

Project Number: 180217

PID #: 88851

Contract ID: VAN88851

EDGE Goal: 6.0%

Van Wert
SR 709-01.14

TWO LANE RESURFACING

Work Type Percentage Performed by Prime: 50

THE 2016 CONSTRUCTION AND MATERIAL SPECIFICATION BOOK IS PART OF THE
BIDDING DOCUMENTS ON THIS PROJECT

PROPOSAL

STATE OF OHIO

DEPARTMENT OF TRANSPORTATION

Jerry Wray, Director

March 22, 2018

Submitted by _____

Bidder Id _____

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PN 019 – 01/20/2016 - PREPARATION OF PROPOSAL

ELECTRONIC BIDDING REQUIREMENTS

The Department uses the Bid Express website (<http://www.bidx.com>) as an official repository for electronic bid submittal. Bidders must prepare their bids electronically using Project Bids and submitted via Bid Express.

The Department will not accept handwritten bids or bids generated electronically from software other than that used and supplied by the Department. All handwritten bids and bids generated electronically from software other than that used and supplied by the Department shall be considered non-responsive and ineligible for award. The Department will only accept and consider bids that have been produced using Project Bids and submitted via Bid Express.

The Department's Office of Contracts will provide planholders with a proposal, plan set and any required addenda. Most addenda will not be provided by hard copy, but will be available on the Office of Contracts website at: <http://contracts.dot.state.oh.us>. Planholders will be notified of all addenda via email. All proposals, plans, Project Bids (EBSX) files and addenda are also available on the Office of Contracts web site.

Electronic bids must comply with all special provisions, the Construction and Material Specifications, Supplemental Specifications and the rules and regulations of the Ohio Department of Transportation regarding bid preparation and bid submittal.

Blank unit prices will be considered an invalid bid EXCEPT in the case of optional designs (projects where the bidder is required to bid on only one design). Unit prices of zero are not permitted at any time.

Addenda and/or amendments must be acknowledged in the Bid Acknowledgement section of the Project Bids (EBSX) file in order for your bid to be considered for award of this project. The section contains the certification of receipt of all hard copy proposals, addenda, amendments, plans, standard specifications and supplemental specifications. Supplemental Questionnaire information regarding the bidder's outstanding ODOT and non-ODOT work have also been included in this section. Bid Express will not accept bids that do not have amendments incorporated. Failure to incorporate changed quantities or items in your Project Bids (EBSX) submissions will result in the rejection of your bid.

Each bidder is required to file with his bid a certified check or cashier's check for an amount equal to five percent (5%) of its bid, but in no event more than fifty thousand dollars, or a bid bond for ten percent (10%) of its bid payable to the "Director of Transportation." Electronic bid bonds will be verified upon submission of bids through Bid Express. Bidders must obtain and verify a Bond ID number from the surety. This Bond ID must be entered in the "Bond ID Number" field in the Bid Bond Section of the Project Bids file.

If the contractor chooses to submit a certified check to guaranty its bid, the Department's Office of Contracts will accept a check up to 72 hours in advance of the letting. The Office of Contracts must receive the certified check by 10:00 a.m. on the day the project sells. All checks must be sent to ODOT, Office of Contracts, Attention: Letting Manager, First Floor, 1980 W. Broad St., Columbus, Ohio 43223.

The successful bidder must furnish a performance bond and a payment bond in an amount equal to one hundred percent (100%) of the awarded contract amount. (Ohio Revised Code Section 5525.16)

Any bid received after 10:00 a.m. on the scheduled day of opening will receive no further consideration for award. The Department will not be responsible for a late bid due to failure of the bidder to allow sufficient time for delivery of the bid.

The Department will ensure that this electronic bid depository is available for a two-hour period prior to the deadline for submission of bids. In the case of disruption of national communications or loss of services by <http://www.bidx.com> during this two-hour period, the Department will delay the deadline for bid submissions to ensure the ability of potential bidders to submit bids. If this occurs, instructions will be communicated to potential bidders.

PN 033 - 04/18/2008 - AS PER PLAN DESIGNATION - PROPOSAL NOTE

For the last several years the "As Per Plan" designation has been added to some item descriptions in the proposal to assist the Contractors to easily identify standard items that have been altered by plan notes.

The "As Per Plan" designation has proven to be a very useful tool for the Contractors. However, its use was never intended to relieve the Contractors of their responsibility to read, bid and construct all items in accordance with all governing plan notes. Therefore, the absence of an "As Per Plan" designation on some item descriptions in the proposal for which there are clear and controlling plan notes does not relieve the Contractors of the responsibility to read, bid and construct those particular items in accordance with the governing plan notes.

Be advised that the item descriptions in the bidding proposal must be read or interpreted with the governing plan notes and the Ohio Department of Transportation Construction and Materials Specifications. A claim based upon an "order of precedence" basis will be denied. In the event that a conflict, either real or perceived, exists between the item description and the governing plan note, the Contractors are to request clarification through the pre-bid process.

PN 038 - 10/15/2004 - UNRESOLVED FINDING FOR RECOVERY

The Contractor affirmatively represents to the Department that it is not subject to a finding for recovery under Ohio Revised Code §9.24, or that it has taken the appropriate remedial steps required under §9.24 or otherwise qualifies under that section. The Contractor agrees that if this representation is deemed to be false, the contract shall be void ab initio as between the parties to this contract, and any funds paid by the state hereunder shall be immediately repaid to the Department, or an action for recovery may be immediately commenced by the Department for recovery of said funds.

PN 039 - 10/15/2004 - ASSIGNMENT OF ANTITRUST CLAIMS IN STATE CONTRACT LANGUAGE

It is the policy of the Ohio Department of Transportation that ODOT and the Contractor recognize that in actual economic practice, overcharges resulting from antitrust violations are usually borne by ODOT. As consideration for the Award of the Contract and intent to be legally bound, the Contractor acting herein by and through the person signing this contract on behalf of the Contractor as a duly authorized agent, hereby assigns, sells, conveys, and transfers to ODOT any and all right, title and interest to any and all claims and causes of action the Contractor now has or hereafter requires under state or federal antitrust laws provided that the claims or causes of action related to the goods or services that are the subject to the contract. In addition, the Contractor warrants and represents that it will require any and all of its subcontractors and first tier suppliers to assign any and all federal and state antitrust claims and causes of action to ODOT. The provisions of this article shall become effective at the time ODOT executes this contract without further acknowledgment by any of the parties.

All contracting entities shall assign their rights and responsibilities to ODOT for all antitrust claims and causes of action regarding subcontractors.

PN 022 - 04/15/2013 - ENCOURAGING DIVERSITY, GROWTH AND EQUITY (EDGE) REQUIREMENTS

Pursuant to Ohio Revised Code 123.152, the percentage indicated on the front cover of this bid is the percent of the awarded Contractor's bid. The percentage goal may be met if the Contractor is EDGE certified or by subcontracting to certified EDGE firms. EDGE certified firms are those who have been certified by the Ohio Department of Administrative Services. If not EDGE certified, the Contractor must use its best efforts to solicit quotes from and to utilize EDGE subcontractors/suppliers on this project.

WAIVER PROCESS FOR EDGE GOAL

If not EDGE certified, the Contractor must document the progress and efforts made in securing the services of EDGE subcontractors/suppliers. In the event the Contractor is unable to meet the EDGE Goal placed on this project, a request for a waiver of all or part of the goal may be made to the DBE Services Section. The written request must include all signed and dated purchase orders and subcontract agreements for any goal attainment achieved and indicate a good faith effort was made to meet the goal and be sent to the DBE Services Section, Division of Construction Management, 1980 West Broad Street, Mail Stop 4110, Columbus, Ohio, 43223. There will be no extension of time for the project granted if the Contractor wishes to avail itself of this process. If an item of work subcontracted to an EDGE firm is non-performed by the Department or the subject of an approved VECP, the Contractor may request a waiver for the portion of work excluded.

The Department shall consider the following information and documentation when a request for an EDGE goal waiver is received:

1. Dollar value and % of EDGE goal. Dollar value and % of waiver request.
2. Signed copy of each subcontract or purchase order agreement between the prime and EDGE subcontractor/supplier utilized in meeting the contract goal.
3. Copy of dated written communication, fax confirmation, personal contact, follow up and negotiation with the EDGE firm.

4. Copy of dated written communication and/or fax confirmation that bidder solicited and provided EDGE with adequate information about the plans, specifications and requirements of the contract in a timely manner to assist them in responding to a solicitation.
5. Copy of dated written communication and/ or fax confirmation of each noncompetitive EDGE quote that includes the dollar value of each reference item and work type.
6. Copy of dated written communication and/ or dated fax confirmation of EDGE firms that were not interested in providing a quote for the project.
7. All solicitations made by the Contractor for subcontracting opportunities and EDGE quotes through SBN.
8. Documentation of all negotiating efforts and reason for rejecting quotes from EDGE firms.
9. Documentation of good faith efforts (GFE) to meet the EDGE subcontract goal, by looking beyond the items typically subcontract or consideration of subcontracting items normally performed by the prime as a way to meet the EDGE goal.

The Administrator will review the submitted documentation and issue a written decision within ten (10) business days. The Contractor may request administrative reconsideration within 14 days of being informed that it did not perform a GFE. The Contractor must make this request in writing to the following official:

Ohio Department of Transportation
Attention: Deputy Director, Division of Construction Management
1980 West Broad Street, Mail Stop 4110
Columbus, Ohio 43223

The reconsideration official will not have played any role in the original determination that the Contractor did not document sufficient good faith effort.

As part of this reconsideration, the Contractor will have the opportunity to provide written documentation or an argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. ODOT will send the Contractor a written decision on reconsideration explaining the basis for finding that the Contractor did or did not meet the goal or make adequate good faith efforts. The result of the reconsideration process may be appealed to the Court of Claims.

AFFIDAVIT OF SUBCONTRACTOR PAYMENT

The Ohio Revised Code 123.152, requires the Ohio Department of Transportation (ODOT) to monitor and verify that work subcontracted to Encouraging Diversity, Growth and Equity (EDGE) firms is actually performed by the EDGE firms. The affidavit seeks to verify actual payments made to EDGE firms on the project. Each EDGE firm must verify the actual payment amount.

The blank spaces in the affidavit must be filled in correctly, where indicated. The affidavit must be signed by the Contractor and subcontractor, or by the subcontractor and EDGE sub-contractor, if applicable. By signing the affidavit, the noted firm agrees that the payment amount recorded is true and accurate as of the payment time period.

Completed and signed affidavit shall be mailed to the Ohio Department of Transportation, DBE Services Section, 1980 West Broad Street, Mail Stop 4110, Columbus, Ohio 43223.

SANCTIONS

The Ohio Department of Transportation will issue sanctions if the Contractor chooses not to request a waiver, the Contractor fails to comply with the contract requirements and/or fails to demonstrate the necessary good faith effort.

The Ohio Department of Transportation may impose any of the following sanctions:

- (1) letter of reprimand;
- (2) liquidated damages computed up to the amount of goal dollars not met;
- (3) cross-withhold from future projects;
- (4) contract termination and/or
- (5) other remedies available by law including suspension, revocation, and/or debarment.

Factors to be considered in issuing sanctions include, but are not limited to:

- (1) the magnitude and the type of offense;
- (2) the degree of the Contractor's culpability;
- (3) any steps taken to rectify the situation;
- (4) the Contractor's record of performance on other projects including, but not limited to:
 - a. annual EDGE participation over EDGE goals;
 - b. annual EDGE participation on projects without goals;
 - c. number of complaints the Ohio Department of Transportation has received from EDGE firms regarding the Contractor; and
 - d. the number of times the Contractor has been previously sanctioned by the Department of Transportation; and
- (5) whether the Contractor falsified, misrepresented, or withheld information.

PN 016 - 10/15/2004 -STATE EEO CERTIFICATION CLAUSE

The hiring of employees for the performance of work under this contract shall be done in accordance with Sections 153.59 and .591, of the Ohio Revised Code, the Governor's Executive Order of January 27, 1972, including Appendices "A" and "B" and the Governor's amended Executive Order 84-9 of November 30, 1984. The successful contractor shall not discriminate against or intimidate any person hired for the performance of the work by reason of race, color, religion, national origin, ancestry, sex or handicap. For any violation the contractor shall suffer such penalties as provided for in Section 153.60, of the Ohio Revised Code, and the Governor's Executive Order of January 27, 1972. The bidder also agrees that upon the award of this contract he shall incorporate this certification in all subcontracts on this project regardless of tier.

PN 090 - 01/21/2011 - WORK TYPE CODES AND DESCRIPTIONS

The Department will indicate the work type required for each pay item. If the line item does not have a corresponding work type, NR will be shown in the work type column. This proposal note will govern the assignment of work types to pay items.

However, the Contractor may perform incidental work items for which it does not hold the required work type provided the cost of the work does not exceed 5% of the total bid. The Contractor may also perform Work Type 26 (Structural steel painting) without holding the required work type provided the total area to be painted does not exceed 700 SF per structure. The Contractor may perform Work Type 57 (Sealing of Concrete Surfaces with Epoxy or Non-Epoxy Sealers) without holding the required work type provided the total area to be sealed does not exceed 75 SY per project.

Listed below are the work types for this proposal. In accordance with Ohio law, a bidder must possess work types, and perform work equal to the percentage included on the front cover of this proposal. This is a percentage of the total amount of the submitted bid price. The Director may, by insertion of a contract provision, reduce the fifty percent amount.

Work Type Code	Work Type Description	Work Type Code	Work Type Description
1	Clearing & Grubbing	29	Structure Repairs
2	Building Removal	30	Hydrodemolition
3	Gas, Oil, Water Well Abandonments	31	Structural Steel Repairs
4	Roadway Excavation & Embankment Construction	32	Heat Straightening
5	Major Roadway Excavations	33	Tieback Installation
6	Incidental Grading	34	Earth Retaining Structures
7	Soil Stabilization	35	Drainage (Culverts, Misc.)
8	Temporary Soil Erosion & Sediment Control	36	Guardrail / Attenuators
9	Aggregate Bases	37	Fence
10	Flexible Paving	38	Misc. Concrete
11	Apply Bituminous Treatments	39	Maintenance of Traffic
12	Rigid Paving	40	Waterproofing
13	Pavement Planning, Milling, Scarification	41	Raised Pavement Markers
14	Concrete Texturing	42	Signing
15	Sawing	43	Highway Lighting
16	Flexible Replacement	44	Traffic Signals - Standard
17	Rigid Pavement Replacement	45	Pavement Markings
18	Pavement Rubblizing, Breaking, Pulverizing	46	Landscaping
19	Structure Removal	47	Mowing
20	Level 1 Bridge	48	Trucking
21	Level 2 Bridge	49	Herbicide Spraying
22	Level 3 Bridge	50	Railroad Track Construction
23	Reinforcing Steel	51	Micro Tunneling
24	Structural Steel Erection	52	Tunneling
25	Stud Welding	53	Piling
26	Structural Steel Painting	54	Post-Tensioning Bridge Members
27	Expansion & Contraction Joints, Joint sealers, Bearing Devices	55	Fiber Optic Cable Installation, Splicing, Termination and Testing – Traffic Signal System
28	Caissons / Drilled Shafts	56	Fiber Optic Cable Installation, Splicing, Termination and Testing – Intelligent Transportation System
		57	Sealing of Concrete Surfaces with Epoxy or Non-Epoxy Sealers

PN 060 – 10/22/2012 - PREVAILING WAGES ON STATE PROJECTS WITH NO FEDERAL AID

The following is in addition to Section 108.10.

This contract is subject to Ohio Prevailing Wage Laws, Chapter 4115 of the Ohio Revised Code and the Contractor and all subcontractors shall comply with all provisions contained therein or as otherwise provided by this note. The Contractor guarantees that the prevailing wage scale to be paid to all laborers and mechanics employed on this contract shall be in accordance with the schedule of the prevailing hourly wage and fringe benefits as determined by the Ohio Department of Commerce for the county in which the work is being performed. The failure to pay prevailing wages to all laborers and mechanics employed on this project, shall be considered a breach of contract. Such a failure may result in the revocation of the contractor's and/or subcontractor's certificate of qualification and debarment. A schedule of the most current prevailing wage rates may be accessed by registering with the Ohio Department of Commerce, Labor and Worker Safety Division, Wage and Hour Bureau at the following web address:

<http://198.234.41.198/w3/webwh.nsf?Opendatabase>

The Contractor and all subcontractors shall compensate the employees on this contract at a pay rate not less than the hourly wage and fringe rate listed on the website noted above, for the applicable job classification or as may be modified by the Ohio Department of Commerce, Division of Labor and Worker Safety Wage and Hour Bureau, when new prevailing rates are established.

Overtime shall be paid at one and one-half times the basic hourly rate for any hours worked beyond forty hours during a pay week. The Contractor and all subcontractors shall pay all compensation by company check to the worker and fringe benefit program.

The wage and fringe rates determined for this project or as may be later modified, shall be posted by the Contractor in a prominent and accessible place on the project, field office, or equipment yard where they can be easily read by the workers or otherwise made available to the workers. On the first pay date of contract work the Contractor and all subcontractors shall furnish each employee covered by prevailing wage a completed form whpw1512 in accordance with section 4115.05 of the Ohio Revised Code, showing the classification, hourly pay rate, fringes, and identifying the District Prevailing Wage Coordinator (DPWC), if such employees are not covered by a collective bargaining agreement or understanding between employers and bona fide organizations of labor. These forms shall be signed by the Contractor or subcontractor and the employee and kept in the Contractor's or subcontractor's payroll files.

The Contractor shall submit to the designated Department representative, certified payrolls for the Contractor and all subcontractors on form whpw1509 or equivalent, in accordance with sections 4115.07 and 4115.071 (C) of the Ohio Revised Code, three weeks after the start of work and every subsequent week until the completion of the contract. Additionally, a copy of the "Apprentice Certification" obtained from the Ohio State Apprenticeship Council, must accompany all certified payrolls submitted, for all apprentices working on this project. Upon completion of the contract and before the final payment, the Contractor shall submit to the DPWC a final wage affidavit in accordance with section 4115.07 of the Ohio Revised Code stating that wages have been paid in conformance with the minimum rates set forth in the contract. Please be aware that it is ultimately the responsibility of the Contractor to ensure that all laws relating to prevailing wages in Chapter 4115 of the Ohio Revised Code, are strictly adhered to by all subcontractors.

The Contractor and all subcontractors shall make all of its payroll records available for inspection, copying or transcription by any authorized representative of the contracting agency. Additionally, the Contractor and all subcontractors shall permit such representatives to interview any employees during working hours while the employee is on the job.

If the Contractor or any subcontractor fails to comply with any of the provisions contained in this proposal note, the Department may terminate the contract, debar the Contractor or Subcontractor and/or withhold or suspend pay estimates after written notice and a reasonable opportunity to comply has been provided.

PN 045 - 10/15/2004 - NON - COLLUSION AFFIDAVIT

In accordance with Title 23 United States Code, Section 112 and Ohio Revised Code, Chapter 1331 et. seq; and Sections 2921.11 and 2921.13, the bidder hereby states, under penalty of perjury and under other such penalties as the law provides, that he or his agents or employees have not entered either directly or indirectly into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this proposal. Execution of this proposal on the signature portion thereof shall constitute also signature of this Non-Collusion Affidavit as permitted by title 28 United States Code, Section 1746.

REPORTING BID RIGGING

To report bid rigging activities call:

1-800-424-9071

The U.S. Department of Transportation (DOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to 5:00 p.m. eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities.

The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

PN 420 - 10/21/2016 - SURFACE SMOOTHNESS REQUIREMENTS FOR PAVEMENTS

DESCRIPTION: The surface tolerance specification requirements are modified as follows for all pavements of constant width with at least 1 centerline mile (1.6 km) of continuous paving. Short breaks in paving such as bridge decks, intersections, etc. are not considered breaks in continuous paving. Also included is pavement for ramps, acceleration lanes, and deceleration lanes greater than 0.5 miles (0.8 km) in length. Do not include pavement for turn lanes including center turn lanes, shoulders, crossovers, approach slabs, and bridge decks.

Roads with less than 1 centerline mile (1.6 km) of paving; ramps, acceleration lanes, and deceleration lanes less than 0.5 miles (0.8 km); and sections of undivided highways, as defined in this note, within corporation limits with posted speed limits less than 40 miles per hour require smoothness measurement and corrective action for all areas of localized roughness with an IRI in excess of 250 inches per mile (3.95 m/km) in 25 feet (7.6 m) only. Do not include pavement for turn lanes including center turn lanes, shoulders, crossovers, approach slabs, and bridge decks.

Areas not part of this specification are subject to the requirements of the original item(s) specified.

If the pavement surface is Rubberized Open Graded Asphalt Friction Course (Supplemental Specification 803), this specification applies to the surface of the course immediately below and references to the number of courses placed do not include the SS803 course.

MATERIALS AND EQUIPMENT: Provide smoothness measuring equipment conforming to Supplement 1058. Furnish the Department's approval letter of the profiler and the operator to the Engineer. The Engineer will verify the smoothness measuring equipment conforms to Supplement 1058. The Engineer will complete the Smoothness Profiler Verification Report found in Supplement 1058, Appendix A, to document profiler calibration prior to measurement. The Engineer will verify the profile operator's certification against the operator list posted on the Office of Technical Services webpage. Furnish equipment meeting the requirements of C&MS 257.02 for performing corrective diamond grinding.

SMOOTHNESS MEASUREMENT: Measure the pavement surface smoothness in both wheel paths. Wheel paths are located parallel to the centerline or baseline of the roadway or ramp and approximately 3.0 feet (1.0 m) from the centerline of the lane or ramp, measured transversely in both directions. Ensure the path of the profiler is parallel to the lane centerline at all times. Measure the entire length of pavement, event marking the profile runs such that profile data can later be identified when the profile sensor(s) is within 1.0 foot (0.3 m) of any existing pavement not constructed on the project, pressure relief joint, approach slab, or other non pavement features (i.e. manholes, valve boxes). Remove any objects such as dirt, debris, curing covers, etc., prior to performing the surface smoothness measurements. Replace any curing covers after the measurements are taken. Repair any membrane curing damaged during the measurements.

Do not perform any surface smoothness measurements until the pavement has cured sufficiently to allow measuring without damaging the pavement. When the pavement will not support the profiler on the next working day, notify the Engineer and inform the Engineer when the measurements will be taken. Provide the Engineer at least 24 hours' notice prior to performing any measurements. Do not take measurements until project site verification is demonstrated to the Engineer according to Supplement 1058.

Develop an International Roughness Index (IRI) according to ASTM E 1926 for each 0.1-mile (0.16 km) section. Submit two copies of the summary report from ProVAL conforming to Supplement 1110 and two electronic copies of all longitudinal pavement profiles in ProVAL compatible format to the Engineer. The Engineer will submit one copy of the summary report and one electronic copy of the profiles to the Office of Technical Services.

Provide necessary traffic control and survey stationing for all surface smoothness measurements.

MANDATORY CORRECTIVE ACTION: Perform corrective action for the applicable surface type as required. Do not include pavement within 40 feet (12.2 m) of a bridge deck or approach slab in any 0.1-mile (0.16 km) section evaluated for pay adjustment. Measure and evaluate these 40 foot (12.2 m) sections for localized roughness corrections. Provide a list of all mandatory corrective action locations, with station, lane, and proposed corrections to the Engineer for approval. Do not perform any corrective actions without approval of the Engineer.

Asphalt Concrete Surface: Classify asphalt pavement areas into one of the following types based on the work performed as part of the Project.

- Type A: Asphalt pavement specified as at least two uniform courses with the total thickness placed greater than or equal to 3 inches (75 mm).
- Type B: Asphalt pavement specified as either: a) at least one uniform course with the total thickness placed less than 3 inches (75 mm) and including Item 254 or SS897 planing prior to resurfacing, or b) at least two uniform courses with the total thickness less than 3 inches (75 mm) without including Item 254 or SS897 planing prior to resurfacing.
- Type C: Asphalt pavement specified as a single uniform course not meeting the criteria of Type B. The uniform course may be placed on a non-uniform leveling course.

TABLE 420-1 ASPHALT CONCRETE PAVEMENT CLASS CRITERIA				
	Divided Highways*		Undivided Highways*	
Pavement Class	Corrective Action	Pay Adjustment Schedule (Table 420-3)	Corrective Action	Pay Adjustment Schedule (Table 420-3)
Type A [\geq 3in. + 2-course]	[1],[5]	A	[2],[5]	A
Type B [$<$ 3in. + Milling] or [$<$ 3in. + 2-course]	[1],[5]	A	[3],[5]	A
Type C [$<$ 3in. + 1-course]	[2],[5]	A	[4]	B

* Divided highways have physical separation such as a grass median, raised concrete median, guardrail, or barrier between the two directions of travel. Highways with continuous two way left turn lanes are considered undivided. Undivided highways with short sections, less than 1000 feet (300 m), of physical separation are considered undivided for the entire length.

Corrective Action:

- [1] Correct all areas of localized roughness having deviations, high or low points, with an IRI in excess of 160 inches per mile (2.53 m/km) in 25 feet (7.6 m).
- [2] Correct all areas of localized roughness having deviations, high or low points, with an IRI in excess of 200 inches per mile (3.16 m/km) in 25 feet (7.6 m).
- [3] Correct all areas of localized roughness having deviations, high or low points, with an IRI in excess of 225 inches per mile (3.55 m/km) in 25 feet (7.6 m).
- [4] Correct all areas of localized roughness having deviations, high or low points, with an IRI in excess of 250 inches per mile (3.95 m/km) in 25 feet (7.6 m).
- [5] Correct any 0.1-mile (0.16 km) sections having an IRI greater than 90 inches per mile (1.42 m/km).

Perform corrective action as required in Table 420-1 by removing and replacing to the depth necessary to correct the deviations or by diamond grinding. Use asphalt concrete meeting the contract requirements for the replacement work. Apply Item 407 Tack Coat prior to placing the surface course. The total amount of grinding is limited to no more than 5% by longitudinal length of the lane-miles (lane-km) eligible for a pay adjustment.

Re-measure each 0.1-mile (0.16 km) section where corrective action was performed to ensure compliance with Table 420-1.

If the final surface course is Item 803, seal any diamond ground areas with material meeting the requirements of 702.04 prior to placing the Item 803.

Portland Cement Concrete Surface: Classify pavement areas into one of the following types based on the work performed as part of the Project.

Type A: Concrete pavement with the total specified thickness greater than or equal to 8 inches (200 mm).

Type B: Concrete pavement with the total specified thickness greater than 6 inches (150 mm) and less than 8 inches (200 mm).

Type C: Concrete pavement with the total specified thickness less than or equal to 6 inches (150 mm).

TABLE 420-2 PORTLAND CEMENT CONCRETE PAVEMENT CLASS CRITERIA				
Pavement Class	Divided Highways*		Undivided Highways*	
	Corrective Action	Pay Adjustment Schedule (Table 420-3)	Corrective Action	Pay Adjustment Schedule (Table 420-3)
Type A [\geq 8in.]	[1],[5]	A	[1],[5]	A
Type B [$>$ 6 in. & $<$ 8in.]	[1],[5]	A	[2],[5]	A
Type C [\leq 6 in.]	[2],[5]	A	[3]	B

* Divided highways have physical separation such as a grass median, raised concrete median, guardrail, or barrier between the two directions of travel. Highways with continuous two way left turn lanes are considered undivided. Undivided highways with short sections, less than 1000 feet (300 m), of physical separation are considered undivided for the entire length.

Corrective action:

[1] Correct all areas of localized roughness having deviations, high or low points, with an IRI in excess of 160 inches per mile (2.53 m/km) in 25 feet (7.6 m).

[2] Correct all areas of localized roughness having deviations, high or low points, with an IRI in excess of 200 inches per mile (3.16 m/km) in 25 feet (7.6 m).

[3] Correct all areas of localized roughness having deviations, high or low points, with an IRI in excess of 225 inches per mile (3.55 m/km) in 25 feet (7.6 m).

[5] Correct any 0.1-mile (0.16 km) sections having an IRI greater than 90 inches per mile (1.42 m/km).

Perform corrective action as required in Table 420-2 by diamond grinding or removing and replacing. Use Portland cement concrete meeting the contract requirements for the replacement work.

Re-measure each 0.1-mile (0.16 km) section where corrective action was performed to ensure compliance with Table 420-2.

Complete all corrective action prior to determination of pavement thickness. If corrective action is required, the surface texture after diamond grinding is acceptable and no additional texturing is required.

Asphalt and Portland Cement Concrete Surfaces: If corrective action is required, develop a corrective action plan at least 7 days before beginning corrective action. Include in the plan identification and detailed location descriptions of all localized and lot violations and proposed corrective action. Do not begin corrective action until receiving the Engineer's acceptance of the corrective action plan. The corrective action plan is limited to grinding, pavement removal and replacement or a combination of the two. Upon completion of the corrective action, re-measure surface smoothness according to this specification. In the event the Contractor is not able to correct the surface smoothness to meet the Specification, the DCA may establish a deduction to the Contract in accordance with section 105.03 of the C&MS.

EXEMPTED CORRECTIONS: Required corrective action resulting from contract requirements for maintaining traffic and construction joints placed at the beginning and end of each work period are considered exempted corrections. The contractor will identify and define all exempted correction locations. Exempted corrections for maintaining traffic occur primarily at ramps or other access points where paving must be suspended. Required corrective action due to material availability, weather, or any other reason not listed above, is not considered an exempted correction. No exempted corrections for maintaining traffic exist on projects where the maintenance of traffic plan does not interfere with paving operations. Perform exempted corrections according to the requirements for mandatory corrective action.

METHOD OF MEASUREMENT: Determine the IRI for each lane for each 0.1-mile (0.16 km) section of paving. The IRI for a 0.1-mile (0.16 km) section is the average of the IRI of the two wheel paths.

PAY ADJUSTMENTS: A lump sum pay adjustment will be made according to the following schedule and calculations for each lane for each 0.1-mile (0.16 km) section. Payment will be based on a 12 foot (3.7 m) lane width, regardless of lane width. Pay adjustments are based on the weighted average bid unit cost per square yard for the section multiplied by the pay factor as determined in Table 420-3. Pavement thickness is the total thickness of asphalt concrete, Portland cement concrete, or both placed as part of the contract and does not include any SS803 course, free draining base, aggregate base, stabilized subgrade, etc.

TABLE 420-3 PAY SCHEDULE			
SCHEDULE A		SCHEDULE B	
IRI	PAY ADJUSTMENT	IRI	PAY ADJUSTMENT
Inches per mile per 0.1 mile section (m/km per 0.16 km section)	Percentage of Unit Cost (PUC) (%)	Inches per mile per 0.1 mile section (m/km per 0.16 km section)	Percentage of Unit Cost (PUC) (%)
35 (0.55) or less	4	45 (0.71) or less	4
Over 35 to 50 (0.55 to 0.79)	$(50 - \text{IRI}) * \left(\frac{4}{15}\right)$	Over 45 to 60 (0.71 to 0.95)	$(60 - \text{IRI}) * \left(\frac{4}{15}\right)$
Over 50 to 70 (0.79 to 1.10)	0	Over 60 (0.95)	0
Over 70 to 90 (1.10 to 1.42)	$-(\text{IRI} - 70) * \left(\frac{6}{20}\right)$		
Over 90 (1.42)	(1)		

(1) Corrective action required

Asphalt Pavements:

$$WUC = \frac{(t_1 \times u_1) + (t_2 \times u_2) + (t_3 \times u_3) \dots}{36}$$

Where: WUC = weighted unit cost (\$/SY).

t = lift thickness (in.).

u = bid unit cost (\$/CY).

Concrete Pavements:

$$WUC = \text{bid unit cost (\$/SY)}$$

Pay Adjustment (PA):

$$PA = WUC \times 704 \times PUC$$

Where: WUC = weighted unit cost (\$/SY).

PUC = percentage of unit cost from Table 420-3, expressed as a decimal.

Pay adjustments will be based on the measured IRI after any mandatory corrective action however no incentive will be paid for any 0.1-mile (0.16 km) section where mandatory corrective action was performed regardless of the resulting IRI.

One-tenth mile (0.16 km) sections with exempted corrections only are eligible for incentive pay based on IRI measurements taken after completion of the exempted corrections.

At the Contractor's option, corrective action may be performed on any section with an IRI greater than 70 inches per mile (1.10 m/km) to reduce or eliminate the negative pay adjustment however, no incentive will be paid regardless of the resulting IRI. As an option the Department may allow corrective action, in the form of diamond grinding, Item 254, or SS897 pavement planing, to improve the profile on any course prior to the surface course. If the final course is Item 803 do not perform corrective action on the Item 803. Only diamond grinding may be performed on the course immediately below Item 803.

Negative pay adjustments apply to sections with mandatory corrective action and exempted corrections.

No payment will be made for any 0.1-mile (0.16 km) section subject to Schedule A that has an IRI greater than 90 inches per mile (1.42 m/km) until corrective action has been completed and the IRI has been reduced to less than 90 inches per mile (1.42 m/km).

BASIS OF PAYMENT: Include the cost of all labor, equipment, and materials necessary to meet this specification in the contract unit or lump sum price for the applicable pavement items.

PN 520 09/09/2015 - FUEL PRICE ADJUSTMENT

General: This Fuel Price Adjustment (Fpa) provision is intended to minimize risk to the Contractor or Design Build Team, (DBT) due to fuel price fluctuations that may occur during the Contract. This provision is not designed to estimate actual quantities of fuel used in construction operations, but to provide a reasonable basis for calculating a fuel price adjustment based on average conditions.

The Department determines adjustments under the provisions of this Proposal Note, and presumes that the Contractor/(DBT) has relied on these provisions when determining unit bid prices. The monthly application range for percent change (Mbp/Cbp) will not exceed 50% for a Fuel Price Adjustment increase or decrease as outlined in Section B, Calculation of Fuel Price Adjustment.

A. Price Adjustment Criteria: These requirements provide for a price adjustment, positive or negative, to payments due the Contractor/(DBT) for fluctuations in the cost of fuel consumed in the performance of certain items of work. These price adjustment provisions apply only to those items in the contract as grouped by category and identified in Table A-1. All adjustments will be made based on fuel consumption indicated by Table A-1, and no changes will be made for actual consumption rates.

Category descriptions and the fuel usage factors which are applicable to each are as follows:

Fuel Adjustment Categories, Table A-1				
Category	Basis of Calculation and Threshold Quantity	Eligible Items	Units	Fuel Usage Factor
Earthwork	Apply only to the greater of the sum of all Excavation quantities or the sum of all Borrow and Embankment quantities. Threshold Quantity* = 30,000 c.y. (22,936 c.m.)	203, 204	Gallons per cubic yard (Gallons per cubic meter)	0.50 (0.65)
Aggregate Bases	Apply to quantity calculated based on the Method of Measurement and Basis of Payment. Threshold Quantity* = 2,500 c.y. (1,912 c.m.)	304, 307	Gallons per cubic yard (Gallons per cubic meter)	0.75 (0.98)
Select Granular Backfill	Apply to quantity calculated based on the Method of Measurement and Basis of Payment. Threshold Quantity* = 2,000 c.y. (1,529 c.m.)	840	Gallons per cubic yard (Gallons per cubic meter)	0.75 (0.98)
Flexible Bases and Pavements	Apply to quantity calculated based on the Method of Measurement and Basis of Payment. Threshold Quantity* = 1,200 c.y. (917 c.m.)	301, 302, 424, 441, 442, 443, 446, 448, 803, 826, 851, 857, 880	Gallons per cubic yard (Gallons per cubic meter)	1.70 (2.22)
Rigid Bases and Pavements	Apply to quantity calculated based on the Method of Measurement and Basis of Payment. Threshold Quantity* = 1,200 c.y. (917 c.m.)	305, 306, 451, 452, 526, 884,	Gallons per cubic yard (Gallons per cubic meter)	1.00 (1.31)
Structural Concrete	Apply to quantity calculated based on the Method of Measurement and Basis of Payment. Threshold Quantity* = 350 c.y. (268 c.m.)	511, 524, 842, 892	Gallons per cubic yard (Gallons per cubic meter)	4.00 (5.23)

* A Fuel Price Adjustment will only apply when the sum of all **original** contract quantities or for Design Build Projects all completed in-place accepted final quantities for the category meet or exceed the specified Threshold Quantity. When a Fuel Price Adjustment applies, calculate the Fuel Price Adjustment for the sum of all quantities for the category per this proposal note.

B. Calculation of Fuel Price Adjustment: Fuel Price Adjustments may be either positive or negative. A positive Fuel Price Adjustment will result in a payment to the Contractor/(DBT) while a negative Fuel Price Adjustment will result in a deduction.

The Department will calculate a Monthly Base Price (Mbp) for fuel for each month of each calendar year beginning with January 2001. The method for calculating the Monthly Base Price (Mbp) will be on file in the Division of Construction Management. The Monthly Base Price (Mbp) will be used to calculate all Fuel Price Adjustments. The Contract Base Price (Cbp) will be the Monthly Base Price (Mbp) for the month the contract was bid. All Monthly Base Price (Mbp) values will be posted on the Division of Construction Management, Office of Construction Administration website at: <http://www.dot.state.oh.us/Divisions/ConstructionMgt/Admin/Pages/PriceIndexes.aspx>

During each month of the contract the Engineer will select the applicable Monthly Base Price (Mbp) and calculate the ratio of the Monthly Base Price (Mbp) divided by the Contract Base Price (Cbp). The formulas below allow for a variation in fuel prices without recognizing cost increases/ decreases within the range of 90% to 110% of the Contract Base Price (Cbp).

When, and only when, the Monthly Base Price (Mbp) divided by the Contract Base Price (Cbp) is less than 0.90 or greater than 1.10 will the Engineer calculate a Fuel Price Adjustment (Fpa).

Cost increases in excess of 150% of the Contract Base Price (Cbp) will not be recognized. When, the Monthly Base Price (Mbp) divided by the Contract Base Price (Cbp) is greater than 1.50, the Fpa shall be calculated using a Cbp/Mbp ratio of 1.50.

Cost decreases in excess of 50% of the Contract Base Price (CBP) will not be recognized. When, the Monthly Base Price (Mbp) divided by the Contract Base Price (Cbp) is less than 0.50, the Fpa shall be calculated using a Cbp/Mbp ratio of 0.50.

For a Price Increase:

$$Fpa = [(Mbp/Cbp) - 1.10] \times Cbp \times Q$$

For a Price Decrease:

$$Fpa = [(Mbp/Cbp) - 0.90] \times Cbp \times Q$$

Where:

Fpa = Fuel Price Adjustment

Mbp = Monthly Base Price

Cbp = Contract Base Price

Q = The number of gallons of fuel used in the placement of items identified in Table A-1 during that month at the specified Fuel Usage Factor. Q will be determined by the Engineer for each category by multiplying the applicable Fuel Usage Factor by the sum of quantities of completed and accepted work for the specified items.

The total Monthly Fuel Price Adjustment will be the algebraic sum of the Fuel Price Adjustments for materials placed during the month for each applicable category identified in Table A-1. The Total Fuel Price Adjustment for the project will be the algebraic sum of all Monthly Fuel Price Adjustments. The

Department will calculate the Monthly and Total Fuel Price Adjustment on a monthly basis and make contract modifications as provided in Section C, Payment/Deduction.

C. Payment/Deduction: The Fuel Price Adjustment will be paid, or deducted, upon approval of a change order prepared after completion of all work. Contractor/(DBT) markups are not permitted. Partial payments or deductions will be processed prior to total completion when the unpaid accrued Total Fuel Price Adjustment exceeds \$10,000 or once every 12 months.

D. Expiration of Contract Time: When eligible items of work grouped by category and identified in Table A-1 are performed after expiration of contract time and liquidated damages are chargeable, the value of Monthly Base Price (Mbp) used to compute the price adjustment will be either the Monthly Base Price (Mbp) at the time of actual performance or the Monthly Base Price (Mbp) at the time contract time expired, whichever is less.

E. Extra Work: When eligible items of work grouped by category and identified in Table A-1 are added to the contract as Extra Work and for which a unit price is negotiated the Contractor/(DBT) must use the appropriate price for fuel when preparing required backup data for the negotiated price. No Fuel Price Adjustment will be made for fuel consumed in the performance of eligible work added to the contract as Extra Work at a negotiated price when the work commences within 90 days of the approval of the change order authorizing said extra work. If the eligible work at a negotiated price commences more than 90 days after the approval of the change order authorizing said extra work a Fuel Price Adjustment will be made if said extra work quantities exceed the applicable threshold quantity in Table A-1. The Fuel Price Adjustment will be calculated using the Monthly Base Price (Mbp) value for the month the change order authorizing said extra work was approved as the value for its Contract Base Price (Cbp).

When Extra Work is added to the contract as a Force Account operating costs for equipment used in the performance of this work will be paid in accordance with C&MS 109.05.C.4 with no further adjustment.

F. Final Quantities: Upon completion of the work and determination of final pay quantities a change order will be prepared to reconcile any difference between estimated quantities previously paid and the final quantities. In this situation, the value for the Monthly Base Price (Mbp) used in the price adjustment formula will be the average of all Monthly Base Price (Mbp) values previously used for computing price adjustments.

PN 534- 04/17/2015 - ASPHALT BINDER PRICE ADJUSTMENT

A. Eligibility

If the Department's asphalt binder index has increased or decreased in excess of 10%, asphalt concrete may be eligible for a price adjustment. The total price adjustment must be more than \$800.

B. Price Adjustment Criteria and Conditions:

The Department will establish and publish the asphalt binder Bidding Index (BI) and Placing Index (PI) for each month of each calendar year. The asphalt binder indexes will be posted on the Department's website.

The Department will establish the asphalt binder indexes based on the data provided in the Poten & Partners, Inc., Asphalt Weekly Monitor® (AWM) (<http://www.poten.com/copyright.asp>).

The Department will use the selling price for PG 64-22 paving grade asphalt from the Midwest/Mid-continent Markets of Illinois/Michigan/Ohio/Indiana/Kentucky for the Ohio cities/areas listed. The Department will average the Ohio cities/areas low and high selling prices as published in the last weekly publishing period of each month that includes the last Friday of the month to calculate the BI and PI. The calculated asphalt binder BI will be posted by the Department as the index for the following month. The calculated asphalt binder PI will be posted by the Department as the index for the current month.

The Director will determine the asphalt binder indexes in the event data from the AWM is unavailable for any reason.

C. Price Adjustment Calculations

If the ratio of the PI to the BI is greater than 1.10 or less than 0.90, the Department will adjust the compensation the contractor receives for eligible quantities of asphalt concrete. The adjustment is based on the bid month and the month of asphalt concrete placement. The adjustment will apply to the price for asphalt binder used in eligible asphalt concrete quantities according to the following formula:

For a price increase:

$$PA = \left(\frac{PI}{BI} - 1.10 \right) \times C \times Q$$

For a price decrease:

$$PA = \left(\frac{PI}{BI} - 0.90 \right) \times C \times Q$$

Where:

PA = Price Adjustment

BI = Bidding Index, the asphalt binder index for the month the project is bid

PI = Placing Index, the asphalt binder index for the month the asphalt concrete is placed

C = BI x percent virgin asphalt binder / 100

Q = Eligible quantity of asphalt concrete in tons (metric tons)

The percent of virgin asphalt binder used to calculate C is determined from the approved Job Mix Formula (JMF).

The eligible quantity of asphalt concrete, Q, is the complete, in-place, and accepted quantity in tons (metric tons) placed in the month being considered for price adjustment. If the quantity is paid in cubic yards (cubic meters), the Department will convert the volume into tons (metric tons) using the conversion factor established according to the Department's Construction and Material Specifications Item 401.21. If eligible asphalt concrete is placed beyond an approved Contract Completion Date, the Department will base price adjustments on either the PI for the last month of the approved Contract Completion Date, or the PI for the actual month of placing, using whichever PI is less.

At a minimum, the Department will calculate and apply price adjustments at the end of each construction season and as soon as practical after the completion of the project.

D. Extra Work/Force Account:

When new asphalt concrete pay items are added to the contract as Extra Work, in accordance with the provisions of C&MS Section 109.05, no price adjustments will be made.

Project Number: 180217

To the Director of the Ohio Department of Transportation: The undersigned, having full knowledge of the site, plans and specifications for the following improvement and the conditions of this proposal, hereby agrees to furnish all services, labor, materials, and equipment necessary to complete the entire project, according to the plans, specifications and completion dates, and to accept the unit prices specified below for each item as full compensation for the work in this proposal.

Date Set for Completion: **10/1/2018**

Unit Price Contract

FOR IMPROVING VARIOUS SECTIONS IN THE TOWNSHIPS OF LIBERTY AND YORK, IN VAN WERT COUNTY, OHIO, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS BY PERFORMING PAVEMENT REPAIRS, RESURFACING ASPHALT PAVEMENT, APPLYING PAVEMENT MARKINGS, AND PERFORMING ALL RELATED WORK.

Project Length: 8.06 Miles

Work Length: 8.06 Miles

Pavement Width: 25 Feet

Project Number: 180217

Section 0001 ROADWAY

Line	Alt	Item Code	Item Description	WT	Unit	Quantity
0001		202E23500	WEARING COURSE REMOVED (WT: NR)	NR	SY	493.000
0002		209E72051	PREPARING SUBGRADE FOR SHOULDER PAVING, AS PER PLAN (WT: 06)	06	MILE	15.980

Section 0002 EROSION CONTROL

Line	Alt	Item Code	Item Description	WT	Unit	Quantity
0003		832E30000	EROSION CONTROL (WT: 08)	08	EACH	1,000.000

Section 0003 PAVEMENT

Line	Alt	Item Code	Item Description	WT	Unit	Quantity
0004		253E02000	PAVEMENT REPAIR (WT: 16)	16	CY	250.000
0005		254E01000	PAVEMENT PLANING, ASPHALT CONCRETE, 1.25" DEPTH (WT: 13)	13	SY	2,535.000
0006		254E01600	PATCHING PLANED SURFACE (WT: 16)	16	SY	51.000
0007		304E20000	AGGREGATE BASE (WT: 09)	09	CY	40.000
0008		407E20000	NON-TRACKING TACK COAT (WT: 10)	10	GAL	16,611.000
0009		441E10000	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (446), PG64-22 (WT: 10)	10	CY	4,312.000
0010		441E50200	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 1, (448) (WT: 10)	10	CY	1,617.000
0011		617E10101	COMPACTED AGGREGATE, AS PER PLAN (WT: 06)	06	CY	1,041.000
0012		875E10000	LONGITUDINAL JOINT ADHESIVE (WT: 10)	10	LB	8,491.000

Section 0004 TRAFFIC CONTROL

Line	Alt	Item Code	Item Description	WT	Unit	Quantity
0013		621E00100	RPM (WT: 41)	41	EACH	531.000
0014		621E54000	RAISED PAVEMENT MARKER REMOVED (WT: NR)	NR	EACH	531.000
0015		642E00094	EDGE LINE, 6" (WT: 45)	45	MILE	16.080
0016		642E00290	CENTER LINE (WT: 45)	45	MILE	8.040
0017		644E00500	STOP LINE (WT: 45)	45	FT	55.000

Section 0005 MAINTENANCE OF TRAFFIC

Line	Alt	Item Code	Item Description	WT	Unit	Quantity
0018		614E12460	WORK ZONE MARKING SIGN (WT: 39)	39	EACH	40.000
0019		614E21400	WORK ZONE CENTER LINE, CLASS II (WT: 39)	39	MILE	16.080

Project Number: 180217

Section 0006 INCIDENTALS

Line	Alt	Item Code	Item Description	WT	Unit	Quantity
0020		103E05000	PREMIUM FOR CONTRACT PERFORMANCE BOND AND FOR PAYMENT BOND (WT: NR)	NR	LS	1.000
0021		614E11000	MAINTAINING TRAFFIC (WT: 39)	39	LS	1.000
0022		624E10000	MOBILIZATION (WT: NR)	NR	LS	1.000