving<br>Avg. of 4 |
| % Passing <sup>1/</sup>             |                                                    |                     |                      |                     |                    |                     |
| 1/2 in. (12.5 mm)                   | ± 6 %                                              | ± 4 %               | ± 6 %                | ± 4 %               |                    |                     |
| 3/8 in. (9.5mm)                     |                                                    |                     | ± 4 %                | ± 3 %               |                    |                     |
| # 4 (4.75 mm)                       | ± 5 %                                              | ± 4 %               | ± 5 %                | ± 4 %               |                    |                     |
| # 8 (2.36 mm)                       | ± 5 %                                              | ± 3 %               | ± 4 %                | ± 2 %               |                    |                     |
| # 16 (1.18 mm)                      |                                                    |                     | ± 4 %                | ± 2 %               | ± 4 %              | ± 3 %               |
| # 30 (600 µm)                       | ± 4 %                                              | ± 2.5 %             | ± 4 %                | ± 2.5 %             |                    |                     |
| Total Dust Content<br># 200 (75 µm) | ± 1.5 %                                            | ± 1.0 %             |                      |                     | ± 1.5 %            | ± 1.0 %             |
| Asphalt Binder<br>Content           | ± 0.3 %                                            | ± 0.2 %             | ± 0.2 %              | ± 0.1 %             | ± 0.3 %            | ± 0.2 %             |
| Air Voids <sup>2/</sup>             | ± 1.2 %                                            | ± 1.0 %             | ± 1.2 %              | ± 1.0 %             | ± 1.2 %            | ± 1.0 %             |
| Field VMA <sup>3/</sup>             | -0.7 %                                             | -0.5 %              | -0.7 %               | -0.5 %              | -0.7 %             | -0.5 %              |

1/ Based on washed ignition oven or solvent extraction gradation.

2/ The air voids target shall be 3.2 to 4.8 percent.

3/ Allowable limit below minimum design VMA requirement.

Revise Article 1030.09(g)(1) of the Supplemental Specifications with the following:

“(1) The Contractor shall sample approximately 200 lb (91 kg) of mix as required for the Department’s random mixture verification tests according to Article 1030.09(h)(1).”

Revise Article 1030.09(g)(2) of the Standard Specifications to read:

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“(2) The Contractor shall complete split verification sample tests listed in the Limits of Precision table in Article 1030.09(h)(1).”

Revise the second sentence of Article 1030.09(h)(1) of the Supplemental Specifications with the following:

“The random verification mixture sampling interval will be a maximum of 3,000 tons (2,720 metric tons). The Engineer will randomly identify one sample per interval, with a minimum of one sample per mix. If the remaining mix quantity is 600 tons (544 metric tons) or less, the quantity will be combined with the previous interval in the Engineer’s random sample identification. If the required tonnage of a mixture for a single pay item is less than 250 tons (225 metric tons) in total, the Engineer will waive mixture verification sampling and testing.”

Revise the third paragraph of Article 1030.09(h)(1) of the Standard Specifications to read:

“If comparisons of the mixture verification test results are outside the above limits of precision, the Department will verify the results by testing the retained split sample. The retest results will replace all the original results.”

In the Supplemental Specifications, replace the revision for the end of the third paragraph of Article 1030.09(h)(2) with the following:

“When establishing the target density, the HMA maximum theoretical specific gravity (Gmm) will be the Department mix design verification test result.”

Add after third sentence of Article 1030.09(b) to read:

“ If the Contractor and Engineer agree the nuclear density test method is not appropriate for the mixture, cores shall be taken at random locations determined according to the QC/QA document "Determination of Random Density Test Site Locations". Core densities shall be determined using the Illinois Modified AASHTO T 166 or T 275 procedure.”

Revise Table 1 and Note 4/ of Table 1 in Article 406.07(a) of the Standard Specifications to read:

|                                         | Breakdown/Intermediate Roller<br>(one of the following)                  | Final Roller<br>(one or more of the following)                    | Density Requirement                         |
|-----------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------|
| IL-9.5, IL-9.5FG, IL-19.0 <sup>1/</sup> | V <sub>D</sub> , P, T <sub>B</sub> , 3W, O <sub>T</sub> , O <sub>B</sub> | V <sub>S</sub> , T <sub>B</sub> , T <sub>F</sub> , O <sub>T</sub> | As specified in Section 1030                |
| IL-4.75 and SMA <sup>3/ 4/</sup>        | T <sub>B</sub> , 3W, O <sub>T</sub>                                      | T <sub>F</sub> , 3W                                               | As specified in Section 1030                |
| Mixtures on Bridge Decks <sup>2/</sup>  | T <sub>B</sub>                                                           | T <sub>F</sub>                                                    | As specified in Articles 582.05 and 582.06. |

“4/ The Contractor shall provide a minimum of two steel-wheeled tandem rollers (T<sub>B</sub>), and/or three-wheel (3W) rollers for breakdown, except one of the (T<sub>B</sub>) or (3W) rollers shall be 84 inches (2.14 m) wide and a weight of 315 pound per linear inch (PLI) (5.63 kg/mm) and one of the (T<sub>B</sub>) or (3W) rollers can be substituted for an oscillatory roller (O<sub>T</sub>). T<sub>F</sub> rollers shall be a minimum of 280 lb/in. (50 N/mm). The 3W and T<sub>B</sub> rollers shall be operated at a uniform speed not to exceed 3 mph (5 km/h), with the drive roll for T<sub>B</sub> rollers nearest the paver and maintain an effective rolling distance of not more than 150 ft (45 m) behind the paver.”

Add the following after the fourth paragraph of Article 406.13 (b):

“The plan quantities of SMA mixtures shall be adjusted using the actual approved binder and surface Mix Design’s G<sub>mb</sub>.”

Revise first paragraph of Article 1030.10 of the Standard Specifications to read:

“A test strip of 300 ton (275 metric tons), except for SMA mixtures it will be 400 ton (363 metric ton), will be required for each mixture on each contract at the beginning of HMA production for each construction year according to the Manual of Test Procedures for Materials “Hot Mix Asphalt Test Strip Procedures”. At the request of the Producer, the Engineer may waive the test strip if previous construction during the current construction year has demonstrated the constructability of the mix using Department test results.”

Revise fourth paragraph of Article 1030.10 of the Standard Specifications to read:

“When a test strip is constructed, the Contractor shall collect and split the mixture according to the document “Hot-Mix Asphalt Test Strip Procedures”. The Engineer, or a representative, shall deliver split sample to the District Laboratory for verification testing. The Contractor shall complete mixture tests stated in Article 1030.09(a). Mixture sampled shall include enough material for the Department to conduct mixture tests detailed in Article 1030.09(a) and in

the document “Hot-Mix Asphalt Mixture Design Verification Procedure” Section 3.3. The mixture test results shall meet the requirements of Articles 1030.05(b) and 1030.05(d), except Hamburg wheel tests will only be conducted on High ESAL mixtures during production. To be considered acceptable to remain in place, the Department’s mixture test results shall meet the acceptable limits stated in Article 1030.09(i)(1). In addition, no visible pavement distress such as, but not limited to, segregation, excessive coarse aggregate fracturing outside of growth curves, excessive dust balls, or flushing shall be present as determined by the Engineer.”

**HOT-MIX ASPHALT – MIXTURE DESIGN VERIFICATION AND PRODUCTION (D1)**

Effective: January 1, 2019

Revised: January 1, 2026

Add to Article 1030.05 (d)(3) of the Standard Specifications to read:

“ During mixture design, prepared samples shall be submitted to the District laboratory by the Contractor for verification testing. The required testing, number and size of prepared samples submitted, shall be according to the following tables.

| High ESAL – Required Samples for Verification Testing |                                                  |
|-------------------------------------------------------|--------------------------------------------------|
| Mixture                                               | Hamburg Wheel and I-FIT Testing <sup>1/ 2/</sup> |
| Binder                                                | total of 3 - 160 mm tall bricks                  |
| Surface                                               | total of 4 - 160 mm tall bricks                  |

| Low ESAL – Required Samples for Verification Testing |                                |
|------------------------------------------------------|--------------------------------|
| Mixture                                              | I-FIT Testing <sup>1/ 2/</sup> |
| Binder                                               | 1 - 160 mm tall brick          |
| Surface                                              | 2 - 160 mm tall bricks         |

1/ The compacted gyratory bricks for Hamburg wheel and I-FIT testing shall be  $7.5 \pm 0.5$  percent air voids.

2/ If the Contractor does not possess the equipment to prepare the 160 mm tall brick(s), twice as many 115 mm tall compacted gyratory bricks will be acceptable.

In the Supplemental Specifications, replace the addition of the paragraph between the third and fourth paragraphs of Article 1030.10 with the following:

“When a test strip is not required, each HMA mixture shall still be sampled on the first day of production: I-FIT and Hamburg wheel testing for High ESAL; I-FIT testing for Low ESAL. Within two working days after sampling the mixture, the Contractor shall deliver gyratory cylinders to the District laboratory for Department verification testing. The High ESAL mixture test results shall meet the requirements of Articles 1030.05(d)(3) and 1030.05(d)(4). The Low ESAL mixture test results shall meet the requirements of Article 1030.05(d)(4). The required number and size of prepared samples submitted for the Hamburg wheel and I-FIT testing shall be according to the “High ESAL - Required Samples for Verification Testing” table in Article 1030.05(d)(3) above.”

Replace the eleventh paragraph of Article 1030.10 of the Standard Specifications with the following:

“If an initial Hamburg wheel or I-FIT test fails to meet the requirements of Article 1030.05(d), the Department will verify the results by testing the retained gyratory cylinders. Upon notification by the Engineer of a Hamburg wheel or I-FIT test failure on the retained gyratory cylinders, the Contractor shall substitute an approved mix design, submit a new mix design for mix verification testing according to Article 1030.05(d), or pave 250 tons with or without an adjustment and resample for Department Hamburg wheel and I-FIT testing as directed by the Engineer. Paving may continue as long as all other mixture criteria is being met. If Hamburg wheel or I-FIT tests on the resampled HMA fail, production of the affected mixture shall cease and the Contractor shall substitute an approved mix design or submit a new mix design for mix verification testing according to Article 1030.05(d).”

Add the following to the end of Article 1030.10 of the Standard Specifications to read:

“Mixture sampled during first day of production shall include approximately 60 lb (27 kg) of additional material for the Department to conduct Hamburg wheel testing and approximately 80 lb (36 kg) of additional material for the Department to conduct I-FIT testing. Within two working days after sampling, the Contractor shall deliver prepared samples to the District laboratory for verification testing. The required number and size of prepared samples submitted for the Hamburg wheel and I-FIT testing shall be according to the “High ESAL - Required Samples for Verification Testing” table in Article 1030.05(d)(3) above.”

#### **FRICTION AGGREGATE (D-1)**

Effective: January 1, 2011

Revised: December 1, 2021

Revise Article 1004.03(a) of the Standard Specifications to read:

**“1004.03 Coarse Aggregate for Hot-Mix Asphalt (HMA).** The aggregate shall be according to Article 1004.01 and the following.

(a) Description. The coarse aggregate for HMA shall be according to the following table.

| Use                          | Mixture                                            | Aggregates Allowed                                                                                                                                                                                                                             |
|------------------------------|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Class A                      | Seal or Cover                                      | <u>Allowed Alone or in Combination</u> <sup>5/</sup> :<br>Gravel<br>Crushed Gravel<br>Carbonate Crushed Stone<br>Crystalline Crushed Stone<br>Crushed Sandstone<br>Crushed Slag (ACBF)<br>Crushed Steel Slag<br>Crushed Concrete               |
| HMA<br>Low ESAL              | Stabilized Subbase<br>or Shoulders                 | <u>Allowed Alone or in Combination</u> <sup>5/</sup> :<br>Gravel<br>Crushed Gravel<br>Carbonate Crushed Stone<br>Crystalline Crushed Stone<br>Crushed Sandstone<br>Crushed Slag (ACBF)<br>Crushed Steel Slag <sup>1/</sup><br>Crushed Concrete |
| HMA<br>High ESAL<br>Low ESAL | Binder<br>IL-19.0<br>or IL-19.0L<br><br>SMA Binder | <u>Allowed Alone or in Combination</u> <sup>5/ 6/</sup> :<br>Crushed Gravel<br>Carbonate Crushed Stone <sup>2/</sup><br>Crystalline Crushed Stone<br>Crushed Sandstone<br>Crushed Slag (ACBF)<br>Crushed Concrete <sup>3/</sup>                |

| Use                          | Mixture                                                  | Aggregates Allowed                                                                                                                                                                                                                                                   |                                             |
|------------------------------|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| HMA<br>High ESAL<br>Low ESAL | C Surface and Binder<br>IL-9.5<br>IL-9.5FG<br>or IL-9.5L | <u>Allowed Alone or in Combination</u> <sup>5/</sup> :<br><br>Crushed Gravel<br>Carbonate Crushed Stone <sup>2/</sup><br>Crystalline Crushed Stone<br>Crushed Sandstone<br>Crushed Slag (ACBF)<br>Crushed Steel Slag <sup>4/</sup><br>Crushed Concrete <sup>3/</sup> |                                             |
| HMA<br>High ESAL             | D Surface and Binder<br>IL-9.5<br>or IL-9.5FG            | <u>Allowed Alone or in Combination</u> <sup>5/</sup> :<br><br>Crushed Gravel<br>Carbonate Crushed Stone (other than Limestone) <sup>2/</sup><br>Crystalline Crushed Stone<br>Crushed Sandstone<br>Crushed Slag (ACBF)<br>Crushed Steel Slag <sup>4/</sup>            |                                             |
|                              |                                                          | <u>Other Combinations Allowed:</u>                                                                                                                                                                                                                                   |                                             |
|                              |                                                          | <i>Up to...</i>                                                                                                                                                                                                                                                      | <i>With...</i>                              |
|                              |                                                          | 25% Limestone                                                                                                                                                                                                                                                        | Dolomite                                    |
|                              |                                                          | 50% Limestone                                                                                                                                                                                                                                                        | Any Mixture D aggregate other than Dolomite |
|                              |                                                          | 75% Limestone                                                                                                                                                                                                                                                        | Crushed Slag (ACBF) or Crushed Sandstone    |
| HMA<br>High ESAL             | E Surface<br>IL-9.5<br><br>SMA<br>Ndesign 80<br>Surface  | <u>Allowed Alone or in Combination</u> <sup>5/ 6/</sup> :<br><br>Crushed Gravel<br>Crystalline Crushed Stone<br>Crushed Sandstone<br>Crushed Slag (ACBF)<br>Crushed Steel Slag<br><br>No Limestone.                                                                  |                                             |

| Use              | Mixture                                                 | Aggregates Allowed                                                                                           |                                                                                          |
|------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|                  |                                                         | <u>Other Combinations Allowed:</u>                                                                           |                                                                                          |
|                  |                                                         | <i>Up to...</i>                                                                                              | <i>With...</i>                                                                           |
|                  |                                                         | 50% Dolomite <sup>2/</sup>                                                                                   | Any Mixture E aggregate                                                                  |
|                  |                                                         | 75% Dolomite <sup>2/</sup>                                                                                   | Crushed Sandstone, Crushed Slag (ACBF), Crushed Steel Slag, or Crystalline Crushed Stone |
|                  |                                                         | 75% Crushed Gravel <sup>2/</sup>                                                                             | Crushed Sandstone, Crystalline Crushed Stone, Crushed Slag (ACBF), or Crushed Steel Slag |
| HMA<br>High ESAL | F Surface<br>IL-9.5<br><br>SMA<br>Ndesign 80<br>Surface | <u>Allowed Alone or in Combination</u> <sup>5/ 6/</sup> :                                                    |                                                                                          |
|                  |                                                         | Crystalline Crushed Stone<br>Crushed Sandstone<br>Crushed Slag (ACBF)<br>Crushed Steel Slag<br>No Limestone. |                                                                                          |
|                  |                                                         | <u>Other Combinations Allowed:</u>                                                                           |                                                                                          |
|                  |                                                         | <i>Up to...</i>                                                                                              | <i>With...</i>                                                                           |
|                  |                                                         | 50% Crushed Gravel <sup>2/</sup> or Dolomite <sup>2/</sup>                                                   | Crushed Sandstone, Crushed Slag (ACBF), Crushed Steel Slag, or Crystalline Crushed Stone |

- 1/ Crushed steel slag allowed in shoulder surface only.  
2/ Carbonate crushed stone (limestone) and/or crushed gravel shall not be used in SMA Ndesign 80.  
3/ Crushed concrete will not be permitted in SMA mixes.  
4/ Crushed steel slag shall not be used as binder.

- 5/ When combinations of aggregates are used, the blend percent measurements shall be by volume."
- 6/ Combining different types of aggregate will not be permitted in SMA Ndesign 80.

**MINERALIZED CARBON DIOXIDE CONCRETE (D-1)**

Effective: January 1, 2026

Description. This work shall consist of the proportioning, mixing, placement, curing, and evaluation testing of portland cement concrete that utilizes an admixture which promotes carbon dioxide (CO<sub>2</sub>) mineralization or an equivalent effect at the Contractor's option.

Materials. Materials shall be according to the following.

| <u>Item</u>                           | <u>Article/Section</u> |
|---------------------------------------|------------------------|
| (a) Portland Cement Concrete (Note 1) | 1020                   |
| (b) Concrete Admixtures (Note 2)      | 1021                   |

Note 1: Concrete shall meet the requirements of Class SI concrete used for the construction of curb and gutter, driveways, sidewalks and other applications as allowed by the Engineer. However, the mix design cement content shall be reduced by 3 to 6 % and an admixture which promotes CO<sub>2</sub> mineralization, or an equivalent effect shall utilized.

Note 2: The admixture which promotes CO<sub>2</sub> mineralization, or an equivalent effect shall be food grade quality from a nearby supplier. In addition, it shall, at a minimum, be according to AASHTO M 194 , Type S (specific performance). The Department also reserves the right to require other testing, as determined by the Engineer, to show evidence of specific performance characteristics. Testing according to AASHTO M 194 and other testing if required by the Engineer shall be by an independent laboratory accredited by AASHTO re:source for Portland Cement Concrete. Test data required to be submitted to AASHTO Product Eval and Audit according to Article 1021.01 and other testing data, if required by the Engineer, shall be submitted to the Department. The independent accredited lab report shall show the results of physical tests conducted no more than five years prior to the time of submittal.

Mix Design Verification and Evaluation. The mineralized CO<sub>2</sub> concrete mix design will be verified by the Engineer. Verification of a mix design shall in no manner be construed as acceptance of any mixture produced.

Village of Lake in the Hills  
Crystal Lake Road (FAU 4038)  
23-00045-00-RS  
McHenry County  
Contract 61M88

Equipment. Equipment shall be according to applicable portions of Sections 420, 424, 483, and 606; except special equipment needed for production of mineralized CO<sub>2</sub> concrete shall be approved by the Engineer.

Construction Requirements. Construction requirements shall be according to applicable portions of Sections 420, 424, 483, and 606.

The placement locations for the mineralized CO<sub>2</sub> concrete shall be according to the plans or as directed by the Engineer.

The same mixture proportions shall be used for the entire project, unless otherwise stated in the project documents. If during the project there is a change in the type or source of the cement, finely divided minerals, aggregates, or CO<sub>2</sub> mineralization admixture; the mixing shall be suspended, and a new mix design shall be developed, and re-verified.

The cost of this work shall be included in the contract unit price of the PCC pay item involved.

State of Illinois  
Department of Transportation  
Bureau of Local Roads and Streets

SPECIAL PROVISION  
FOR  
INSURANCE

Effective: February 1, 2007  
Revised: August 1, 2007

All references to Sections or Articles in this specification shall be construed to mean specific Section or Article of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation.

The Contractor shall name the following entities as additional insured under the Contractor's general liability insurance policy in accordance with Article 107.27:

Village of Lake in the Hills

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The entities listed above and their officers, employees, and agents shall be indemnified and held harmless in accordance with Article 107.26.

State of Illinois  
DEPARTMENT OF TRANSPORTATION  
Bureau of Local Roads & Streets  
SPECIAL PROVISION  
FOR  
LOCAL QUALITY ASSURANCE/ QUALITY MANAGEMENT QC/QA  
Effective: January 1, 2022

Replace the first five paragraphs of Article 1030.06 of the Standard Specifications with the following:

**“1030.06 Quality Management Program.** The Quality Management Program (QMP) will be Quality Control / Quality Assurance (QC/QA) according to the following.”

Delete Article 1030.06(d)(1) of the Standard Specifications.

Revise Article 1030.09(g)(3) of the Standard Specifications to read:

“(3) If core testing is the density verification method, the Contractor shall provide personnel and equipment to collect density verification cores for the Engineer. Core locations will be determined by the Engineer following the document “Hot-Mix Asphalt QC/QA Procedure for Determining Random Density Locations” at density verification intervals defined in Article 1030.09(b). After the Engineer identifies a density verification location and prior to opening to traffic, the Contractor shall cut a 4 in. (100 mm) diameter core. With the approval of the Engineer, the cores may be cut at a later time.”

Revise Article 1030.09(h)(2) of the Standard Specifications to read:

“(2) After final rolling and prior to paving subsequent lifts, the Engineer will identify the random density verification test locations. Cores or nuclear density gauge testing will be used for density verification. The method used for density verification will be as selected below.

| Density Verification Method         |                                                                         |
|-------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/>            | Cores                                                                   |
| <input checked="" type="checkbox"/> | Nuclear Density Gauge (Correlated when paving ≥ 3,000 tons per mixture) |

Density verification test locations will be determined according to the document “Hot-Mix Asphalt QC/QA Procedure for Determining Random Density Locations”. The density testing interval for paving wider than or equal to 3 ft (1 m) will be 0.5 miles (800 m) for lift thicknesses of 3 in. (75 mm) or less and 0.2 miles (320 m) for lift thicknesses greater than 3 in. (75 mm). The density testing interval for paving less than 3 ft (1 m) wide will be 1 mile (1,600 m). If a day’s paving will be less than the prescribed density testing interval, the length of the day’s paving will be the interval for that day. The density testing interval for mixtures used for patching will be 50 patches with a minimum of one test per mixture per project.

If core testing is the density verification method, the Engineer will witness the Contractor coring, and secure and take possession of all density samples at the

density verification locations. The Engineer will test the cores collected by the Contractor for density according to Illinois Modified AASHTO T 166 or AASHTO T 275.

If nuclear density gauge testing is the density verification method, the Engineer will conduct nuclear density gauge tests. The Engineer will follow the density testing procedure detailed in the document "Illinois Modified ASTM D 2950, Standard Test Method for Density of Bituminous Concrete In-Place by Nuclear Method".

A density verification test will be the result of a single core or the average of the nuclear density tests at one location. The results of each density test must be within acceptable limits. The Engineer will promptly notify the Contractor of observed deficiencies."

Revise the seventh paragraph and all subsequent paragraphs in Section D. of the document "Hot-Mix Asphalt QC/QA Initial Daily Plant and Random Samples" to read:

"Mixtures shall be sampled from the truck at the plant by the Contractor following the same procedure used to collect QC mixture samples (Section A). This process will be witnessed by the Engineer who will take custody of the verification sample. Each sample bag with a verification mixture sample will be secured by the Engineer using a locking ID tag. Sample boxes containing the verification mixture sample will be sealed/taped by the Engineer using a security ID label."

## AGGREGATE SUBGRADE IMPROVEMENT (BDE)

Effective: April 1, 2012

Revised: April 1, 2022

Add the following Section to the Standard Specifications:

### “SECTION 303. AGGREGATE SUBGRADE IMPROVEMENT

**303.01 Description.** This work shall consist of constructing an aggregate subgrade improvement (ASI).

**303.02 Materials.** Materials shall be according to the following.

| Item                                       | Article/Section |
|--------------------------------------------|-----------------|
| (a) Coarse Aggregate .....                 | 1004.07         |
| (b) Reclaimed Asphalt Pavement (RAP) ..... | 1031.09         |

**303.03 Equipment.** The vibratory roller shall be according to Article 1101.01, or as approved by the Engineer. Vibratory machines, such as tampers, shall be used in areas where rollers do not fit.

**303.04 Soil Preparation.** The minimum immediate bearing value (IBV) of the soil below the improved subgrade shall be according to the Department’s “Subgrade Stability Manual” for the aggregate thickness specified.

**303.05 Placing and Compacting.** The maximum nominal lift thickness of aggregate gradations CA 2, CA 6, and CA 10 when compacted shall be 9 in. (225 mm). The maximum nominal lift thickness of aggregate gradations CS 1, CS 2, and RR 1 when compacted shall be 24 in. (600 mm).

The top surface of the aggregate subgrade improvement shall consist of a layer of capping aggregate gradations CA 6 or CA 10 that is 3 in. (75 mm) thick after compaction. Capping aggregate will not be required when aggregate subgrade improvement is used as a cubic yard pay item for undercut applications.

Each lift of aggregate shall be compacted to the satisfaction of the Engineer. If the moisture content of the material is such that compaction cannot be obtained, sufficient water shall be added so that satisfactory compaction can be obtained.

**303.06 Finishing and Maintenance.** The aggregate subgrade improvement shall be finished to the lines, grades, and cross sections shown on the plans, or as directed by the Engineer. The aggregate subgrade improvement shall be maintained in a smooth and compacted condition.

**303.07 Method of Measurement.** This work will be measured for payment according to Article 311.08.

**303.08 Basis of Payment.** This work will be paid for at the contract unit price per cubic yard (cubic meter) or ton (metric ton) for AGGREGATE SUBGRADE IMPROVEMENT or at the contract unit price per square yard (square meter) for AGGREGATE SUBGRADE IMPROVEMENT, of the thickness specified.”

Add the following to Section 1004 of the Standard Specifications:

**“1004.07 Coarse Aggregate for Aggregate Subgrade Improvement (ASI).** The aggregate shall be according to Article 1004.01 and the following.

(a) Description. The coarse aggregate shall be crushed gravel, crushed stone, or crushed concrete. In applications where greater than 24 in. (600 mm) of ASI material is required, gravel may be used below the top 12 in (300 mm) of ASI.

(b) Quality. The coarse aggregate shall consist of sound durable particles reasonably free of deleterious materials.

(c) Gradation.

(1) The coarse aggregate gradation for total ASI thickness less than or equal to 12 in. (300 mm) shall be CA 2, CA 6, CA 10, or CS 1.

The coarse aggregate gradation for total ASI thickness greater than 12 in. (300 mm) shall be CS 1 or CS 2 as shown below or RR 1 according to Article 1005.01(c).

|          | COARSE AGGREGATE SUBGRADE GRADATIONS |        |         |         |         |
|----------|--------------------------------------|--------|---------|---------|---------|
| Grad No. | Sieve Size and Percent Passing       |        |         |         |         |
|          | 8”                                   | 6”     | 4”      | 2”      | #4      |
| CS 1     | 100                                  | 97 ± 3 | 90 ± 10 | 45 ± 25 | 20 ± 20 |
| CS 2     |                                      | 100    | 80 ± 10 | 25 ± 15 |         |

|          | COARSE AGGREGATE SUBGRADE GRADATIONS (Metric) |        |         |         |         |
|----------|-----------------------------------------------|--------|---------|---------|---------|
| Grad No. | Sieve Size and Percent Passing                |        |         |         |         |
|          | 200 mm                                        | 150 mm | 100 mm  | 50 mm   | 4.75 mm |
| CS 1     | 100                                           | 97 ± 3 | 90 ± 10 | 45 ± 25 | 20 ± 20 |
| CS 2     |                                               | 100    | 80 ± 10 | 25 ± 15 |         |

(2) Capping aggregate shall be gradation CA 6 or CA 10.”

Add the following to Article 1031.09 of the Standard Specifications:

“(b) RAP in Aggregate Subgrade Improvement (ASI). RAP in ASI shall be according to Articles 1031.01(a), 1031.02(a), 1031.06(a)(1), and 1031.06(a)(2), and the following.

- (1) The testing requirements of Article 1031.03 shall not apply.
- (2) Crushed RAP used for the lower lift may be mechanically blended with aggregate gradations CS 1, CS 2, and RR 1 but it shall be no greater than 40 percent of the total product volume. RAP agglomerations shall be no greater than 4 in. (100 mm).
- (3) For capping aggregate, well graded RAP having 100 percent passing the 1 1/2 in. (38 mm) sieve may be used when aggregate gradations CS 1, CS 2, CA 2, or RR 1 are used in the lower lift. FRAP will not be permitted as capping material.

Blending shall be through calibrated interlocked feeders or a calibrated blending plant such that the prescribed blending percentage is maintained throughout the blending process. The calibration shall have an accuracy of  $\pm 2.0$  percent of the actual quantity of material delivered.”

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## CEMENT, FINELY DIVIDED MINERALS, ADMIXTURES, CONCRETE, AND MORTAR (BDE)

Effective: January 1, 2025

Revised: January 1, 2026

Revise the first paragraph of Article 285.05 of the Standard Specifications to read:

**“285.05 Fabric Formed Concrete Revetment Mat.** The grout shall consist of a mixture of cement, fine aggregate, and water so proportioned and mixed as to provide a pumpable slurry. Fly ash or ground granulated blast furnace (GGBF) slag, and concrete admixtures may be used at the option of the Contractor. The grout shall have an air content of not less than 6.0 percent nor more than 9.0 percent of the volume of the grout. The mix shall obtain a compressive strength of 2500 psi (17,000 kPa) at 28 days according to Article 1020.09.”

Revise Article 302.02 of the Standard Specifications to read:

**“302.02 Materials.** Materials shall be according to the following.

| Item                                          | Article/Section |
|-----------------------------------------------|-----------------|
| (a) Cement .....                              | 1001            |
| (b) Water .....                               | 1002            |
| (c) Hydrated Lime .....                       | 1012.01         |
| (d) By-Product, Hydrated Lime .....           | 1012.02         |
| (e) By-Product, Non-Hydrated Lime .....       | 1012.03         |
| (f) Lime Slurry .....                         | 1012.04         |
| (g) Fly Ash .....                             | 1010            |
| (h) Soil for Soil Modification (Note 1) ..... | 1009.01         |
| (i) Bituminous Materials (Note 2) .....       | 1032            |

Note 1. This soil requirement only applies when modifying with lime (slurry or dry).

Note 2. The bituminous materials used for curing shall be emulsified asphalt RS-2, CRS-2, HFE 90, or HFE 150; rapid curing liquid asphalt RC-70; or medium curing liquid asphalt MC-70 or MC-250.”

Revise Article 312.07(c) of the Standard Specifications to read:

“(c) Cement ..... 1001”

Add Article 312.07(i) of the Standard Specifications to read:

“(i) Ground Granulated Blast Furnace (GGBF) Slag ..... 1010”

Revise the first paragraph of Article 312.09 of the Standard Specifications to read:

**“312.09 Proportioning and Mix Design.** At least 60 days prior to start of placing CAM II, the Contractor shall submit samples of materials to be used in the work for proportioning and testing. The mixture shall contain a minimum of 200 lb (120 kg) of cement per cubic yard (cubic meter). Cement may be replaced with fly ash or ground granulated blast furnace (GGBF) slag according to Article 1020.05(c)(1) or 1020.05(c)(2), respectively, however the minimum cement content in the mixture shall be 170 lbs/cu yd (101 kg/cu m). Blends of coarse and fine aggregates will be permitted, provided the volume of fine aggregate does not exceed the volume of coarse aggregate. The Engineer will determine the proportions of materials for the mixture according to the “Portland Cement Concrete Level III Technician Course” manual. However, the Contractor may substitute their own mix design. Article 1020.05(a) shall apply, and a Level III PCC Technician shall develop the mix design.”

Revise Article 352.02 of the Standard Specifications to read:

**“352.02 Materials.** Materials shall be according to the following.

| Item                                       | Article/Section |
|--------------------------------------------|-----------------|
| (a) Cement (Note 1) .....                  | 1001            |
| (b) Soil for Soil-Cement Base Course ..... | 1009.03         |
| (c) Water .....                            | 1002            |
| (d) Bituminous Materials (Note 2) .....    | 1032            |

Note 1. Bulk cement may be used for the traveling mixing plant method if the equipment for handling, weighing, and spreading the cement is approved by the Engineer.

Note 2. The bituminous materials used for curing shall be emulsified asphalt RS-2, CRS-2, HFE 90, or HFE 150; rapid curing liquid asphalt RC-70; or medium curing liquid asphalt MC-70 or MC-250.”

Revise Article 404.02 of the Standard Specifications to read:

**“404.02 Materials.** Materials shall be according to the following.

| Item                                            | Article/Section |
|-------------------------------------------------|-----------------|
| (a) Cement .....                                | 1001            |
| (b) Water .....                                 | 1002            |
| (c) Fine Aggregate .....                        | 1003.08         |
| (d) Bituminous Material (Tack Coat) .....       | 1032.06         |
| (e) Emulsified Asphalts (Note 1) (Note 2) ..... | 1032.06         |
| (f) Fiber Modified Joint Sealer .....           | 1050.05         |
| (g) Additives (Note 3)                          |                 |

Note 1. When used for slurry seal, the emulsified asphalt shall be CQS-1h according to Article 1032.06(b).

Note 2. When used for micro-surfacing, the emulsified asphalt shall be CQS-1hP according to Article 1032.06(e).

Note 3. Additives may be added to the emulsion mix or any of the component materials to provide the control of the quick-traffic properties. They shall be included as part of the mix design and be compatible with the other components of the mix.

Revise the last sentence of the fourth paragraph of Article 404.08 of the Standard Specifications to read:

“When approved by the Engineer, the sealant may be dusted with fine sand, cement, or mineral filler to prevent tracking.”

Revise Note 2 of Article 516.02 of the Standard Specifications to read:

“Note 2. The sand-cement grout mix shall be according to Section 1020 and shall be a 1:1 blend of sand and cement comprised of a Type I, IL, or II cement at 185 lb/cu yd (110 kg/cu m). The maximum water cement ratio shall be sufficient to provide a flowable mixture with a typical slump of 10 in. (250 mm).”

Revise Note 2 of Article 543.02 of the Standard Specifications to read:

“Note 2. The grout mixture shall be 6.50 hundredweight/cu yd (385 kg/cu m) of cement plus fine aggregate and water. Fly ash or ground granulated blast furnace (GGBF) slag may replace a maximum of 5.25 hundredweight/cu yd (310 kg/cu m) of the cement. The water/cement ratio, according to Article 1020.06, shall not exceed 0.60. An air-entraining admixture shall be used to produce an air content, according to Article 1020.08, of not less than 6.0 percent nor more than 9.0 percent of the volume of the grout. The Contractor shall have the option to use a water-reducing or high range water-reducing admixture.”

Revise Article 583.01 of the Standard Specifications to read:

“**583.01 Description.** This work shall consist of placing cement mortar along precast, prestressed concrete bridge deck beams as required for fairing out any unevenness between adjacent deck beams prior to placing of waterproofing membrane and surfacing.”

Revise Article 583.02(a) of the Standard Specifications to read:

“(a) Cement ..... 1001”

Revise the first paragraph of Article 583.03 of the Standard Specifications to read:

“**583.03 General.** This work shall only be performed when the air temperature is 45 °F (7 °C) and rising. The mixture for cement mortar shall consist of three parts sand to one part cement by volume. The amount of water shall be no more than that necessary to produce a workable, plastic mortar.”

Revise Article 606.02(h) of the Standard Specifications to read:

“(h) Fibers (Note 1) .....1014”

Revise Note 1 in Article 606.02(h) of the Standard Specifications to read:

“Note 1. Fibers, when required, shall only be used in the concrete mixture for slipform applications.”

Revise the third paragraph in Article 606.10 of the Standard Specifications to read:

“Welded wire fabric shall be 6 x 6 in. (150 x 150 mm) mesh, #4 gauge (5.74 mm), 58 lb (26 kg) per 100 sq ft (9 sq m).”

Revise Article 1001.01(d) of the Standard Specifications to read:

“(d) Rapid Hardening Cement. Rapid hardening cement shall be according to the Bureau of Materials Policy Memorandum “Portland or Blended Cement Acceptance Procedure for Qualified and Non-Qualified Plants”, and ASTM C 1600, Type URH, Type VRH, or Type RH-CAC. It shall be used according to Article 1020.04 or when approved by the Engineer. The Contractor shall submit a report from the manufacturer or an independent lab that contains results for testing according to ASTM C 1600 which shows the cement meets the requirements of either Type URH, Type VRH, or Type RH-CAC. Test data shall be less than 1 year old from the date of submittal.

Revise Article 1001.01(e) of the Standard Specifications to read:

“(e) Other Cements. Other cements shall be according to the Bureau of Materials Policy Memorandum “Portland or Blended Cement Acceptance Procedure for Qualified and Non-Qualified Plants”, and ASTM C 1157 or ASTM C 1600, as applicable. Other cements shall be used according to Article 1020.04 or when approved by the Engineer. For cements according to ASTM C 1157, the Contractor shall submit a report from the manufacturer or an independent lab that contains results of tests which shows the cement meets the requirements Type GU, HE, MS, MH, or LH. For cements according to ASTM C 1600, the Contractor shall submit a report from the manufacturer or an independent lab that contains results of tests which shows the cement meets the requirements Type MRH or GRH. Test data shall be less than 1 year old from the date of submittal.”

Revise Article 1002.02 of the Standard Specifications to read:

“**1002.02 Quality.** Water used with cement in concrete or mortar and water used for curing concrete shall be clean, clear, and free from sugar. In addition, water shall be tested and evaluated for acceptance according to one of the following options.

OPTION 1.

(a) Acceptable limits for acidity and alkalinity when tested according to ITP T 26.

(1) Acidity -- 0.1 Normal NaOH ..... 2 ml max.\*

(2) Alkalinity -- 0.1 Normal HCl..... 10 ml max.\*

\*To neutralize 200 ml sample.

(b) Acceptable limits for solids when tested according to the following.

(1) Organic (ITP T 26)..... 0.02% max.

(2) Inorganic (ITP T 26)..... 0.30% max.

(3) Sulfate (SO<sub>4</sub>) (ASTM D 516-82) ..... 0.05% max.

(4) Chloride (ASTM D 512) ..... 0.06% max.

(c) The following tests shall be performed on the water sample and on deionized water. The same cement and sand shall be used for both tests.

(1) Unsoundness (ASTM C 151).

(2) Initial and Final Set Time (ASTM C 266).

(3) Strength (ASTM C 109).

The test results for the water sample shall not deviate from the test results for the deionized water, except as allowed by the precision in the test method.

OPTION 2. Water shall meet the requirements ASTM C 1602 Tables 1 and 2 as outlined in Sections 5.1, 5.2, and 5.4."

Revise Note 2/ in Article 1003.01(b) of the Standard Specifications to read:

"2/ Applies only to sand. Sand exceeding the colorimetric test standard of 11 (Illinois Modified AASHTO T 21) will be checked for mortar making properties according to Illinois Modified ASTM C 87 and shall develop a compressive strength at the age of 14 days when using Type I, IL, or II cement of not less than 95 percent of the comparable standard.

Revise the second sentence of Article 1003.02(e)(1) of the Standard Specifications to read:

"The test will be performed with Type I, IL, or II portland cement having a total equivalent alkali content (Na<sub>2</sub>O + 0.658K<sub>2</sub>O) of 0.90 percent or greater."

Revise the first sentence of the second paragraph of Article 1003.02(e)(3) of the Standard Specifications to read:

"The ASTM C 1293 test shall be performed with Type I, IL, or II portland cement having a total equivalent alkali content (Na<sub>2</sub>O + 0.658K<sub>2</sub>O) of 0.80 percent or greater."

Revise the second sentence of Article 1004.02(g)(1) of the Standard Specifications to read:

“The test will be performed with Type I, IL, or II portland cement having a total equivalent alkali content ( $\text{Na}_2\text{O} + 0.658\text{K}_2\text{O}$ ) of 0.90 percent or greater.”

Add the following Section to the Standard Specifications.

#### **“SECTION 1014. FIBERS FOR CONCRETE**

**1014.01 General.** Fibers used in concrete shall be Type II or Type III (polyolefin or carbon) according to ASTM C 1116. The testing required for Type II fibers or Type III polyolefin fibers shall be performed by an independent lab a minimum of once every five years, and the test results provided to the Department. Manufacturers of Type III carbon fibers shall provide materials certification documentation not more than 6 years old a minimum of once every 5 years to the Department. The Department will maintain a qualified product list. The method of inclusion of fibers into concrete mixtures shall be according to the manufacturer’s specifications.

At the discretion of the Engineer, the concrete mixture shall be evaluated in a field demonstration for fiber clumping, ease of placement, and ease of finishing. The field demonstration shall consist of a minimum 2 cu yd (1.5 cu m) trial batch placed in a 12 ft x 12 ft (3.6 m x 3.6 m) slab.

**1014.02 Concrete Gutter, Curb, Median and Paved Ditch.** Fibers shall be Type III. Fibers shall have a minimum length of 1/2 in. (13 mm) and a maximum length of 0.75 in. (19 mm). The maximum dosage rate in the concrete mixture shall not exceed 1.5 lb/cu yd (0.9 kg/cu m). The minimum dosage rate shall be per the manufacturer’s recommendation.

**1014.03 Concrete Inlay or Overlay.** Fibers shall be Type III. Fibers shall have a minimum length of 1.0 in. (25 mm), a maximum length of 2 1/2 in. (63 mm), and a maximum aspect ratio (length divided by the equivalent diameter of the fiber) of 150. The maximum dosage rate shall not exceed 5.0 lb/cu yd (3.0 kg/cu m). The minimum dosage rate shall be per the manufacturer’s recommendation.

**1014.04 Bridge Deck Fly Ash, Ground Granulated Blast Furnace (GGBF) Slag, High Reactivity Metakaolin, or Microsilica (Silica Fume) Concrete Overlay.** Fibers shall be Type III. The dosage rate shall be a minimum of 3.0 lb/cu yd (1.8 kg/cu m), unless a field demonstration according to Article 1014.01 indicates that a lower dosage rate is necessary. Based on the results of the field demonstration, the Department has the option to reduce the dosage rate of fibers, but the dosage will not be reduced to less than 2.0 lb / cu yd (1.2 kg/cu m).

**1014.05 Bridge Deck Latex Concrete Overlay.** Fibers shall be Type II or III. Fibers shall have a minimum length of 0.75 in. (19 mm), a maximum length of 1.75 in. (45 mm), and an aspect ratio (length divided by the equivalent diameter of the fiber) of between 70 and 100. The dosage rate shall be a minimum of 3.0 lb/cu yd (1.8 kg/cu m), unless a field demonstration according to Article 1014.01 indicates that a lower dosage rate is necessary. Based on the results of the field

demonstration, the Department has the option to reduce the dosage rate of fibers, but the dosage will not be reduced to less than 2.0 lb/cu yd (1.2 kg/cu m)."

Add the following Section to the Standard Specifications:

#### **"SECTION 1015. HIGH PERFORMANCE SHOTCRETE**

**1015.01 Packaged Shotcrete With Aggregate.** The packaged shotcrete with aggregate shall be a pre-blended dry combination of materials for the wet-mix shotcrete method according to ASTM C 1480, Type FA or CA, Grade FR, Class I. The fibers shall be Type III according to Article 1014.01. The cement and finely divided minerals in the mixture shall be a minimum 6.65 cwt/cu yd (395 kg/cu m), and the portland cement shall not be below 4.70 cwt/cu yd (279 kg/cu m). Microsilica is required in the mixture and shall be a minimum of 5 percent by weight (mass) of cementitious material, and a maximum of 10 percent. Strength requirements shall be according to ASTM C 1480 except that the strength at 28 days shall be at least 4000 psi (27,500 kPa). Strength testing shall be according to ASTM C 1140. The air content as shot shall be 4.0 – 8.0 percent when tested according to AASHTO T 152, and the coarse aggregate shall be a maximum size of 1/2 in. (12.5 mm).

The packaged shotcrete shall have a water soluble chloride ion content of less than 0.15% by weight of cementitious material when tested according to ASTM C 1218 or AASHTO T 260.

The testing according to ASTM C 1480, ASTM C 1140, AASHTO 152, and ASTM C 1218 or AASHTO T 260 shall be performed by an independent lab a minimum of once every 5 years, and the test results shall be provided to the Department. The Department will maintain a qualified product list. Batching and mixing shall be per the manufacturer's recommendations.

**1015.02 Packaged Shotcrete Without Aggregate.** The packaged shotcrete that does not include pre-blended aggregate shall be according to Article 1015.01, except the added aggregate shall be according to Articles 1003.02 and 1004.02. The aggregate gradation shall be according to the manufacturer. The Department will maintain a qualified product list. Batching and mixing shall be per the manufacturer's recommendations."

Revise Section 1017 of the Standard Specifications to read:

#### **"SECTION 1017. PACKAGED, DRY, COMBINED MATERIALS FOR MORTAR AND CONCRETE**

**1017.01 Mortar.** The mortar shall be high-strength according to ASTM C 387 and shall have a minimum 80.0 percent relative dynamic modulus of elasticity when tested according to AASHTO T 161. For prestressed concrete applications, the mortar shall have a water-soluble chloride ion content of less than 0.06 percent by weight of cementitious material when tested according to ASTM C 1218 or AASHTO T 260; and for non-prestressed concrete applications, the water soluble chloride content shall be less than 0.15 percent by weight of cementitious material. The testing according to ASTM C 387, AASHTO T 161, and either ASTM C 1218 or AASHTO T 260 shall be performed by an independent lab a minimum of once every five years, and the test results

shall be provided to the Department. The Department will maintain a qualified product list. Mixing of the high-strength mortar shall be according to the manufacturer's specifications.

**1017.02 Concrete.** The materials, testing, and preparation of aggregate for the "high slump" packaged concrete mixture shall be according to ASTM C 387. The mixture shall be air entrained, the slump shall be 5-10 in. (125-250 mm), and the coarse aggregate shall be a maximum size of 1/2 in. (12.5 mm). Strength requirements shall be according to ASTM C 387 except that the strength at 28 days shall be at least 4000 psi (27,500 kPa). The "high slump" packaged concrete mixture shall have a water soluble chloride ion content of less than 0.15% by weight of cementitious material when tested according to ASTM C 1218 or AASHTO T 260. The testing according to ASTM C 387, and either ASTM C 1218 or AASHTO T 260 shall be performed by an independent lab a minimum of once every 5 years, and the test results shall be provided to the Department. The Department will maintain a qualified product list. Mixing shall be per the manufacturer's recommendations.

**1017.02 Self-Consolidating Concrete.** The materials, testing, and preparation of aggregate for the "self-consolidating concrete" packaged concrete mixture shall be according to ASTM C 387. The mixture shall be air entrained, it should be uniformly graded, and the coarse aggregate shall be a maximum size of 1/2 in. (12.5 mm). Strength requirements shall be according to ASTM C 387 except that the strength at 28 days shall be at least 4000 psi (27,500 Pa). Slump flow range shall be 22 in. (550 mm) minimum to 28 in. (700 mm) maximum when tested according to AASHTO T 347. The visual stability index shall be a maximum of 1 when tested according to AASHTO T 351. At the option of the manufacturer, either the J-Ring value shall be a maximum of 2 in. (50 mm) when tested according to AASHTO T 347 or the L-Box blocking ratio shall be a minimum of 80 percent when tested according AASHTO T 419. The hardened visual stability index shall be a maximum of 1 when tested according to AASHTO R 81.

The "self -consolidating concrete" packaged concrete mixture shall have a water soluble chloride ion content of less than 0.15 percent by weight of cementitious material when tested according to ASTM C 1218 or AASHTO T 260.

The testing according to ASTM C 387, AASHTO T 347, AASHTO T 351, AASHTO T 419, AASHTO R 81, ASTM C 1218 and AASHTO T 260 shall be performed by an independent lab a minimum of once every 5 years, and the test results shall be provided to the Department. The Department will maintain a qualified product list. Mixing shall be per the manufacturer's recommendations."

Revise Article 1018.01 of the Standard Specifications to read:

**"1018.01 Requirements.** The rapid hardening mortar or concrete shall be according to ASTM C 928 and shall have successfully completed and remain current with the AASHTO Product Eval and Audit Rapid Hardening Concrete Patching Materials (RHCP) testing program. R1, R2, or R3 concrete shall be air entrained, the slump shall be 5-10 in. (125-250 mm), and the coarse aggregate shall be a maximum size of 1/2 in. (12.5 mm). For prestressed concrete applications, the mortar or concrete shall have a water-soluble chloride ion content of less than 0.06 percent by weight of cementitious material when tested according to ASTM C 1218 or AASHTO T 260;

and for non-prestressed concrete applications, the water soluble chloride content shall be less than 0.15 percent by weight of cementitious material. The Department will maintain a qualified product list. Mixing of the mortar or concrete shall be according to the manufacturer's specifications..”

Revise Article 1019.02 of the Standard Specifications to read:

**“1019.02 Materials.** Materials shall be according to the following.

| Item                                                                 | Article/Section |
|----------------------------------------------------------------------|-----------------|
| (a) Cement .....                                                     | 1001            |
| (b) Water .....                                                      | 1002            |
| (c) Fine Aggregate for Controlled Low-Strength Material (CLSM) ..... | 1003.06         |
| (d) Fly Ash .....                                                    | 1010            |
| (e) Ground Granulated Blast Furnace (GGBF) Slag.....                 | 1010            |
| (f) Admixtures (Note 1)                                              |                 |

Note 1. The air-entraining admixture may be in powder or liquid form. The air content produced by the admixture shall be 15-25 percent when incorporated into Mix 2 or an equivalent mixture as determined by the Department and tested according to AASHTO T 121 or AASHTO T 152. The testing according to AASHTO T 121 or AASHTO T 152 shall be performed by an independent lab a minimum of once every five years, and the test results shall be provided to the Department. The Department will maintain a qualified product list.”

Revise the third paragraph of Article 1019.04 of the Standard Specifications to read:

“The Engineer will instruct the Contractor to adjust the proportions of the mix design in the field as needed to meet the design criteria, provide adequate flowability, maintain proper solid suspension, or other criteria established by the Engineer.”

Revise Article 1019.05 of the Standard Specifications to read:

**“1019.05 Department Mix Design.** The Department mix design shall be Mix 1, 2, or 3 and shall be proportioned to yield approximately one cubic yard (cubic meter).

| Mix 1                                    |                       |
|------------------------------------------|-----------------------|
| Cement                                   | 50 lb (30 kg)         |
| Fly Ash – Class C or F, and/or GGBF Slag | 125 lb (74 kg)        |
| Fine Aggregate – Saturated Surface Dry   | 2900 lb (1720 kg)     |
| Water                                    | 50-65 gal (248-322 L) |
| Air Content                              | No air is entrained   |
| Mix 2                                    |                       |
| Cement                                   | 125 lb (74 kg)        |

|                                        |                       |
|----------------------------------------|-----------------------|
| Fine Aggregate – Saturated Surface Dry | 2500 lb (1483 kg)     |
| Water                                  | 35-50 gal (173-248 L) |
| Air Content                            | 15-25 %               |

| Mix 3                                    |                       |
|------------------------------------------|-----------------------|
| Cement                                   | 40 lb (24 kg)         |
| Fly Ash – Class C or F, and/or GGBF Slag | 125 lb (74 kg)        |
| Fine Aggregate – Saturated Surface Dry   | 2500 lb (1483 kg)     |
| Water                                    | 35-50 gal (179-248 L) |
| Air Content                              | 15-25 %               |

Revise Article 1020.04, Table 1, Note (8) of the Standard Specifications to read:

“(8) In addition to the Type III portland cement, 100 lb/cu yd of ground granulated blast-furnace slag and 50 lb/cu yd of microsilica (silica fume) shall be used. For an air temperature greater than 85 °F, the Type III portland cement may be replaced with Type I, IL, or II portland cement.”

Revise Article 1020.04, Table 1 (Metric), Note (8) of the Standard Specifications to read:

“(8) In addition to the Type III portland cement, 60 kg/cu m of ground granulated blast-furnace slag and 30 kg/cu m of microsilica (silica fume) shall be used. For an air temperature greater than 30 °C, the Type III portland cement may be replaced with Type I, IL, or II portland cement.”

Revise Note 9 of Table 1 of Article 1020.04 of the Standard Specifications to read:

“(9) The cement shall be a rapid hardening according to Article 1001.01(d). Minimum or maximum cement factor may be adjusted when approved by the Engineer.”

Revise the second paragraph of Article 1020.05(a) of the Standard Specifications to read:

“For a mix design using a portland-pozzolan cement, portland blast-furnace slag cement, portland-limestone cement, or replacing portland cement with finely divided minerals per Articles 1020.05(c) and 1020.05(d), the Contractor may submit a mix design with a minimum portland cement content less than 400 lbs/cu yd (237 kg/cu m), but not less than 375 lbs/cu yd (222 kg/cu m), if the mix design is shown to have a minimum relative dynamic modulus of elasticity of 80 percent determined according to AASHTO T 161. Testing shall be performed by an independent laboratory accredited by AASHTO re:source for Portland Cement Concrete.”

Revise the first sentence of the first paragraph of Article 1020.05(b) of the Standard Specifications to read:

“Corrosion inhibitors and concrete admixtures shall be according to the qualified product lists.”

Delete the fourth and fifth sentences of the second paragraph of Article 1020.05(b) of the Standard Specifications.

Revise Article 1020.05(b)(5) of the Standard Specifications to read:

“(5) For Class PP-4 concrete, a high range water-reducing admixture, retarder, and/or hydration stabilizer may be used in addition to the air-entraining admixture. The Contractor also has the option to use a water-reducing admixture with the high range water-reducing admixture. An accelerator shall not be used. A mobile portland cement concrete plant shall be used to produce the patching mixture.

For PP-5 concrete, a non-chloride accelerator, high range water-reducing admixture, retarder, hydration stabilizer, and/or air-entraining admixture may be used. The accelerator, high range water-reducing admixture, retarder, hydration stabilizer, and/or air-entraining admixture shall be per the Contractor’s recommendation and dosage. The qualified product list of concrete admixtures shall not apply. A mobile portland cement concrete plant shall be used to produce the patching mixture.”

Revise second paragraph of Article 1020.05(b)(10) of the Standard Specifications to read:

“When calcium nitrite is used, it shall be added at the rate of 4 gal/cu yd (20 L/cu m) and shall be added to the mix immediately after all compatible admixtures have been introduced to the batch. Other corrosion inhibitors shall be added per the manufacturer’s specifications.”

Delete the third paragraph of Article 1020.05(b)(10) of the Standard Specifications.

Revise Article 1020.15(b)(1)c. of the Standard Specifications to read:

“c. The minimum portland cement content in the mixture shall be 375 lbs/cu yd (222 kg/cu m). When the total of organic processing additions, inorganic processing additions, and limestone addition exceed 5.0 percent in the cement, the minimum portland cement content in the mixture shall be 400 lbs/cu yd (237 kg/cu m). For a drilled shaft, foundation, footing, or substructure, the minimum portland cement may be reduced to as low as 330 lbs/cu yd (196 kg/cu m) if the concrete has adequate freeze/thaw durability. The Contractor shall provide freeze/thaw test results according to AASHTO T 161, and the relative dynamic modulus of elasticity of the mix design shall be a minimum of 80 percent. Testing shall be performed by an independent laboratory accredited by AASHTO re:source for Portland Cement Concrete. Freeze/thaw testing will not be required for concrete that will not be exposed to freezing and thawing conditions as determined by the Engineer.”

Revise Article 1021.01 of the Standard Specifications to read:

**“1021.01 General.** Admixtures shall be furnished in liquid or powder form ready for use. The admixtures shall be delivered in the manufacturer's original containers, bulk tank trucks or such containers or tanks as are acceptable to the Engineer. Delivery shall be accompanied by a ticket which clearly identifies the manufacturer, the date of manufacture, and trade name of the material. Containers shall be readily identifiable as to manufacturer, the date of manufacture, and trade name of the material they contain.

Concrete admixtures shall be on one of the Department's qualified product lists. Unless otherwise noted, admixtures shall have successfully completed and remain current with the AASHTO Product Eval and Audit Concrete Admixture (CADD) testing program. For admixture submittals to the Department; the product brand name, manufacturer name, admixture type or types, an electronic link to the product's technical data sheet, and the NTPEP testing number which contains an electronic link to all test data shall be provided. In addition, a letter shall be submitted certifying that no changes have been made in the formulation of the material since the most current round of tests conducted by AASHTO Product Eval and Audit. After 28 days of testing by AASHTO Product Eval and Audit, air-entraining admixtures may be provisionally approved and used on Departmental projects. For all other admixtures, unless otherwise noted, the time period after which provisionally approved status may be earned is 6 months.

The manufacturer shall include the following in the submittal to the AASHTO Product Eval and Audit CADD testing program: the manufacturing range for specific gravity, the midpoint and manufacturing range for residue by oven drying, and manufacturing range of pH. The submittal shall also include an infrared spectrophotometer trace no more than five years old.

For air-entraining admixtures according to Article 1021.02, the specific gravity allowable manufacturing range established by the manufacturer shall be according to AASHTO M 194. For residue by oven drying and pH, the allowable manufacturing range and test methods shall be according to AASHTO M 194.

For admixtures according to Articles 1021.03, 1021.04, 1021.05, 1021.06, 1021.07, and 1021.08, the pH allowable manufacturing range established by the manufacturer shall be according to ASTM E 70. For specific gravity and residue by oven drying, the allowable manufacturing range and test methods shall be according to AASHTO M 194.

All admixtures, except chloride-based accelerators, shall contain a maximum of 0.3 percent chloride by weight (mass) as determined by an appropriate test method. To verify the test result, the Department will use Illinois Modified AASHTO T 260, Procedure A, Method 1.

Prior to final approval of an admixture, the Engineer reserves the right to request a sample for testing. The test and reference concrete mixtures tested by the Engineer will contain a cement content of 5.65 cwt/cu yd (335 kg/cu m). For freeze-thaw testing, the Department will perform the test according to Illinois Modified AASHTO T 161. The flexural strength test will be performed according to AASHTO T 177. If the Engineer decides to test the admixture, the manufacturer shall submit AASHTO T 197 water content and set time test results on the standard cement used by the Department. The manufacturer may select their lab or an independent lab to perform this testing. The laboratory is not required to be accredited by AASHTO.

Random field samples may be taken by the Department to verify an admixture meets specification. A split sample will be provided to the manufacturer if requested. Admixtures that do not meet specification requirements or an allowable manufacturing range established by the manufacturer shall be replaced with new material.”

Revise Article 1021.03 of the Standard Specifications to read:

**“1021.03 Retarding and Water-Reducing Admixtures.** The admixture shall be according to the following.

- (a) Retarding admixtures shall be according to AASHTO M 194, Type B (retarding) or Type D (water-reducing and retarding).
- (b) Water-reducing admixtures shall be according to AASHTO M 194, Type A.
- (c) High range water-reducing admixtures shall be according to AASHTO M 194, Type F (high range water-reducing) or Type G (high range water-reducing and retarding).”

Revise Article 1021.05 of the Standard Specifications to read:

**“1021.05 Self-Consolidating Admixtures.** Self-consolidating admixture systems shall consist of either a high range water-reducing admixture only or a high range water-reducing admixture combined with a separate viscosity modifying admixture. The one or two component admixture system shall be capable of producing a concrete that can flow around reinforcement and consolidate under its own weight without additional effort and without segregation.

High range water-reducing admixtures shall be according to AASHTO M 194, Type F.

Viscosity modifying admixtures shall be according to AASHTO M 194, Type S (specific performance).”

Revise Article 1021.06 of the Standard Specifications to read:

**“1021.06 Rheology-Controlling Admixture.** Rheology-controlling admixtures shall be capable of producing a concrete mixture with a lower yield stress that will consolidate easier for slipform applications used by the Contractor. Rheology-controlling admixtures shall be according to AASHTO M 194, Type S (specific performance).”

Revise Article 1021.07 of the Standard Specifications to read:

**“1021.07 Corrosion Inhibitor.** The corrosion inhibitor shall be according to one of the following.

- (a) Calcium Nitrite. Corrosion inhibitors shall contain a minimum 30 percent calcium nitrite by weight (mass) of solution and shall comply with either the requirements of AASHTO

M 194, Type C (accelerating) or the requirements of ASTM C 1582. The corrosion inhibiting performance requirements of ASTM C 1582 shall not apply.

(b) Other Materials. The corrosion inhibitor shall be according to ASTM C 1582.

For submittals requiring testing according to ASTM M 194, Type C (accelerating), the admixture shall meet the requirements of the AASHTO Product Eval and Audit CADD testing program according to Article 1021.01.

For submittals requiring testing according to ASTM C 1582, a report prepared by an independent laboratory accredited by AASHTO re:source for portland cement concrete shall be provided. The report shall show the results of physical tests conducted no more than five years prior to the time of submittal, according to applicable specifications. However, ASTM G 109 test information specified in ASTM C 1582 is not required to be from an independent accredited lab. All other information in ASTM C 1582 shall be from an independent accredited lab. Test data and other information required to be submitted to AASHTO Product Eval and Audit according to Article 1021.01, shall instead be submitted directly to the Department.”

Add Article 1021.08 of the Standard Specifications as follows:

**“1021.08 Other Specific Performance Admixtures.** Other specific performance admixtures shall, at a minimum, be according to AASHTO M 194, Type S (specific performance). The Department also reserves the right to require other testing, as determined by the Engineer, to show evidence of specific performance characteristics.

Initial testing according to AASHTO M 194 may be conducted under the AASHTO Product Eval and Audit CADD testing program according to Article 1021.01, or by an independent laboratory accredited by AASHTO re:source for Portland Cement Concrete. In either case, test data and other information required to be submitted to AASHTO Product Eval and Audit according to Article 1021.01, shall also be submitted directly to the Department. The independent accredited lab report shall show the results of physical tests conducted no more than five years prior to the time of submittal, according to applicable specifications.”

Add Article 1021.09 of the Standard Specifications as follows:

**“1021.09 Latex Admixtures.** The latex admixture shall be a uniform, homogeneous, non-toxic, film-forming, polymeric emulsion in water to which all stabilizers have been added at the point of manufacture. The latex admixture shall not contain any chlorides and shall contain 46-49 percent solids.

In lieu of meeting the requirements of Article 1021.01, the Contractor shall submit a manufacturer's certification that the latex emulsion meets the requirements of FHWA Research Report RD-78-35, Chapter VI. The certificate shall include the date of manufacture of the latex admixture, batch or lot number, quantity represented, manufacturer's name, and the location of the manufacturing plant. The latex emulsion shall be sampled and tested in accordance with RD-78-35, Chapter VII, Certification Program.

The latex admixture shall be packaged and stored in containers and storage facilities which will protect the material from freezing and from temperatures above 85°F (30°C). Additionally, the material shall not be stored in direct sunlight and shall be shaded when stored outside of buildings during moderate temperatures.”

Revise Article 1024.01 of the Standard Specifications to read:

**“1024.01 Requirements for Grout.** The grout shall be proportioned by dry volume, thoroughly mixed, and shall have a minimum temperature of 50 °F (10 °C). Water shall not exceed the minimum needed for placement and finishing.

Materials for the grout shall be according to the following.

| Item                                                 | Article/Section |
|------------------------------------------------------|-----------------|
| (a) Cement .....                                     | 1001            |
| (b) Water .....                                      | 1002            |
| (c) Fine Aggregate .....                             | 1003.02         |
| (d) Fly Ash .....                                    | 1010            |
| (e) Ground Granulated Blast Furnace (GGBF) Slag..... | 1010            |
| (f) Concrete Admixtures .....                        | 1021”           |

Revise Note 1 of Article 1024.02 of the Standard Specifications to read:

“Note 1. Nonshrink grout shall be according to ASTM C 1107.

For prestressed concrete applications, the nonshrink grout shall have a water soluble chloride ion content of less than 0.06 percent by weight of cementitious material when tested according to ASTM C 1218 or AASHTO T 260; and for non-prestressed concrete applications, the water soluble chloride ion content shall be less than 0.15 percent by weight of cementitious material. The testing according to ASTM 1107, and either ASTM C 1218 or AASHTO T 260 shall be performed by an independent lab a minimum of once every five years, and the test results shall be provided to the Department. The Department will maintain a qualified product list. Mixing of the nonshrink grout shall be according to the manufacturer’s specifications.”

Revise Article 1029.02 of the Standard Specifications to read:

**“1029.02 Materials.** Materials shall be according to the following.

| Item                                                  | Article/Section |
|-------------------------------------------------------|-----------------|
| (a) Cement.....                                       | 1001            |
| (b) Fly Ash .....                                     | 1010            |
| (c) Ground Granulated Blast Furnace (GGBF) Slag ..... | 1010            |
| (d) Water.....                                        | 1002            |
| (e) Fine Aggregate.....                               | 1003            |
| (f) Concrete Admixtures .....                         | 1021            |

(g) Foaming Agent (Note 1)

Note 1. The manufacturer shall submit infrared spectrophotometer trace and test results indicating the foaming agent meets the requirements of ASTM C 869 in order to be on the Department's qualified product list. Submitted data/results shall not be more than five years old."

Revise the second paragraph of Article 1103.03(a)(4) the Standard Specifications to read:

"The dispenser system shall provide a visual indication that the liquid admixture is actually entering the batch, such as via a transparent or translucent section of tubing or by independent check with an integrated secondary metering device. If approved by the Engineer, an alternate indicator may be used for admixtures dosed at rates of 25 oz/cwt (1630 mL/100 kg) or greater, such as accelerating admixtures, corrosion inhibitors, and viscosity modifying admixtures."

Revise Article 1103.04 of the Standard Specifications to read:

**"1103.04 Mobile Portland Cement Concrete Plants.** The mobile concrete plant shall be according to AASHTO M 241 and the Bureau of Materials Policy Memorandum "Approval of Volumetric Mobile Mixers for Concrete". The mixer shall be capable of carrying sufficient unmixed materials to produce not less than 6 cu yd (4.6 cu m) of concrete."

Revise the first two sections of Check Sheet #11 "Subsealing of Concrete Pavements" of the Recurring Special Provisions to read:

"Description. This work shall consist of filling voids beneath rigid and composite pavements with cement grout.

Materials. Materials shall be according to the following Articles/Sections of the Standard Specifications:

| Item                                                  | Article/Section |
|-------------------------------------------------------|-----------------|
| (a) Cement .....                                      | 1001            |
| (b) Water .....                                       | 1002            |
| (c) Fly Ash .....                                     | 1010            |
| (d) Ground Granulated Blast Furnace (GGBF) Slag.....  | 1010            |
| (e) Admixtures .....                                  | 1021            |
| (f) Packaged Rapid Hardening Mortar or Concrete ..... | 1018"           |

Revise the Materials section of Check Sheet #28 "Portland Cement Concrete Inlay or Overlay" of the Recurring Special Provisions to read:

"Materials. Materials shall be according to the following Articles/Sections of the Standard Specifications.

| Item                                        | Article/Section |
|---------------------------------------------|-----------------|
| (a) Portland Cement Concrete (Note 1) ..... | 1020            |
| (b) Fibers for Concrete.....                | 1014            |
| (c) Protective Coat.....                    | 1023.01         |

Note 1. Class PV concrete shall be used, except the cement factor for central mixed concrete shall be 6.05 cwt/cu yd (360 kg/cu m). A cement factor reduction according to Article 1020.05(b)(8) of the Standard Specifications will be permitted. CA 5 shall not be used and CA 7 may only be used for overlays that are a minimum of 4.5 in. (113 mm) thick. The Class PV concrete shall have a minimum flexural strength of 550 psi (3800 kPa) or a minimum compressive strength of 3000 psi (20,700 kPa) at 14 days.”

80460

## **COMPENSABLE DELAY COSTS (BDE)**

Effective: June 2, 2017

Revised: April 1, 2019

Revise Article 107.40(b) of the Standard Specifications to read:

“(b) Compensation. Compensation will not be allowed for delays, inconveniences, or damages sustained by the Contractor from conflicts with facilities not meeting the above definition; or if a conflict with a utility in an unanticipated location does not cause a shutdown of the work or a documentable reduction in the rate of progress exceeding the limits set herein. The provisions of Article 104.03 notwithstanding, compensation for delays caused by a utility in an unanticipated location will be paid according to the provisions of this Article governing minor and major delays or reduced rate of production which are defined as follows.

- (1) Minor Delay. A minor delay occurs when the work in conflict with the utility in an unanticipated location is completely stopped for more than two hours, but not to exceed two weeks.
- (2) Major Delay. A major delay occurs when the work in conflict with the utility in an unanticipated location is completely stopped for more than two weeks.
- (3) Reduced Rate of Production Delay. A reduced rate of production delay occurs when the rate of production on the work in conflict with the utility in an unanticipated location decreases by more than 25 percent and lasts longer than seven calendar days.”

Revise Article 107.40(c) of the Standard Specifications to read:

“(c) Payment. Payment for Minor, Major, and Reduced Rate of Production Delays will be made as follows.

- (1) Minor Delay. Labor idled which cannot be used on other work will be paid for according to Article 109.04(b)(1) and (2) for the time between start of the delay and the minimum remaining hours in the work shift required by the prevailing practice in the area.

Equipment idled which cannot be used on other work, and which is authorized to standby on the project site by the Engineer, will be paid for according to Article 109.04(b)(4).

- (2) Major Delay. Labor will be the same as for a minor delay.

Equipment will be the same as for a minor delay, except Contractor-owned equipment will be limited to two weeks plus the cost of move-out to either the

Contractor's yard or another job and the cost to re-mobilize, whichever is less. Rental equipment may be paid for longer than two weeks provided the Contractor presents adequate support to the Department (including lease agreement) to show retaining equipment on the job is the most economical course to follow and in the public interest.

- (3) Reduced Rate of Production Delay. The Contractor will be compensated for the reduced productivity for labor and equipment time in excess of the 25 percent threshold for that portion of the delay in excess of seven calendar days. Determination of compensation will be in accordance with Article 104.02, except labor and material additives will not be permitted.

Payment for escalated material costs, escalated labor costs, extended project overhead, and extended traffic control will be determined according to Article 109.13."

Revise Article 108.04(b) of the Standard Specifications to read:

"(b) No working day will be charged under the following conditions.

- (1) When adverse weather prevents work on the controlling item.
- (2) When job conditions due to recent weather prevent work on the controlling item.
- (3) When conduct or lack of conduct by the Department or its consultants, representatives, officers, agents, or employees; delay by the Department in making the site available; or delay in furnishing any items required to be furnished to the Contractor by the Department prevents work on the controlling item.
- (4) When delays caused by utility or railroad adjustments prevent work on the controlling item.
- (5) When strikes, lock-outs, extraordinary delays in transportation, or inability to procure critical materials prevent work on the controlling item, as long as these delays are not due to any fault of the Contractor.
- (6) When any condition over which the Contractor has no control prevents work on the controlling item."

Revise Article 109.09(f) of the Standard Specifications to read:

- "(f) Basis of Payment. After resolution of a claim in favor of the Contractor, any adjustment in time required for the work will be made according to Section 108. Any adjustment in the costs to be paid will be made for direct labor, direct materials, direct equipment, direct jobsite overhead, direct offsite overhead, and other direct costs allowed by the resolution. Adjustments in costs will not be made for interest charges, loss of anticipated profit, undocumented loss of efficiency, home office overhead and unabsorbed overhead

other than as allowed by Article 109.13, lost opportunity, preparation of claim expenses and other consequential indirect costs regardless of method of calculation.

The above Basis of Payment is an essential element of the contract and the claim cost recovery of the Contractor shall be so limited.”

Add the following to Section 109 of the Standard Specifications.

**“109.13 Payment for Contract Delay.** Compensation for escalated material costs, escalated labor costs, extended project overhead, and extended traffic control will be allowed when such costs result from a delay meeting the criteria in the following table.

| Contract Type   | Cause of Delay                               | Length of Delay                                                                                             |
|-----------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Working Days    | Article 108.04(b)(3) or Article 108.04(b)(4) | No working days have been charged for two consecutive weeks.                                                |
| Completion Date | Article 108.08(b)(1) or Article 108.08(b)(7) | The Contractor has been granted a minimum two week extension of contract time, according to Article 108.08. |

Payment for each of the various costs will be according to the following.

- (a) Escalated Material and/or Labor Costs. When the delay causes work, which would have otherwise been completed, to be done after material and/or labor costs have increased, such increases will be paid. Payment for escalated material costs will be limited to the increased costs substantiated by documentation furnished by the Contractor. Payment for escalated labor costs will be limited to those items in Article 109.04(b)(1) and (2), except the 35 percent and 10 percent additives will not be permitted.
- (b) Extended Project Overhead. For the duration of the delay, payment for extended project overhead will be paid as follows.
  - (1) Direct Jobsite and Offsite Overhead. Payment for documented direct jobsite overhead and documented direct offsite overhead, including onsite supervisory and administrative personnel, will be allowed according to the following table.

| Original Contract Amount               | Supervisory and Administrative Personnel                                   |
|----------------------------------------|----------------------------------------------------------------------------|
| Up to \$5,000,000                      | One Project Superintendent                                                 |
| Over \$ 5,000,000 - up to \$25,000,000 | One Project Manager, One Project Superintendent or Engineer, and One Clerk |
| Over \$25,000,000 - up to \$50,000,000 | One Project Manager, One Project Superintendent, One Engineer, and         |

|                   |                                                                                        |
|-------------------|----------------------------------------------------------------------------------------|
|                   | One Clerk                                                                              |
| Over \$50,000,000 | One Project Manager,<br>Two Project Superintendents,<br>One Engineer, and<br>One Clerk |

(2) Home Office and Unabsorbed Overhead. Payment for home office and unabsorbed overhead will be calculated as 8 percent of the total delay cost.

(c) Extended Traffic Control. Traffic control required for an extended period of time due to the delay will be paid for according to Article 109.04.

When an extended traffic control adjustment is paid under this provision, an adjusted unit price as provided for in Article 701.20(a) for increase or decrease in the value of work by more than ten percent will not be paid.

Upon payment for a contract delay under this provision, the Contractor shall assign subrogation rights to the Department for the Department's efforts of recovery from any other party for monies paid by the Department as a result of any claim under this provision. The Contractor shall fully cooperate with the Department in its efforts to recover from another party any money paid to the Contractor for delay damages under this provision."

80384

## CONSTRUCTION AIR QUALITY – DIESEL RETROFIT (BDE)

Effective: June 1, 2010

Revised: January 1, 2025

The reduction of emissions of particulate matter (PM) for off-road equipment shall be accomplished by installing retrofit emission control devices. The term “equipment” refers to diesel fuel powered devices rated at 50 hp and above, to be used on the jobsite in excess of seven calendar days over the course of the construction period on the jobsite (including rental equipment).

Contractor and subcontractor diesel powered off-road equipment assigned to the contract shall be retrofitted according to the table below.

| Horsepower Range | Model Year and Older |
|------------------|----------------------|
| 50-99            | 2003                 |
| 100-299          | 2002                 |
| 300-599          | 2000                 |
| 600-749          | 2001                 |
| 750 and up       | 2005                 |

The retrofit emission control devices shall achieve a minimum PM emission reduction of 50 percent and shall be:

- a) Included on the U.S. Environmental Protection Agency (USEPA) *Verified Retrofit Technology List* (<https://www.epa.gov/verified-diesel-tech/verified-technologies-list-clean-diesel>), or verified by the California Air Resources Board (CARB) (<http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>); or
- b) Retrofitted with a non-verified diesel retrofit emission control device if verified retrofit emission control devices are not available for equipment proposed to be used on the project, and if the Contractor has obtained a performance certification from the retrofit device manufacturer that the emission control device provides a minimum PM emission reduction of 50 percent.

Note: Large cranes (Crawler mounted cranes) which are responsible for critical lift operations are exempt from installing retrofit emission control devices if such devices adversely affect equipment operation.

Diesel powered off-road equipment with engine ratings of 50 hp and above, which are unable to be retrofitted with verified emission control devices or if performance certifications are not available which will achieve a minimum 50 percent PM reduction, may be granted a waiver by the Department if documentation is provided showing good faith efforts were made by the Contractor to retrofit the equipment.

Construction shall not proceed until the Contractor submits a certified list of the diesel powered off-road equipment that will be used, and as necessary, retrofitted with emission control devices. The list(s) shall include (1) the equipment number, type, make, Contractor/rental company name; and (2) the emission control devices make, model, USEPA or CARB verification number, or performance certification from the retrofit device manufacturer. Equipment reported as fitted with emissions control devices shall be made available to the Engineer for visual inspection of the device installation, prior to being used on the jobsite.

The Contractor shall submit an updated list of retrofitted off-road construction equipment as retrofitted equipment changes or comes on to the jobsite. The addition or deletion of any diesel powered equipment shall be included on the updated list.

If any diesel powered off-road equipment is found to be in non-compliance with any portion of this special provision, the Engineer will issue the Contractor a diesel retrofit deficiency deduction.

Any costs associated with retrofitting any diesel powered off-road equipment with emission control devices shall be considered as included in the contract unit prices bid for the various items of work involved and no additional compensation will be allowed. The Contractor's compliance with this notice and any associated regulations shall not be grounds for a claim.

### **Diesel Retrofit Deficiency Deduction**

When the Engineer determines that a diesel retrofit deficiency exists, a daily monetary deduction will be imposed for each calendar day or fraction thereof the deficiency continues to exist. The calendar day(s) will begin when the time period for correction is exceeded and end with the Engineer's written acceptance of the correction. The daily monetary deduction will be \$1,000.00 for each deficiency identified.

The deficiency will be based on lack of diesel retrofit emissions control.

If a Contractor accumulates three diesel retrofit deficiency deductions for the same piece of equipment in a contract period, the Contractor will be shutdown until the deficiency is corrected. Such a shutdown will not be grounds for any extension of the contract time, waiver of penalties, or be grounds for any claim.

80261

## DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION (BDE)

Effective: September 1, 2000

Revised: July 2, 2026

1. OVERVIEW AND GENERAL OBLIGATION. The Department of Transportation, as a recipient of federal financial assistance, is required to take all necessary and reasonable steps to ensure nondiscrimination in the award and administration of contracts. Consequently, the federal regulatory provisions of 49 CFR Part 26 apply to this contract concerning the utilization of disadvantaged business enterprises. For the purposes of this Special Provision, a disadvantaged business enterprise (DBE) means a business certified in accordance with the requirements of 49 CFR Part 26 and listed in the Illinois Unified Certification Program (IL UCP) DBE Directory. Award of the contract is conditioned on meeting the requirements of 49 CFR Part 26, and failure by the Contractor to carry out the requirements of Part 26 is a material breach of the contract and may result in the termination of the contract or such other remedies as the Department deems appropriate.
2. CONTRACTOR ASSURANCE. All assurances set forth in FHWA 1273 are hereby incorporated by reference and will be physically attached to the final contract and all subcontracts.
3. CONTRACT GOAL TO BE ACHIEVED BY THE CONTRACTOR. The Department has determined the work of this contract has subcontracting opportunities that may be suitable for performance by DBE companies and that, in the absence of unlawful discrimination and in an arena of fair and open competition, DBE companies can be expected to perform **10%** of the work. This percentage is set as the DBE participation goal for this contract. Consequently, in addition to the other award criteria established for this contract, the Department will only award this contract to a bidder who makes a good faith effort to meet this goal of DBE participation in the performance of the work in accordance with the requirements of 49 CFR 26.53 and SBE Memorandum No. 24-02.
4. IDENTIFICATION OF CERTIFIED DBE. Information about certified DBE Contractors can be found in the IL UCP Directory. Bidders can obtain additional information and assistance with identifying DBE-certified companies at the Department's website or by contacting the Department's Bureau of Small Business Enterprises at (217) 785-4611.

PLEASE NOTE: As of October 3, 2025, the U.S. Department of Transportation issued an Interim Final Rule requiring all existing DBE and ACDBE certifications to be re-evaluated for social and economic disadvantage without consideration of race or gender. As of March 24, 2026, the ILUCP has completed reevaluation of those firms that submitted required information by January 31, 2026. DBE and ACDBE Certifications appearing in the IL UCP directory as certified have been recertified under the current federal regulations and may be counted for DBE goal credit. DBE and ACDBE firms appearing in this directory as ineligible have not submitted required documentation for reevaluation to date. Ineligible firms cannot currently be counted for DBE goal credit, but HAVE NOT BEEN DECERTIFIED and may still submit documentation to be reevaluated. All firms decertified under the October 3, 2025

*Interim Final Rule reevaluation process have been removed from the Directory. Additional information regarding the IFR and the current status of the DBE/ACDBE program can be found at <https://idot.illinois.gov/doing-business/certifications/dbe.html>.*

PLEASE BE ADVISED THAT A FIRM THAT IS INDICATED AS INELIGIBLE CANNOT BE USED FOR GOAL CREDIT. IT IS THE RESPONSIBILITY OF THE PRIME CONTRACTOR TO VERIFY THAT ANY FIRM RELIED UPON FOR DBE GOAL CREDIT IN A UTILIZATION PLAN IS CURRENTLY CERTIFIED AND CAN BE COUNTED FOR GOAL CREDIT AT THE TIME OF BID.

5. BIDDING PROCEDURES. Compliance with this Special Provision and SBE Policy Memorandum 24-02 is a material bidding requirement. The following shall be included with the bid.

- (a) DBE Utilization Plan (form SBE 2026) documenting enough DBE participation has been obtained to meet the goal, or a good faith effort has been made to meet the goal even though the efforts did not succeed in obtaining enough DBE participation to meet the goal.

- (b) Applicable DBE Participation Statement (form SBE 2023, 2024, and/or 2025) for each DBE firm the bidder has committed to perform the work to achieve the contract goal.

The required forms and documentation shall be submitted as a single .pdf file using the "Integrated Contractor Exchange (iCX)" application within the Department's "EBids System".

The Department will not accept a bid if it does not meet the bidding procedures set forth herein and the bid will be declared non-responsive. A bidder declared non-responsive for failure to meet the bidding procedures will not give rise to an administrative reconsideration. In the event the bid is declared non-responsive, the Department may elect to cause the forfeiture of the penal sum of the bidder's proposal guaranty and may deny authorization to bid the project if re-advertised for bids.

6. UTILIZATION PLAN EVALUATION. The contract will not be awarded until the Utilization Plan is approved. All information submitted by the bidder must be complete, accurate, and adequately document the bidder has committed to DBE participation sufficient to meet the goal, or that the bidder has made good faith efforts to do so, in the event the bidder cannot meet the goal, in order for the Department to commit to the performance of the contract by the bidder.

The Utilization Plan will be approved by the Department if the Utilization Plan documents sufficient commercially useful DBE work to meet the contract goal or the Department determines, based upon the documentation submitted, that the bidder has made a good faith effort to meet the contract goal pursuant to 49 CFR Part 26, Appendix A and the requirements of SBE 2026.

If the Department determines that a good faith effort has not been made, the Department will notify the responsible company official designated in the Utilization Plan of that determination in accordance with SBE Policy Memorandum 24-02.

7. CALCULATING DBE PARTICIPATION. The Utilization Plan values represent work the bidder commits to have performed by the specified DBEs and paid for upon satisfactory completion. The Department is only able to count toward the achievement of the overall goal and the contract goal the value of payments made for the work actually performed by DBE firms. In addition, a DBE must perform a commercially useful function on the contract to be counted. A commercially useful function is generally performed when the DBE is responsible for the work and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. The Department and Contractor are governed by the provisions of 49 CFR Part 26.55(c) on questions of commercially useful functions as it affects the work. Specific guidelines for counting goal credit are provided in 49 CFR Part 26.55. In evaluating Utilization Plans for award the Department will count goal credit as set forth in Part 26 and in accordance with SBE Policy Memorandum 24-02.
8. CONTRACT COMPLIANCE. The Contractor must utilize the specific DBEs listed to perform the work and supply the materials for which each DBE is listed in the Contractor's approved Utilization Plan, unless the Contractor obtains the Department's written consent to terminate the DBE or any portion of its work. The DBE Utilization Plan approved by SBE is a condition-of-award, and any deviation to that Utilization Plan, the work set forth therein to be performed by DBE firms, or the DBE firms specified to perform that work, must be approved, in writing, by the Department in accordance with federal regulatory requirements. Deviation from the DBE Utilization Plan condition-of-award without such written approval is a violation of the contract and may result in termination of the contract or such other remedy the Department deems appropriate. The following administrative procedures and remedies govern the compliance by the Contractor with the contractual obligations established by the Utilization Plan.
  - (a) NOTICE OF DBE PERFORMANCE. The Contractor shall provide the Engineer with at least three days advance notice of when all DBE firms are expected to perform the work committed under the Contractor's Utilization Plan.
  - (b) SUBCONTRACT. If awarded the contract, the Contractor is required to enter into written subcontracts with all DBE firms indicated in the approved Utilization Plan and must provide copies of fully executed DBE subcontracts to the Department upon request. Subcontractors shall ensure that all lower tier subcontracts or agreements with DBEs to supply labor or materials be performed in accordance with this Special Provision.
  - (c) PAYMENT TO DBE FIRMS. The Department is prohibited by federal regulations from crediting the participation of a DBE included in the Utilization Plan toward either the contract goal or the Department's overall goal until the amount to be applied toward the goal has been paid to the DBE. The Contractor shall document and report all payments for work performed by DBE certified firms in accordance with Article 109.11 of the

Standard Specifications. All records of payment for work performed by DBE certified firms shall be made available to the Department upon request.

- (d) FINAL PAYMENT. After the performance of the final item of work or trucking, or delivery of material by a DBE and final payment to the DBE by the Contractor, but not later than 30 calendar days after payment has been made by the Department to the Contractor for such work or material, the Contractor shall submit a DBE Payment Agreement (form SBE 2115) to the Engineer. If the Contractor does not have the full amount of work indicated in the Utilization Plan performed by the DBE companies indicated in the Utilization Plan and after good faith efforts are reviewed, the Department may deduct from contract payments to the Contractor the amount of the goal not achieved as liquidated and ascertained damages.
- (g) ENFORCEMENT. The Department reserves the right to withhold payment to the Contractor to enforce the provisions of this Special Provision. Final payment shall not be made on the contract until such time as the Contractor submits sufficient documentation demonstrating achievement of the goal in accordance with this Special Provision or after liquidated damages have been determined and collected.

80029

## HOT-MIX ASPHALT – LONGITUDINAL JOINT SEALANT (BDE)

Effective: November 1, 2022

Revised: August 1, 2023

Add the following after the second sentence in the eighth paragraph of Article 406.06(h)(2) of the Standard Specifications:

“If rain is forecasted and traffic is to be on the LJS or if pickup/tracking of the LJS material is likely, the LJS shall be covered immediately following its application with FA 20 fine aggregate mechanically spread uniformly at a rate of  $1.5 \pm 0.5$  lb/sq yd ( $0.75 \pm 0.25$  kg/sq m). Fine aggregate landing outside of the LJS shall be removed prior to application of tack coat.”

Add the following after the first sentence in the ninth paragraph of Article 406.06(h)(2) of the Standard Specifications:

“LJS half-width shall be applied at a width of  $9 \pm 1$  in. ( $225 \pm 25$  mm) in the immediate lane to be placed with the outside edge flush with the joint of the next HMA lift. The vertical face of any longitudinal joint remaining in place shall also be coated.”

Add the following after the eleventh paragraph of Article 406.06(h)(2) of the Standard Specifications:

| “LJS Half-Width Application Rate, lb/ft (kg/m) <sup>1/</sup> |                                                                           |                                      |                                       |
|--------------------------------------------------------------|---------------------------------------------------------------------------|--------------------------------------|---------------------------------------|
| Lift Thickness,<br>in. (mm)                                  | Coarse Graded Mixture<br>(IL-19.0, IL-19.0L, IL-9.5,<br>IL-9.5L, IL-4.75) | Fine Graded<br>Mixture<br>(IL-9.5FG) | SMA Mixture<br>(SMA-9.5,<br>SMA-12.5) |
| $\frac{3}{4}$ (19)                                           | 0.44 (0.66)                                                               |                                      |                                       |
| 1 (25)                                                       | 0.58 (0.86)                                                               |                                      |                                       |
| $1 \frac{1}{4}$ (32)                                         | 0.66 (0.98)                                                               | 0.44 (0.66)                          |                                       |
| $1 \frac{1}{2}$ (38)                                         | 0.74 (1.10)                                                               | 0.48 (0.71)                          | 0.63 (0.94)                           |
| $1 \frac{3}{4}$ (44)                                         | 0.82 (1.22)                                                               | 0.52 (0.77)                          | 0.69 (1.03)                           |
| 2 (50)                                                       | 0.90 (1.34)                                                               | 0.56 (0.83)                          | 0.76 (1.13)                           |
| $\geq 2 \frac{1}{4}$ (60)                                    | 0.98 (1.46)                                                               |                                      |                                       |

1/ The application rate includes a surface demand for liquid. The thickness of the LJS may taper from the center of the application to a lesser thickness on the edge of the application, provided the correct width and application rate are maintained.”

Revise the second paragraph of Article 406.13(b) of the Standard Specifications to read:

“Aggregate for covering tack, LJS, or FLS will not be measured for payment.”

Add the following to the end of the second paragraph of Article 406.14 of the Standard Specifications:

“Longitudinal joint sealant (LJS) half-width will be paid for at the contract unit price per foot (meter) for LONGITUDINAL JOINT SEALANT, HALF-WIDTH.”

80446

## INLET FILTERS

Effective: April 1, 2026

Revise the first paragraph of Article 1081.15(h) of the Standard Specifications to read:

“(h) Inlet Filters. An inlet filter shall consist of a steel frame with a two piece geotextile fabric bag or a single reinforced geotextile fabric bag attached with a stainless steel band and locking cap that is suspended from the frame. A clean, used bag and a used steel frame in good condition meeting the approval of the Engineer may be substituted for new materials. Materials for the inlet filter assembly shall be according to the following.”

Revise Article 1081.15(h)(3) of the Standard Specifications to read:

“(3) Geotextile Fabric Bag. The sediment bag shall have a minimum silt and debris capacity of 2.0 cu ft (0.06 cu m). The sediment bag shall also meet one of the following options.

a. OPTION 1. Two piece geotextile fabric bag.

The inner filter bag shall be constructed of a polypropylene geotextile fabric according to the following.

| Inner Filter Bag        |                             |                               |
|-------------------------|-----------------------------|-------------------------------|
| Material Property       | Test Method                 | Minimum Average Roll Value    |
| Grab Tensile Strength   | ASTM D 4632                 | 100 lb (45 kg)                |
| Grab Tensile Elongation | ASTM D 4632                 | 50%                           |
| Puncture Strength       | ASTM D 4833/<br>ASTM D 6241 | 65 lb (29 kg)                 |
| Trapezoidal Tear        | ASTM D 4533                 | 45 lb (20 kg)                 |
| UV Resistance           | ASTM D 4355                 | 70% at 500 hours              |
| Apparent Opening Size   | ASTM D 4751                 | No. 70 (212 µm) sieve         |
| Permittivity            | ASTM D 4491                 | 2.0/sec                       |
| Water Flow Rate         | ASTM D 4491                 | 145 gpm/sq ft (5900 Lpm/sq m) |

The outer reinforcement bag shall be constructed of a polyester mesh material according to the following.

| Outer Reinforcement Bag |                             |                                           |
|-------------------------|-----------------------------|-------------------------------------------|
| Material Property       | Test Method                 | Value                                     |
| Content                 | ASTM D 629                  | Polyester                                 |
| Weight                  | ASTM D 3776                 | 4.55 oz/sq yd (155 g/sq m) $\pm$ 15%      |
| Apparent Opening Size   | ASTM D 4751                 | No. 30 (600 $\mu$ m) sieve                |
| Water Flow Rate         | ASTM D 4491                 | 225 gpm/sq ft (9150 Lpm/sq m)             |
| Burst                   | ASTM D 3786/<br>ASTM D 3787 | 120 psi (830 kPa) min.                    |
| Thickness               | ASTM D 1777                 | 0.040 $\pm$ 0.0050 in. (1.0 $\pm$ 0.1 mm) |

b. OPTION 2. Reinforced geotextile fabric bag.

The filter bag shall be constructed of a polypropylene geotextile fabric reinforced with continuous filament fiberglass according to the following.

| Reinforced Filter Bag   |                             |                                      |
|-------------------------|-----------------------------|--------------------------------------|
| Material Property       | Test Method                 | Value or Minimum Average Roll Value  |
| Weight                  | ASTM D 3776                 | 5.00 oz/sq yd (170 g/sq m) $\pm$ 15% |
| Grab Tensile Strength   | ASTM D 4632                 | 200 lb (90 kg)                       |
| Grab Tensile Elongation | ASTM D 4632                 | 50%                                  |
| Puncture Strength       | ASTM D 4833/<br>ASTM D 6241 | 95 lb (42 kg)                        |
| Trapezoidal Tear        | ASTM D 4533                 | 70 lb (31 kg)                        |
| Burst Strength          | ASTM D 3786/<br>ASTM D 3787 | 325 psi (2240 kPa)                   |
| UV Resistance           | ASTM D 4355                 | 70% at 500 hours                     |
| Apparent Opening Size   | ASTM D 4751                 | No. 70 (212 $\mu$ m) sieve           |
| Permittivity            | ASTM D 4491                 | 2.0/sec                              |
| Water Flow Rate         | ASTM D 4491                 | 145 gpm/sq ft (5900 Lpm/sq m)        |

- (4) Certification. The manufacturer shall furnish a certification with each shipment of inlet filters, stating the amount of product furnished and that the material complies with these requirements.”

## **PAVEMENT MARKING (BDE)**

Effective: April 1, 2025

Revised: November 1, 2025

Revise the fourth sentence of the fourth paragraph of Article 780.05 of the Standard Specifications to read:

“Grooves for letters and symbols shall be cut in a rectangular shape or in the shape of the proposed marking so the entire marking will fit within the limits of the grooved area.”

Revise the last sentence of the third paragraph of Article 780.08 of the Standard Specifications to read:

“The Contractor shall install the preformed plastic pavement markings according to the manufacturer’s recommendations.”

Revise the second sentence of the first paragraph of Article 780.13 of the Standard Specifications to read:

“In addition, thermoplastic, preformed plastic, epoxy, preformed thermoplastic, polyurea, and modified urethane pavement markings will be inspected following a winter performance period that extends from November 15 to April 1 of the next year.”

80464

## PERFORMANCE GRADED ASPHALT BINDER (BDE)

Effective: January 1, 2023

Revised: April 1, 2026

Revise Article 1032.05 of the Standard Specifications to read:

**“1032.05 Performance Graded Asphalt Binder.** These materials will be accepted according to the Bureau of Materials Policy Memorandum, “Performance Graded Asphalt Binder Qualification Procedure.” The Department will maintain a qualified producer list. These materials shall be free from water and shall not foam when heated to any temperature below the actual flash point. Air blown asphalt, recycle engine oil bottoms (ReOB), and polyphosphoric acid (PPA) modification shall not be used.

When requested, producers shall provide the Engineer with viscosity/temperature relationships for the performance graded asphalt binders delivered and incorporated in the work.

- (a) Performance Graded (PG) Asphalt Binder. The asphalt binder shall meet the requirements of AASHTO M 320, Table 1 “Standard Specification for Performance Graded Asphalt Binder” for the grade shown on the plans and the following.

| Test                                                                                                            | Parameter  |
|-----------------------------------------------------------------------------------------------------------------|------------|
| Small Strain Parameter (AASHTO PP 113) BBR, $\Delta T_c$ ,<br>40 hrs PAV (40 hrs continuous or 2 PAV at 20 hrs) | -5 °C min. |

- (b) Modified Performance Graded (PG) Asphalt Binder. The asphalt binder shall meet the requirements of AASHTO M 320, Table 1 “Standard Specification for Performance Graded Asphalt Binder” for the grade shown on the plans.

Asphalt binder modification shall be performed at the source, as defined in the Bureau of Materials Policy Memorandum, “Performance Graded Asphalt Binder Qualification Procedure.”

Modified asphalt binder shall be safe to handle at asphalt binder production and storage temperatures or HMA construction temperatures. Safety Data Sheets (SDS) shall be provided for all asphalt modifiers.

- (1) Polymer Modification (SBS). Elastomers shall be added to the base asphalt binder to achieve the specified performance grade and shall be a styrene-butadiene-styrene without oil extension. The polymer modified asphalt binder shall be smooth, homogeneous, and be according to the following requirements for the grade shown on the plans.

| Requirements for Styrene-Butadiene Copolymer (SBS) Modified Asphalt Binders                                                                                  |                  |                                      |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------|------------------------------------|
| Separation of Polymer<br>ITP, "Separation of Polymer from Asphalt Binder"<br>Difference in °F (°C) of the softening point<br>between top and bottom portions |                  | 4 (2) max.                           |                                    |
| Tests on Residue from Rolling Thin Film Oven Test (RTFO), AASHTO T 240                                                                                       |                  |                                      |                                    |
| Multiple Stress Creep Recovery (MSCR), AASHTO T 350                                                                                                          |                  |                                      |                                    |
| Asphalt Grade                                                                                                                                                | Test Temperature | Maximum J <sub>nr</sub><br>(3.2 kPa) | Minimum<br>% Recovery<br>(3.2 kPa) |
| SBS 76-22                                                                                                                                                    | 64 °C            | ≤ 0.5                                | ≥ 75 %                             |
| SBS 70-22                                                                                                                                                    |                  | ≤ 2                                  | ≥ 30 %                             |
| SBS 76-28                                                                                                                                                    | 58 °C            | ≤ 0.5                                | ≥ 80 %                             |
| SBS 70-28                                                                                                                                                    |                  | ≤ 1                                  | ≥ 60 %                             |
| SBS 64-28                                                                                                                                                    |                  | ≤ 2                                  | ≥ 30 %                             |

- (2) Ground Tire Rubber (GTR) Modification. GTR modification is the addition of recycled ground tire rubber to liquid asphalt binder to achieve the specified performance grade. GTR shall be produced from processing automobile and/or truck tires by the ambient grinding method or micronizing through a cryogenic process. GTR shall not exceed 1/16 in. (2 mm) in any dimension and shall not contain free metal particles, moisture that would cause foaming of the asphalt, or other foreign materials. A mineral powder (such as talc) meeting the requirements of AASHTO M 17 may be added, up to a maximum of four percent by weight of GTR to reduce sticking and caking of the GTR particles. When tested in accordance with Illinois Modified AASHTO T 27 "Standard Method of Test for Sieve Analysis of Fine and Coarse Aggregates" or AASHTO PP 74 "Standard Practice for Determination of Size and Shape of Glass Beads Used in Traffic Markings by Means of Computerized Optical Method", a 50 g sample of the GTR shall conform to the following gradation requirements.

| Sieve Size       | Percent Passing |
|------------------|-----------------|
| No. 16 (1.18 mm) | 100             |
| No. 30 (600 µm)  | 95 ± 5          |
| No. 50 (300 µm)  | > 20            |

GTR modified asphalt binder shall be tested for rotational viscosity according to AASHTO T 316 using spindle S27. GTR modified asphalt binder shall be tested for original dynamic shear and RTFO dynamic shear according to AASHTO T 315 using a gap of 2 mm.

| Requirements for Ground Tire Rubber (GTR)<br>Modified Asphalt Binders                |         |         |
|--------------------------------------------------------------------------------------|---------|---------|
| TESTS ON RESIDUE FROM ROLLING THIN FILM OVEN TEST (AASHTO T 240)                     |         |         |
| Elastic Recovery<br>ASTM D 6084, Procedure A,<br>77 °F (25 °C), 100 mm elongation, % | 60 min. | 70 min. |

- (3) Softener Modification (SM). Softener modification is the addition of organic compounds, such as engineered flux, bio-oil blends, modified vegetable oils, amines, and fatty acid derivatives, to the base asphalt binder to achieve the specified performance grade. Softeners shall be dissolved, dispersed, or reacted in the asphalt binder to enhance its performance and shall remain compatible with the asphalt binder with no separation. Softeners shall not be added to modified PG asphalt binder as defined in Article 1032.05(b)(2).

An Attenuated Total Reflectance-Fourier Transform Infrared spectrum (ATR-FTIR) shall be collected for both the softening compound as well as the softener modified asphalt binder at the dose intended for qualification. The ATR-FTIR spectra shall be collected on unaged softener modified binder, 20-hour Pressurized Aging Vessel (PAV) aged softener modified binder, and 40-hour PAV aged softener modified binder. The ATR-FTIR shall be collected in accordance with Illinois Test Procedure 601. The electronic files spectral files (in one of the following extensions or equivalent: \*.SPA, \*.SPG, \*.IRD, \*.IFG, \*.CSV, \*.SP, \*.IRS, \*.GAML, \*. [0-9], \*.IGM, \*.ABS, \*.DRT, \*.SBM, \*.RAS) shall be submitted to the Central Bureau of Materials.

| Requirements for Softener Modified (SM) Asphalt Binders                                                                                                    |               |             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------|
| Test                                                                                                                                                       | Asphalt Grade |             |
|                                                                                                                                                            | SM PG 46-28   | SM PG 46-34 |
|                                                                                                                                                            | SM PG 52-28   | SM PG 52-34 |
|                                                                                                                                                            | SM PG 58-22   | SM PG 58-28 |
|                                                                                                                                                            | SM PG 64-22   |             |
| Small Strain Parameter (AASHTO PP 113)<br>BBR, $\Delta T_c$ , 40 hrs PAV (40 hrs continuous or 2 PAV at 20 hrs)                                            | -5 °C min.    |             |
| Large Strain Parameter (Illinois Modified AASHTO T 391) DSR/LAS Fatigue Property, $\Delta G^* _{peak}$ , 40 hrs PAV (40 hrs continuous or 2 PAV at 20 hrs) | $\geq 54$ %   |             |

- (4) Polymer/Softener Modification (SBS/SM). Polymer/Softener modification is the addition of organic compounds, such as engineered flux, bio-oil blends, modified vegetable oils, amines, and fatty acid derivatives, used in combination with SBS modified PG asphalt binder as modified in accordance with Article 1032.05(b)(1) to achieve the specified performance grade. Polymer/Softeners shall be compatible with

each other and dissolved, dispersed, or reacted in the asphalt binder to enhance its performance and shall remain compatible with the asphalt binder with no separation. Polymer/Softeners shall not be added to modified PG asphalt binder as defined in Article 1032.05(b)(2).

An Attenuated Total Reflectance-Fourier Transform Infrared spectrum (ATR-FTIR) shall be collected for both the polymer and the softening compound as well as the polymer/softener modified asphalt binder at the dose intended for qualification. The ATR-FTIR spectra shall be collected on unaged polymer/softener modified binder, 20-hour Pressurized Aging Vessel (PAV) aged polymer/softener modified binder, and 40-hour PAV aged polymer/softener modified binder. The ATR-FTIR shall be collected in accordance with Illinois Test Procedure 601. The electronic files spectral files (in one of the following extensions or equivalent: \*.SPA, \*.SPG, \*.IRD, \*.IFG, \*.CSV, \*.SP, \*.IRS, \*.GAML, \*.[0-9], \*.IGM, \*.ABS, \*.DRT, \*.SBM, \*.RAS) shall be submitted to the Central Bureau of Materials.

| Requirements for Polymer/Softener Modified (SBS-SM) Asphalt Binders                                                                                                |                  |                                      |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------|------------------------------------|
| Separation of Polymer<br>ITP, "Separation of Polymer from Asphalt Binder"<br>Difference in °F (°C) of the softening point<br>between top and bottom portions       |                  |                                      | 4 (2) max.                         |
| Tests on Residue from Rolling Thin Film Oven Test (RTFO), AASHTO T 240                                                                                             |                  |                                      |                                    |
| Multiple Stress Creep Recovery (MSCR), AASHTO T 350                                                                                                                |                  |                                      |                                    |
| Asphalt Grade                                                                                                                                                      | Test Temperature | Maximum J <sub>nr</sub><br>(3.2 kPa) | Minimum<br>% Recovery<br>(3.2 kPa) |
| SBS-SM 76-22                                                                                                                                                       | 64 °C            | ≤ 0.5                                | ≥ 75 %                             |
| SBS-SM 70-22                                                                                                                                                       |                  | ≤ 2                                  | ≥ 30 %                             |
| SBS-SM 76-28                                                                                                                                                       | 58 °C            | ≤ 0.5                                | ≥ 80 %                             |
| SBS-SM 70-28                                                                                                                                                       |                  | ≤ 1                                  | ≥ 60 %                             |
| SBS-SM 64-28                                                                                                                                                       |                  | ≤ 2                                  | ≥ 30 %                             |
| Small Strain Parameter (AASHTO PP 113) BBR, ΔT <sub>c</sub> ,<br>40 hrs PAV (40 hrs continuous or 2 PAV at 20 hrs)                                                 |                  |                                      | -5 °C min.                         |
| Large Strain Parameter (Illinois Modified AASHTO T 391)<br>DSR/LAS Fatigue Property, Δ G*  <sub>peak</sub> τ,<br>40 hrs PAV (40 hrs continuous or 2 PAV at 20 hrs) |                  |                                      | ≥ 60 %                             |

The following grades may be specified as tack coats.

| Asphalt Grade                | Use        |
|------------------------------|------------|
| PG 58-22, PG 58-28, PG 64-22 | Tack Coat" |

Revise Article 1031.06(c)(1) and 1031.06(c)(2) of the Standard Specifications to read:

- “(1) RAP/RAS. When RAP is used alone or RAP is used in conjunction with RAS, the percentage of virgin ABR shall not exceed the amounts listed in the following table.

| HMA Mixtures - RAP/RAS Maximum ABR % <sup>1/ 2/</sup> |        |         |                                                  |
|-------------------------------------------------------|--------|---------|--------------------------------------------------|
| Ndesign                                               | Binder | Surface | Polymer Modified Binder or Surface <sup>3/</sup> |
| 30                                                    | 30     | 30      | 10                                               |
| 50                                                    | 25     | 15      | 10                                               |
| 70                                                    | 15     | 10      | 10                                               |
| 90                                                    | 10     | 10      | 10                                               |

- 1/ For Low ESAL HMA shoulder and stabilized subbase, the RAP/RAS ABR shall not exceed 50 percent of the mixture.
- 2/ When RAP/RAS ABR exceeds 20 percent, the high and low virgin asphalt binder grades shall each be reduced by one grade (i.e. 25 percent ABR would require a virgin asphalt binder grade of PG 64-22 to be reduced to a PG 58-28).
- 3/ The maximum ABR percentages for ground tire rubber (GTR) modified mixes shall be equivalent to the percentages specified for SBS polymer modified mixes.

- (2) FRAP/RAS. When FRAP is used alone or FRAP is used in conjunction with RAS, the percentage of virgin asphalt binder replacement shall not exceed the amounts listed in the following table.

| HMA Mixtures - FRAP/RAS Maximum ABR % <sup>1/ 2/</sup> |        |         |                                                  |
|--------------------------------------------------------|--------|---------|--------------------------------------------------|
| Ndesign                                                | Binder | Surface | Polymer Modified Binder or Surface <sup>3/</sup> |
| 30                                                     | 55     | 45      | 15                                               |
| 50                                                     | 45     | 40      | 15                                               |
| 70                                                     | 45     | 35      | 15                                               |
| 90                                                     | 45     | 35      | 15                                               |
| SMA                                                    | - -    | - -     | 25                                               |
| IL-4.75                                                | - -    | - -     | 35                                               |

- 1/ For Low ESAL HMA shoulder and stabilized subbase, the FRAP/RAS ABR shall not exceed 50 percent of the mixture.
- 2/ When FRAP/RAS ABR exceeds 20 percent for all mixes, the high and low virgin asphalt binder grades shall each be reduced by one grade (i.e. 25 percent ABR would require a virgin asphalt binder grade of PG 64-22 to be reduced to a PG 58-28).

- 3/ The maximum ABR percentages for GTR modified mixes shall be equivalent to the percentages specified for SBS polymer modified mixes.”

Add the following to the end of Note 2 of Article 1030.03 of the Standard Specifications.

“A dedicated storage tank for the ground tire rubber (GTR) modified asphalt binder shall be provided. This tank shall be capable of providing continuous mechanical mixing throughout and/or recirculation of the asphalt binder to provide a uniform mixture. The tank shall be heated and capable of maintaining the temperature of the asphalt binder at 300 °F to 350 °F (149 °C to 177 °C). The asphalt binder metering systems of dryer drum plants shall be calibrated with the actual GTR modified asphalt binder material with an accuracy of  $\pm 0.40$  percent.”

80441

## REMOVAL AND DISPOSAL OF REGULATED SUBSTANCES (BDE)

Effective: January 1, 2024

Revised: April 1, 2026

Revise the first paragraph of Article 669.04 of the Standard Specifications to read:

**“669.04 Regulated Substances Monitoring.** Regulated substances monitoring includes environmental observation and field screening during regulated substances management activities. The excavated soil and groundwater within the work areas shall be managed as either uncontaminated soil, hazardous waste, special waste, or non-special waste.

As part of the regulated substances monitoring, the monitoring personnel shall perform and document the applicable duties listed on form BDE 2732 “Regulated Substances Monitoring Daily Record (RSM DR)”.

Revise the first two sentences of the nineteenth paragraph of Article 669.05 of the Standard Specifications to read:

“The Contractor shall coordinate waste disposal approvals with the disposal facility and provide the specific analytical testing requirements of that facility. The Contractor shall make all arrangements for collection, transportation, and analysis of landfill acceptance testing.”

Revise the last paragraph of Article 669.05 of the Standard Specifications to read:

“The Contractor shall select a permitted landfill facility or CCDD/USFO facility meeting the requirements of 35 Ill. Admin. Code Parts 810-814 or Part 1100, respectively. The Department will review and approve or reject the facility proposed by the Contractor based upon information provided in BDE 2730. The Contractor shall verify whether the selected facility is compliant with those applicable standards as mandated by their permit and whether the facility is presently, has previously been, or has never been, on the United States Environmental Protection Agency (U.S. EPA) National Priorities List or the Resource Conservation and Recovery Act (RCRA) List of Violating Facilities. The use of a Contractor selected facility shall in no manner delay the construction schedule or alter the Contractor's responsibilities as set forth.”

Revise the first paragraph of Article 669.07 of the Standard Specifications to read:

**“669.07 Temporary Staging.** Soil classified according to Articles 669.05(a)(2), (b)(1), or (c) may be temporarily staged at the Contractor's option. All other soil classified according to Articles 669.05(a)(1), (a)(3), (a)(4), (a)(5), (a)(6), or (b)(2) shall be managed and disposed of without temporary staging to the greatest extent practicable. If circumstances beyond the Contractor's control require temporary staging of these latter materials, the Contractor shall request approval from the Engineer in writing.

Topsoil for re-use as final cover which has been field screened and found not to exhibit PID readings over daily background readings as documented on the BDE 2732, visual staining or

odors, and is classified according to Articles 669.05(a)(2), (a)(3), (a)(4), (b)(1), or (c) may be temporarily staged at the Contractor's option."

Add the following paragraph after the fourth paragraph of Article 669.10 of the Standard Specifications.

"Regulated substances monitoring will be measured for payment per calendar day, where 4 or more hours of monitoring activities is defined as 1.0 calendar day and less than 4 hours of monitoring activities is defined as 0.5 calendar day."

Revise the second paragraph of Article 669.11 of the Standard Specification to read:

"Regulated substances monitoring, including completion of form BDE 2732 for each day of work, will be paid for at the contract unit price per calendar day for REGULATED SUBSTANCES MONITORING. In no case will more than 1.0 calendar day be paid on a given calendar day."

Add the following paragraph after the sixth paragraph of Article 669.11 of the Standard Specifications.

"The sampling and testing of effluent water derived from dewatering discharges for priority pollutants volatile organic compounds (VOCs), priority pollutants semi-volatile organic compounds (SVOCs), or priority pollutants metals, will be paid for at the contract unit price per each for VOCS GROUNDWATER ANALYSIS using EPA Method 8260B, SVOCs GROUNDWATER ANALYSIS using EPA Method 8270C, or RCRA METALS GROUNDWATER ANALYSIS using EPA Methods 6010B and 7471A. This price shall include transporting the sample from the job site to the laboratory."

Revise the first sentence of the eight paragraph of Article 669.11 of the Standard Specifications to read:

"Payment for temporary staging of soil classified according to Articles 669.05(a)(1), (a)(3), (a)(4), (a)(5), (a)(6), or (b)(2) to be managed and disposed of, if required and approved by the Engineer, will be paid according to Article 109.04."

80455

## SHORT TERM AND TEMPORARY PAVEMENT MARKINGS (BDE)

Effective: April 1, 2024

Revised: November 1, 2026

Revise Article 701.02(d) of the Standard Specifications to read:

“(d) Pavement Marking Tapes (Note 3) ..... 1095.06”

Add the following Note to the end of Article 701.02 of the Standard Specifications:

“Note 3. White or yellow pavement marking tape that is to remain in place longer than 14 days shall be Type IV tape.”

Revise Article 703.02(c) of the Standard Specifications to read:

“(c) Pavement Marking Tapes (Note 1) ..... 1095.06”

Add the following Note to the end of Article 703.02 of the Standard Specifications:

“Note 1. White or yellow pavement marking tape that is to remain in place longer than 14 days shall be Type IV tape.”

Revise the first paragraph of Article 703.04 of the Standard Specifications to read:

**“703.04 Short Term Pavement Markings.** Before the lane is opened to traffic, short term pavement markings shall be installed between all lanes open to traffic. Center line or lane line markings shall consist of an abbreviated pattern of single stripes 4 ft (1.2 m) in length and 6 in. (150 mm) wide at a maximum spacing of 40 ft (12 m) between stripes. Center lines on two-lane highways shall be yellow and lane lines separating two or more lanes of traffic moving in the same direction shall be white. Edge line markings shall be applied on multilane divided highways and other highways with a paved shoulder greater than 4 ft (1.2 m) wide. Edge line markings shall consist of stripes 4 ft (1.2 m) in length and 6 in. (150 mm) wide at intervals of 50 ft (15 m) on ramps and 200 ft (60 m) on mainline installed at approximately a 45 degree diagonal pointing in the direction of traffic. Short term pavement markings on the final wearing surface shall be transversely offset from the permanent pavement marking location as directed by the Engineer. Short term pavement markings shall be removed within five calendar days after permanent pavement markings are installed.”

Revise the first paragraph of Article 703.05 of the Standard Specifications to read:

**“703.05 Temporary Pavement Marking.** When an intermediate course cannot be overlaid or if the final surface cannot be permanently marked within the time restrictions listed above, the full standard markings shall be installed with temporary pavement markings. Temporary lane line, edge line, and center line markings shall be a minimum of 6 in. (150 mm) wide and of the

same color as shown on the plans for the permanent markings. Other temporary markings shall be of the same color and dimensions as shown on the plans for the permanent markings.”

Revise Article 1095.06 of the Standard Specifications to read:

**“1095.06 Pavement Marking Tapes.** Type I white or yellow marking tape shall consist of glass spheres embedded into a binder on a foil backing that is precoated with a pressure sensitive adhesive. The spheres shall be of uniform gradation and distributed evenly over the surface of the tape.

Type IV tape shall consist of white or yellow tape with wet reflective media incorporated to provide immediate and continuing retroreflection in wet and dry conditions. The wet retroreflective media shall be bonded to a durable polyurethane surface. The patterned surface shall have approximately  $40 \pm 10$  percent of the surface area raised and presenting a near vertical face to traffic from any direction. The channels between the raised areas shall be substantially free of exposed reflective elements or particles.

Blackout tape shall consist of a matte black, non-reflective, patterned surface that is precoated with a pressure sensitive adhesive.

- (a) Color. The white and yellow markings shall meet the following requirements for daylight reflectance and color, when tested, using a color spectrophotometer with 45 degrees circumferential/zero degree geometry, illuminant D65, and two degree observer angle. The color instrument shall measure the visible spectrum from 380 to 720 nm with a wavelength measurement interval and spectral bandpass of 10 nm.

| Color    | Daylight Reflectance %Y |
|----------|-------------------------|
| White    | 65 min.                 |
| Yellow * | 36 - 59                 |

\*Shall match Aerospace Material Specification Standard 595 33538 (Orange Yellow) and the chromaticity limits as follows.

|   |       |       |       |       |
|---|-------|-------|-------|-------|
| x | 0.490 | 0.475 | 0.485 | 0.530 |
| y | 0.470 | 0.438 | 0.425 | 0.456 |

- (b) Retroreflectivity. The white and yellow markings shall be retroreflective. Reflective values measured in accordance with the photometric testing procedure of ASTM D 4061 shall not be less than those listed in the table below. The coefficient of retroreflected luminance,  $R_L$ , shall be expressed as average millicandelas/footcandle/sq ft (millicandelas/lux/sq m), measured on a 3.0 x 0.5 ft (900 mm x 150 mm) panel at 86 degree entrance angle.

| Coefficient of Retroreflected Luminance, $R_L$ , Dry |       |        |                   |       |        |
|------------------------------------------------------|-------|--------|-------------------|-------|--------|
| Type I                                               |       |        | Type IV           |       |        |
| Observation Angle                                    | White | Yellow | Observation Angle | White | Yellow |
| 0.2°                                                 | 2700  | 2400   | 0.2°              | 1300  | 1200   |
| 0.5°                                                 | 2250  | 2000   | 0.5°              | 1100  | 1000   |

Wet retroreflectance shall be measured for Type IV under wet conditions according to ASTM E 2177 and meet the following.

| Wet Retroreflectance, Initial $R_L$ |                  |
|-------------------------------------|------------------|
| Color                               | $R_L$ 1.05/88.76 |
| White                               | 300              |
| Yellow                              | 200              |

- (c) Skid Resistance. The surface of Type IV and blackout markings shall provide a minimum skid resistance of 45 BPN when tested according to ASTM E 303.
- (d) Application. The pavement marking tape shall have a precoated pressure sensitive adhesive and shall require no activation procedures. Test pieces of the tape shall be applied according to the manufacturer's instructions and tested according to ASTM D 1000, Method A, except that a stiff, short bristle roller brush and heavy hand pressure will be substituted for the weighted rubber roller in applying the test pieces to the metal test panel. Material tested as directed above shall show a minimum adhesion value of 750 g/in. (30 g/mm) width at the temperatures specified in ASTM D 1000. The adhesive shall be resistant to oils, acids, solvents, and water, and shall not leave objectionable stains or residue after removal. The material shall be flexible and conformable to the texture of the pavement.
- (e) Durability. Type IV and blackout tape shall be capable of performing for the duration of a normal construction season and shall then be capable of being removed intact or in large sections at pavement temperatures above 40 °F (4 °C) either manually or with a roll-up device without the use of sandblasting, solvents, or grinding. The Contractor shall provide a manufacturer's certification that the material meets the requirements for being removed after the following minimum traffic exposure based on transverse test decks with rolling traffic.

- (1) Time in place - 400 days
- (2) ADT per lane - 9,000 (28 percent trucks)
- (3) Axle hits - 10,000,000 minimum

Samples of the material applied to standard specimen plates will be measured for thickness and tested for durability in accordance with ASTM D 4060, using a CS-17 wheel and 1000-gram load, and shall meet the following criteria showing no significant change in color after being tested for the number of cycles indicated.

| Test                                    | Type I    | Type IV                                            | Blackout                                           |
|-----------------------------------------|-----------|----------------------------------------------------|----------------------------------------------------|
| Minimum Initial Thickness,<br>mils (mm) | 20 (0.51) | 65 (1.65) <sup>1/</sup><br>20 (0.51) <sup>2/</sup> | 65 (1.65) <sup>1/</sup><br>20 (0.51) <sup>2/</sup> |
| Durability (cycles)                     | 5,000     | 1,500                                              | 1,500                                              |

1/ Measured at the thickest point of the patterned surface.

2/ Measured at the thinnest point of the patterned surface.

The pavement marking tape, when applied according to the manufacturer's recommended procedures, shall be weather resistant and shall show no appreciable fading, lifting, or shrinkage during the useful life of the marking. The tape, as applied, shall be of good appearance, free of cracks, and edges shall be true, straight, and unbroken.

(f) Sampling and Inspection.

- (1) Sample. Prior to approval and use of Type IV pavement marking tape, the manufacturer shall submit a notarized certification from an independent laboratory, together with the results of all tests, stating that the material meets the requirements as set forth herein. The independent laboratory test report shall state the lot tested, the manufacturer's name, and the date of manufacture.

After initial approval by the Department, samples and certification by the manufacturer shall be submitted for each subsequent batch of Type IV tape used. The manufacturer shall submit a certification stating that the material meets the requirements as set forth herein and is essentially identical to the material sent for qualification. The certification shall state the lot tested, the manufacturer's name, and the date of manufacture.

- (2) Inspection. The Contractor shall provide a manufacturer's certification to the Engineer stating the material meets all requirements of this specification. All material samples for acceptance tests shall be taken or witnessed by a representative of the Bureau of Materials and shall be submitted to the Engineer of Materials, 126 East Ash Street, Springfield, Illinois 62704-4766 at least 30 days in advance of the pavement marking operations."

## **SIGN PANELS AND APPURTENANCES (BDE)**

Effective: January 1, 2025

Revised: January 1, 2026

Add Article 720.02(c) of the Standard Specifications to read:

“(c) Aluminum Epoxy Mastic ..... 1008.03”

Revise the second and third paragraphs of Article 720.02 of the Standard Specifications to read:

“The sign mounting support channel shall be manufactured from steel or aluminum and shall be according to Standard 720001.

Steel support channels shall be according to ASTM A 1011 (A 1011M), ASTM A 635 (A 635M), ASTM A 568 (A 568M), or ASTM A 684 (A 684M), and shall be galvanized. Galvanizing shall be according to ASTM A 653 (A 653M) when galvanized before fabrication, and AASHTO M 111 (M 111M) when galvanized after fabrication. Field or post fabricated drilled holes shall be spot painted with one coat of aluminum epoxy mastic paint prior to installation.”

Revise the fifth paragraph of Article 720.02 of the Standard Specifications to read:

“The stainless steel banding for mounting signs or sign support channels to light or signal standards shall be according to ASTM A 240 (A 240M) Type 302 stainless steel.”

Revise the first sentence of the tenth paragraph of Article 720.03 of the Standard Specifications to read:

“The backs of all sign panels shall be marked in a manner designed to last as long as the sign face material, in letters and numerals at least 3/8 in. (9.5 mm) but no more than 3/4 in. (19 mm) in height with the month and year of manufacture, the name of the sign manufacturer, the name of the sign sheeting manufacturer, the method of manufacture (“screened”, “EC film”, “direct applied”, or “digital print”), and the initials IDOT.”

Revise the first sentence of the fourth paragraph of Article 1091.03(a)(10) of the Standard Specifications to read:

“Transparent colors screened, or transparent acrylic electronic cutting films, or digital printing on white sheeting, shall meet the minimum initial coefficient of retroreflection values of the 0.2 degree observation angle, -4.0 degree entrance angle values as listed in the previous tables for the color being applied.”

Add the following after the fourth paragraph of Article 1091.03(a)(10) of the Standard Specifications:

“Digitally printed signs shall be produced using digital print technologies and ink systems, products and processes that comply with the sheeting manufacturer’s recommendation. The digitally printed signs shall be fabricated with a full sign protective overlay film designed to provide a smooth surface needed for retroreflectivity, and to protect the sign from fading and UV degradation. The overlamine shall comply with the sheeting manufacturer’s recommendations to ensure proper adhesion and transparency.”

Add the following after the third paragraph of Article 1106.01 of the Standard Specifications:

“Digitally printed signs may omit protective overlay film.”

80462

## SOURCE OF SUPPLY AND QUALITY REQUIREMENTS (BDE)

Effective: January 2, 2023

Revised: January 1, 2026

Revise the third through ninth paragraphs of Article 106.01 of the Standard Specifications to read:

“Articles, materials, and supplies shall be classified into only one of the following categories.

- (a) Iron and Steel. All iron and steel products, which are to be incorporated into the work, shall be domestically manufactured or produced and fabricated, unless an exception is expressly permitted under Federal and/or State law and written permission is given by the Department. The Contractor shall obtain from the iron or steel producer and/or fabricator, in addition to the mill analysis, a certification that all iron or steel materials meet these domestic source requirements.

The applications of all coatings, epoxy, galvanizing, painting, etc. to iron and steel products shall be domestically applied.

- (b) Manufactured Products. Manufactured products shall include articles, materials or supplies that have been processed into a specific form or shape; or have been combined with other articles, materials, or supplies to create a product with different properties than the individual articles, materials, or supplies. Manufactured products incorporated into the work shall have the final assembly for the manufacturing process occur domestically.

A manufactured product may include components that are construction materials, iron or steel products, or exempt materials.

Precast concrete products and intelligent transportation systems (ITS) or other electronic hardware systems shall comply with the requirements of Article 106.01(a) in addition to the requirements of manufactured products.

- (c) Construction Materials. All manufacturing processes for construction materials shall occur within the United States. Construction materials shall include an article, material, or supply consisting of only one of the following.

- (1) Non-ferrous metals;

- (2) Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);

- (3) Glass (including optic glass);

- (4) Fiber optic cable (including drop cable);

- (5) Optical fiber;

(6) Lumber;

(7) Drywall;

(8) Engineered wood.

Minor additions of articles, materials, supplies, or binding agents to a construction material do not change the categorization of the construction material.

- (d) Exempt Materials. Materials exempt from domestic production requirements are cement or cementitious materials, aggregates, aggregate binding agents or additives, or items not permanently incorporated into the work. Exempt materials may be combined with other materials into a final form to produce a manufactured product.”

80448

## **SUBCONTRACTOR AND DBE PAYMENT REPORTING (BDE)**

Effective: April 2, 2018

Add the following to Section 109 of the Standard Specifications.

**“109.14 Subcontractor and Disadvantaged Business Enterprise Payment Reporting.**  
The Contractor shall report all payments made to the following parties:

- (a) first tier subcontractors;
- (b) lower tier subcontractors affecting disadvantaged business enterprise (DBE) goal credit;
- (c) material suppliers or trucking firms that are part of the Contractor's submitted DBE utilization plan.

The report shall be made through the Department's on-line subcontractor payment reporting system within 21 days of making the payment.”

80397

## **SUBCONTRACTOR MOBILIZATION PAYMENTS (BDE)**

Effective: November 2, 2017

Revised: April 1, 2019

Replace the second paragraph of Article 109.12 of the Standard Specifications with the following:

“This mobilization payment shall be made at least seven days prior to the subcontractor starting work. The amount paid shall be at the following percentage of the amount of the subcontract reported on form BC 260A submitted for the approval of the subcontractor’s work.

| Value of Subcontract Reported on Form BC 260A | Mobilization Percentage |
|-----------------------------------------------|-------------------------|
| Less than \$10,000                            | 25%                     |
| \$10,000 to less than \$20,000                | 20%                     |
| \$20,000 to less than \$40,000                | 18%                     |
| \$40,000 to less than \$60,000                | 16%                     |
| \$60,000 to less than \$80,000                | 14%                     |
| \$80,000 to less than \$100,000               | 12%                     |
| \$100,000 to less than \$250,000              | 10%                     |
| \$250,000 to less than \$500,000              | 9%                      |
| \$500,000 to \$750,000                        | 8%                      |
| Over \$750,000                                | 7%”                     |

80391

## **SUBMISSION OF BIDDERS LIST INFORMATION (BDE)**

Effective: January 2, 2025

Revised: March 2, 2025

In accordance with 49 CFR 26.11(c) all DBE and non-DBEs who bid as prime contractors and subcontractors shall provide bidders list information, including all DBE and non-DBE firms from whom the bidder has received a quote or bid to work as a subcontractor, whether or not the bidder has relied upon that bid in placing its bid as the prime contractor.

The bidders list information shall be submitted with the bid using the link provided within the “Integrated Contractor Exchange (iCX)” application of the Department’s “EBids System”.

80463

## **SUBMISSION OF PAYROLL RECORDS – FEDERAL AID CONTRACT (BDE)**

Effective: April 1, 2026

If the prevailing rate of wages published by the Illinois Department of Labor (IDOL) is equal to or greater than the prevailing wage determination by the United States Secretary of Labor for the same locality for the same type of construction used to classify the federal construction project, the requirements of the Illinois Prevailing Wage Act (820 ILCS 130) shall apply, including the “ILLINOIS PREVAILING WAGE ACT” section below. If not, only the requirements of the Davis-Bacon Act shall apply, including the “DAVIS-BACON ACT” section below.

DAVIS-BACON ACT. Revise the following section of Check Sheet #1 of the Recurring Special Provisions to read:

### **“STATEMENTS AND PAYROLLS**

The payroll records shall include the worker’s name, social security number, last known address, telephone number, email address, classification(s) of work actually performed, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof), daily and weekly number of hours actually worked in total, deductions made, and actual wages paid.

The Contractor and each subcontractor shall submit certified payroll records to the Department each week from the start to the completion of their respective work, except that full social security numbers, last known addresses, telephone numbers, and email addresses shall not be included on weekly submittals. Instead, the payrolls need only include an identification number for each employee (e.g., the last four digits of the employee’s social security number). The submittals shall be made using LCPTracker Pro software. The software is web-based and can be accessed at <https://lcptracker.com/>. When there has been no activity during a work week, a payroll record shall still be submitted with the appropriate option (“No Work”, “Suspended”, or “Complete”) selected.”

ILLINOIS PREVAILING WAGE ACT. Revise the following section of Check Sheet #1 of the Recurring Special Provisions to read:

### **“STATEMENTS AND PAYROLLS**

- (1) Prevailing Wages. All wages paid by the Contractor and each subcontractor shall be in compliance with The Prevailing Wage Act (820 ILCS 130), as amended, except where a prevailing wage violates a federal law, order, or ruling, the rate conforming to the federal law, order, or ruling shall govern. The Contractor shall be responsible to notify each subcontractor of the wage rates set forth in this contract and any revisions thereto. If the Department of Labor revises the wage rates, the Contractor will not be allowed additional compensation on account of said revisions.

(2) Payroll Records. The Contractor and each subcontractor shall make and keep, for a period of five years from the later of the date of final payment under the contract or completion of the contract, records of the wages paid to his/her workers. The payroll records shall include the worker's name, the worker's address, the worker's telephone number when available, the worker's social security number, the worker's classification or classifications, the worker's gross and net wages paid in each pay period, the worker's number of hours worked each day, and the worker's starting and ending times of work each day. However, any Contractor or subcontractor who remits contributions to a fringe benefit fund that is not jointly maintained and jointly governed by one or more employer and one or more labor organization must additionally submit the worker's hourly wage rate, the worker's hourly overtime wage rate, the worker's hourly fringe benefit rates, the name and address of each fringe benefit fund, the plan sponsor of each fringe benefit, if applicable, and the plan administrator of each fringe benefit, if applicable. Upon seven business days' notice, these records shall be available at a location within the State, during reasonable hours, for inspection by the Department or the Department of Labor; and Federal, State, or local law enforcement agencies and prosecutors.

(3) Submission of Payroll Records. The Contractor and each subcontractor shall, no later than the 15<sup>th</sup> day of each calendar month, file a certified payroll for the immediately preceding month to the Illinois Department of Labor (IDOL) through the Certified Transcript of Payroll Portal in compliance with the State Prevailing Wage Act (820 ILCS 130). The portal can be found on the IDOL website at <https://labor.illinois.gov>. Payrolls shall be submitted in the format prescribed by the IDOL.

In addition to filing certified payroll(s) with the IDOL, the Contractor and each subcontractor shall certify and submit payroll records to the Department each week from the start to the completion of their respective work, except that full social security numbers shall not be included on weekly submittals. Instead, the payrolls shall include an identification number for each employee (e.g., the last four digits of the employee's social security number). In addition, starting and ending times of work each day may be omitted from the payroll records submitted. The submittals shall be made using LCPTracker Pro software. The software is web-based and can be accessed at <https://lcptracker.com/>. When there has been no activity during a work week, a payroll record shall still be submitted with the appropriate option ("No Work", "Suspended", or "Complete") selected.

(4) Employee Interviews. The Contractor and each subcontractor shall permit his/her employees to be interviewed on the job, during working hours, by compliance investigators of the Department or the Department of Labor."

## **SURVEYING SERVICES (BDE)**

Effective: April 1, 2025

Delete the fourth paragraph of Article 667.04 of the Standard Specifications.

Delete Section 668 of the Standard Specifications.

80465

## **VEHICLE AND EQUIPMENT WARNING LIGHTS (BDE)**

Effective: November 1, 2021

Revised: November 1, 2026

Add the following paragraph after the first paragraph of Article 701.08 of the Standard Specifications:

“The Contractor shall equip all vehicles and equipment with high-intensity oscillating, rotating, or flashing; green, amber, or amber-and-white warning lights which are visible from all directions. In accordance with 625 ILCS 5/12-215, the lights may only be in operation while the vehicle or equipment is engaged in construction operations.”

80439

## **WEEKLY DBE TRUCKING REPORTS (BDE)**

Effective: June 2, 2012

Revised: January 2, 2025

The following applies to all Disadvantaged Business Enterprise (DBE) trucks on the project, whether they are utilized for DBE goal credit or not.

The Contractor shall notify the Engineer at least three days prior to DBE trucking activity.

The Contractor shall submit a weekly report of DBE trucks hired by the Contractor or subcontractors (i.e. not owned by the Contractor or subcontractors) to the Engineer on Department form "SBE 723" within ten business days following the reporting period. The reporting period shall be Sunday through Saturday for each week reportable trucking activities occur.

Any costs associated with providing weekly DBE trucking reports shall be considered as included in the contract unit prices bid for the various items of work involved and no additional compensation will be allowed.

80302

## WORK ZONE TRAFFIC CONTROL DEVICES (BDE)

Effective: March 2, 2020

Revised: January 1, 2026

Add the following to Article 701.03 of the Standard Specifications:

“(q) Temporary Sign Supports ..... 1106.02”

Revise Article 701.03(p) of the Standard Specifications to read:

“(p) Detectable Pedestrian Channelizing Barricades ..... 1106.02(m)”

Revise the third paragraph of Article 701.14 of the Standard Specifications to read:

“For temporary sign supports, the Contractor shall provide a FHWA eligibility letter for each device used on the contract. The letter shall provide information for the set-up and use of the device as well as a detailed drawing of the device. The signs shall be supported within 20 degrees of vertical. Weights used to stabilize signs shall be attached to the sign support per the manufacturer’s specifications.”

Revise the first paragraph of Article 701.15 of the Standard Specifications to read:

“**701.15 Traffic Control Devices.** For devices that must meet crashworthiness standards, the Contractor shall provide a manufacturer’s self-certification or a FHWA eligibility letter for each Category 1 device and a FHWA eligibility letter for each Category 2 and Category 3 device used on the contract. The self-certification or letter shall provide information for the set-up and use of the device as well as a detailed drawing of the device.”

Revise the first six paragraphs of Article 1106.02 of the Standard Specifications to read:

“**1106.02 Devices.** Work zone traffic control devices and combinations of devices shall meet crashworthiness standards for their respective categories. The categories are as follows.

Category 1 includes small, lightweight, channelizing and delineating devices that have been in common use for many years and are known to be crashworthy by crash testing of similar devices or years of demonstrable safe performance. These include cones, tubular markers, plastic drums, and delineators, with no attachments (e.g. lights). Category 1 devices shall be MASH compliant.

Category 2 includes devices that are not expected to produce significant vehicular velocity change but may otherwise be hazardous. These include vertical panels with lights, barricades, temporary sign supports, and Category 1 devices with attachments (e.g. drums with lights). Category 2 devices shall be MASH compliant.

Category 3 includes devices that are expected to cause significant velocity changes or other potentially harmful reactions to impacting vehicles. These include crash cushions (impact attenuators), truck mounted attenuators, and other devices not meeting the definitions of Category 1 or 2. Category 3 devices manufactured after December 31, 2019 shall be MASH compliant. Category 3 devices manufactured on or before December 31, 2019, and compliant with NCHRP 350, may be used on contracts let before December 31, 2029. Category 3 devices shall be crash tested for Test Level 3 or the test level specified.

Category 4 includes portable or trailer-mounted devices such as sign supports, speed feedback displays, arrow boards, changeable message signs, temporary traffic signals, and area lighting supports. It is preferable for Category 4 devices manufactured after December 31, 2019 to be MASH-16 compliant; however, there are currently no crash tested devices in this category, so it remains exempt from the NCHRP 350 or MASH compliance requirement.

For each type of device, when no more than one MASH compliant is available, an NCHRP 350 compliant device may be used, even if manufactured after December 31, 2019.”

Revise the first paragraph of Section 1106.02(a) of the Standard Specifications to read:

- “(a) Lights. Lights shall meet the requirements of Chapter 13 of the “Equipment and Materials Standards of the Institute of Transportation Engineers,” 1998, Institute of Transportation Engineers, and shall be visible on a clear night from a distance of 3000 ft (900 m). Lights are classified as follows.”

Revise Articles 1106.02(g), 1106.02(k), 1106.02(l), and 1106.02(m) of the Standard Specifications to read:

- “(g) Truck Mounted/Trailer Mounted Attenuators. The attenuator shall be approved for use at Test Level 3. Test Level 2 may be used for normal posted speeds less than or equal to 45 mph.
- (k) Temporary Water Filled Barrier. The water filled barrier shall be a lightweight plastic shell designed to accept water ballast and be on the Department’s qualified product list.

Shop drawings shall be furnished by the manufacturer and shall indicate the deflection of the barrier as determined by acceptance testing; the configuration of the barrier in that test; and the vehicle weight, velocity, and angle of impact of the deflection test. The Engineer shall be provided one copy of the shop drawings.

- (l) Movable Traffic Barrier. The movable traffic barrier shall be on the Department’s qualified product list.

Shop drawings shall be furnished by the manufacturer and shall indicate the deflection of the barrier as determined by acceptance testing; the configuration of the barrier in that test; and the vehicle weight, velocity, and angle of impact of the deflection test. The

Engineer shall be provided one copy of the shop drawings. The barrier shall be capable of being moved on and off the roadway on a daily basis.

- (m) Detectable Pedestrian Channelizing Barricades. The top panel or handrail shall be continuous and there should be at least a 2 in. (50 mm) gap between the hand trailing edge and its support. When visible to vehicular traffic, the top rail shall have alternating white and orange retroreflective stripes sloping at 45 degrees. The bottom panel shall be continuous and have alternating white and orange retroreflective stripes sloping at 45 degrees. Barricade stripes shall be 6 in. (150 mm) in width. The predominant color for other barricade components shall be white, orange, or silver.”

80427

## **WORK ZONE WIDTH RESTRICTION (BDE)**

Effective: July 1, 2026

Revise the second paragraph of Article 701.06 of the Standard Specifications to read:

“Where the clear width through a work zone will be 17.5 ft (5.34 m) or less, the Contractor shall notify the Engineer at least 21 days in advance of implementing the traffic control for that restriction.”

80485

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

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

**ATTACHMENTS**

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

**I. GENERAL**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **6. Training and Promotion:**

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

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

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

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

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

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

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

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

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

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

#### **8. Reasonable Accommodation for Applicants /**

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

#### **9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment:**

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

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

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

#### **10. Assurances Required:**

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

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

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

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

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

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

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

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

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

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

### III. NONSEGREGATED FACILITIES

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

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

### IV. DAVIS-BACON AND RELATED ACT PROVISIONS

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

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

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

#### 1. Minimum wages (29 CFR 5.5)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

d. *Fringe benefits not expressed as an hourly rate.*

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

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

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

## 2. Withholding (29 CFR 5.5)

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

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

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

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

### 3. Records and certified payrolls (29 CFR 5.5)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT**

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

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

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

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

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

### 3. Withholding for unpaid wages and liquidated damages

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

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

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

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

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

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

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

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

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

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

## VI. SUBLETTING OR ASSIGNING THE CONTRACT

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

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

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

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

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

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

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

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

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

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

## **VII. SAFETY: ACCIDENT PREVENTION**

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

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

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

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

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

## **VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS**

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

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

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

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

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

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

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

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

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

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

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

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

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

**1. Instructions for Certification – First Tier Participants:**

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

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction. 2 CFR 180.320.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default. 2 CFR 180.325.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. 2 CFR 180.345 and 180.350.

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

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

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

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

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

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

\* \* \* \* \*

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

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

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

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

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

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

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

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

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

\* \* \* \* \*

## **3. Instructions for Certification - Lower Tier Participants:**

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

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

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

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

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

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

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

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

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

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

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

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

\* \* \* \* \*

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

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

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

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

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

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

\* \* \* \* \*

#### **XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING**

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

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

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

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

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

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

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

#### **XII. USE OF UNITED STATES-FLAG VESSELS:**

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

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

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

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

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

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

**ROAD CONTRACTS** (23 CFR 633, Subpart B, Appendix B)  
This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

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

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

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

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

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

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

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

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

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