

**ADDENDUM #1
Town of Palisade
US 6 Palisade Sidewalk Project
TAP M021-001**

November 1, 2024

The attached addendum supersedes the original Information and Specifications where it adds to, deletes from, clarifies, or otherwise modifies. All other conditions and any previous addendums shall remain unchanged.

Proposals must be submitted electronically on or before the Close Date of November 8th by 2pm on bidnet reference #0000364260

NO ZIP FILES OR LINKS TO EXTERNAL SITES WILL BE ACCEPTED. THIS INCLUDES GOOGLE DOCS AND SIMILAR SITES. ALL SUBMITTALS MUST BE RECEIVED AS AN ATTACHMENT (E.G. PDF, WORD, EXCEL).

Electronic submittals must be received on bidnet. Submittals sent to any other box will NOT be forwarded or accepted. It is the sole responsibility of the proposer to ensure their documents are received before the deadline specified above. Town of Palisade does not accept responsibility under any circumstance for delayed or failed submittals. No exceptions will be made.

1. Question: Can bids be submitted electronically?

ANSWER: Yes, please submit the full bid package on Bidnet by November 8th by 2:00 pm.

2. Question: What class concrete is required?

ANSWER: Class P concrete for item 412 and Class B for items 608 and 609.

3. Question: Which BABA standard special provision will govern this project?

ANSWER: The current BABA requirement on the list of Standard Special Provisions shall be removed and replaced with the Revision of Sections 101 and 106 – Buy America and Build America, (January 8, 2024) Buy America Requirements for Projects Containing \$500,000 or more in Federal-Aid Highway Funding - see attached new Project Special Provisions with the attached revised standard special provision.

4. Question: How much of the project does the prime need to self-perform?

ANSWER: Please refer to CDOT Specification 108.01 for the complete answer. Relevant highlights from that specification include – “The Contractor will be permitted to sublet a portion of the Contract. However, the Contractor’s organization shall perform work amounting to 30 percent or more of the total original contract amount.”

5. Question: If we have our in-house quality control testing capability, will that fulfill the quality control requirement?

ANSWER: Yes.

6. Question: Is Spectrum aware of the pedestal reset at STA 103+94?

ANSWER: The pedestal has already been relocated.

7. Question: Two new fiber optic boxes are potentially in conflict with the new sidewalk, how will this be remedied?

ANSWER: The Town will contact Clear Network to have these boxes and potentially their fiber relocated.

8. Question: Confirm who owns the irrigation structure at STA 101+00.

ANSWER: The irrigation structure is owned by Palisade Irrigation District Private Irrigation. Contact info is listed in the Utility section of the special provisions.

9. Question: Confirm fence relocation vs. removal of linear footage.

ANSWER: The fence reset requirements have been removed from the plans, see the attached revised plan sheets. The fence removal quantity has been verified.

10. Question: Confirm what components of the Meadery sign are to be salvaged.

ANSWER: Please refer to the updated Project Special Provisions for additional information on the revised F/A Removal description.

11. Question: The Meadery has an irrigation system in the lawn how should this be handled?

ANSWER: Please refer to the updated Project Special Provisions for additional information on the revised F/A Landscape description.

12. Question: There is a guy wire on a power pole at STA 104+57 that appears will conflict with the sidewalk, will this be relocated?

ANSWER: The Town will confirm the need to relocate and contact Xcel to have their guy wire relocated.

13. Question: Is there an area we can use to stage material and equipment?

ANSWER: Staging can occur anywhere we have easements that are shown on the plans. If additional space is needed, there is a potential that the dirt parking lot just south of the fire station could be made available.

14. Question: What are the expectations for sweeping/cleaning after completion of work?

ANSWER: After punch list work is completed, all areas shall be swept clean of any construction debris.

15. Question: Do we need to maintain a path for high school students around the work zone?

ANSWER: Yes, this shall be included in the MHT and maintained throughout the project duration.

16. Question: Is there a Field Laboratory required?

Answer: there is not, and this requirement will be removed from the general notes, see the attached revised plan sheets.

17. Question: Page 3 of the Special Provisions refers to different dates for when questions are due compared to what is posted on bidnet?

Answer: Follow the dates as specified on the RFP document on Bidnet.

PoDI / NHS

FHWA PROJECT OF DIVISION INTEREST (PoDI)? NO YES

NATIONAL HIGHWAY SYSTEM? NO YES

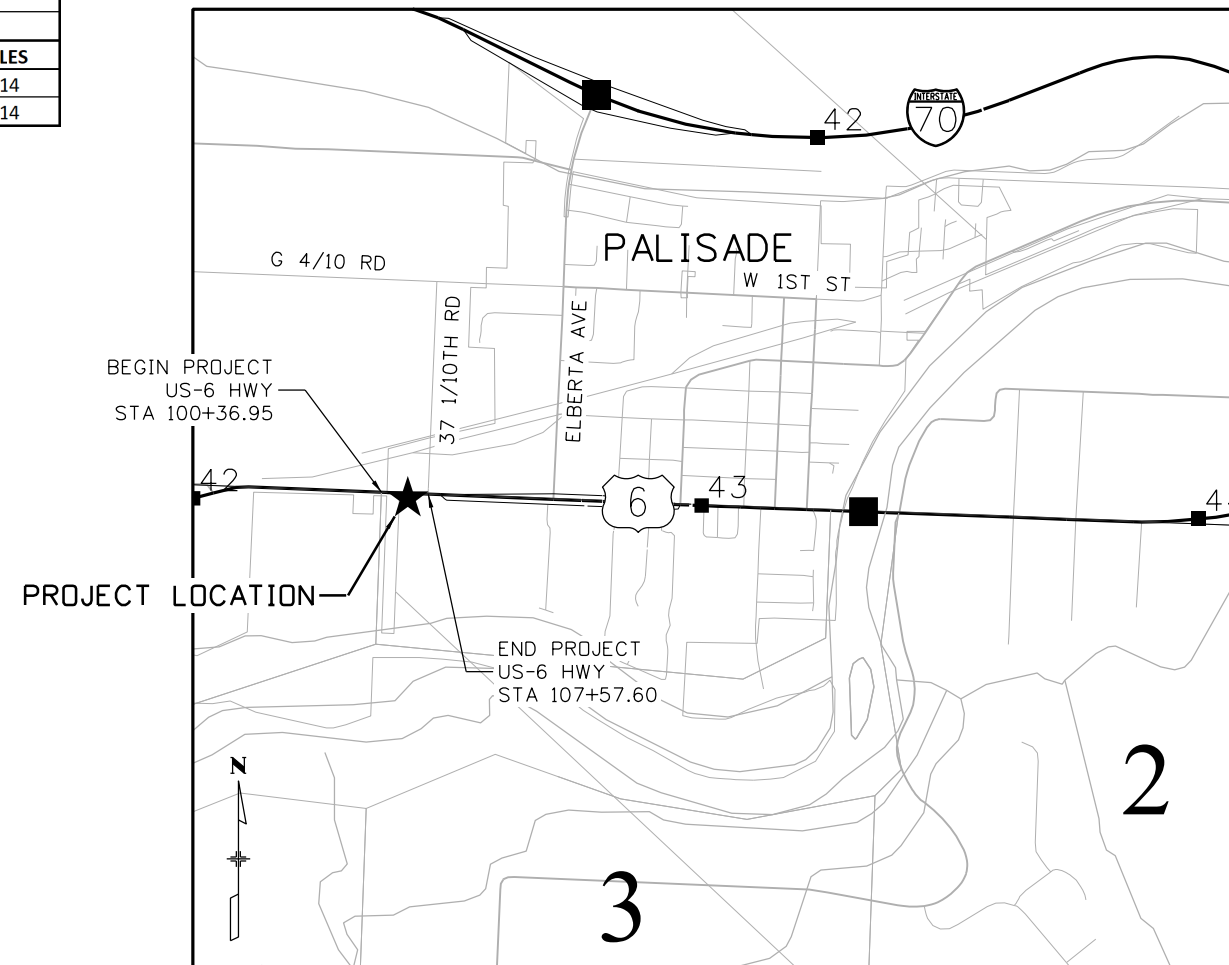
TOWN OF PALISADE

HIGHWAY CONSTRUCTION BID PLANS OF PROPOSED FEDERAL AID PROJECT NO. TAP M021-001 US HIGHWAY NO. 6 MESA COUNTY CONSTRUCTION PROJECT CODE NO. 23616 US 6 PALISADE SIDEWALKS

TABULATION OF LENGTH & DESIGN DATA		
STATION	US-6	
	FEET ROADWAY	
BEGIN		
STA 100+36.95		
END		
STA 107+57.60	721	
TOTAL (FEET)	721	
SUMMARY OF PROJECT LENGTH		
	FEET	MILES
ROADWAY (NET LENGTH)	721	0.14
PROJECT GROSS LENGTH	721	0.14

TOWN OF PALISADE CONTACT		
TOWN MANAGER	JANET HAWKINSON	970-296-0468

DESIGN DATA	DESIGN CRITERIA
	US-6
POSTED SPEED	40 MPH
CLASSIFICATION	MINOR ARTERIAL
SIDEWALK WIDTH	6'
MINIMUM CLEAR SPACE WIDTH	5'
SIDEWALK CROSS SLOPE	2%
MAXIMUM SIDE SLOPE	4:1
MAXIMUM SIDEWALK GRADE	5%
MINIMUM SIDEWALK BUFFER	6'
CURB RAMP WIDTH	4' MIN
CURB RAMP RUNNING SLOPE	5% MAX
DETECTABLE WARNING RUNNING SLOPE	5% MAX
EXISTING (2020) AADT, % TRUCKS	6,100, 2.2%
DESIGN (2040) AADT, % TRUCKS	6,470, 2.2%
TRAVEL LANE WIDTH	12'



PROJECT LOCATION MAP

SHEET NO.	INDEX OF SHEETS
1	COVER SHEET
2	TITLE SHEET (R-1)
3	STANDARD PLANS LIST
4 to 5	GENERAL NOTES (R-1)
6 to 7	SUMMARY OF APPROXIMATE QUANTITIES
8	TABULATION OF SURVEY
9 to 12	PROJECT CONTROL DIAGRAM
13	GEOMETRIC CONTROL PLAN
14	TABULATION OF REMOVALS
15	TABULATION OF SURFACING
16	TABULATION OF TRAFFIC ITEMS
17	TYPICAL SECTION
18 to 19	REMOVAL PLAN
20 to 21	ROADWAY PLAN & PROFILE (R-1)
22 to 27	STORMWATER MANAGEMENT PLAN
28	STORMWATER MANAGEMENT PLAN INITIAL/INTERIM SITE MAP
29	STORMWATER MANAGEMENT PLAN FINAL SITE MAP

PROJECT DESCRIPTION:

THIS PROJECT IS TO CONSTRUCT SIDEWALK ON THE SOUTH SIDE OF US 6 BETWEEN THE PALISADE HIGH SCHOOL AND THE FRONTAGE ROAD.

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Print Date: 10/30/2024
 File Name: 23616DES_TitleSheet - Rev 1.dgn
 Horiz. Scale: 1:2000 Vert. Scale:
 5690 DTC BOULEVARD, SUITE 330W
 GREENWOOD VILLAGE, CO 80111
 PHONE: 303-221-2330
 FAX: 303-221-2331
 WWW.STOLFUSANDASSOCIATES.COM

Sheet Revisions		
Date:	Comments	Init.
10-30-24	Fence Removals	LAJ

Town of Palisade, Colorado

175 East 3rd Street
 P.O. Box 128
 Palisade, CO 81526
 Phone: 970-464-5602

As Constructed	Contract Information
No Revisions:	Contractor:
Revised:	Resident Engineer: Kaitlyn Clark
Void:	Project Engineer:
	PROJECT STARTED: / / ACCEPTED: / /
	Comments:

Project No./Code
TAP M021-001
23616
Sheet Number

SECTION 200

1. DEPTH OF MOISTURE-DENSITY CONTROL FOR THIS PROJECT SHALL BE AS FOLLOWS:

FULL DEPTH OF ALL EMBANKMENTS
BASES OF CUTS AND FILLS – 6 INCHES

CONTRACTOR SHALL SCARIFY, MOISTURE CONDITION, AND COMPACT THE TOP 6 INCHES OF SUBGRADE UNDER THE SIDEWALK PER SECTION 203 OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.

2. WATER SHALL BE USED AS A DUST PALLIATIVE WHERE REQUIRED. LOCATIONS SHALL BE AS DIRECTED BY THE ENGINEER. WATER SHALL NOT BE PAID FOR SEPARATELY, BUT INCLUDED IN THE COST OF WORK.
3. EXCAVATION REQUIRED FOR COMPACTION OF BASES OF CUTS AND FILLS WILL BE CONSIDERED AS SUBSIDIARY TO THAT OPERATION AND WILL NOT BE PAID FOR SEPARATELY.
4. STORAGE AND STAGING AREAS SHALL UTILIZE CURRENTLY IMPACTED AREAS. THE CONTRACTOR SHALL NOT STOCKPILE MATERIAL, EQUIPMENT, OR VEHICLES WITHIN THE CLEAR ZONE UNLESS APPROVED BY THE ENGINEER.
5. DISPOSAL OF EXCESS MATERIAL OFF-SITE OR THE IMPORTING OF MATERIALS ON-SITE, REGARDLESS OF PROPERTY OWNERSHIP, MUST BE DONE IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL ENVIRONMENTAL REGULATIONS.
6. MATERIAL THAT IS LOOSENEED FROM THE ROADWAY WILL BE CLEARED OFF THE ROADWAY (PICKUP BROOM, SWEEP UP) IMMEDIATELY. NONE OF THE MATERIAL SHALL BE ALLOWED TO RUN OFF INTO THE WATERS OF THE STATE BY ANY MEANS. SWEEPING SHALL NOT BE PAID SEPARATELY, BUT SHALL BE INCLUDED IN THE WORK.
7. ANY REMAINING SOIL LEFT FROM DRILLING AND ALL REMOVAL ITEMS, EXCEPT AS NOTED, SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF PROPERLY OFF OF CDOT RIGHT-OF-WAY AND AT THE EXPENSE OF THE CONTRACTOR.
8. THE EROSION CONTROL SUPERVISOR SHALL PROVIDE AND COORDINATE THE PLACEMENT OF ALL EROSION/SEDIMENT CONTROL FEATURES (BMP'S). THESE BMP'S SHALL BE IN PLACE PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES AND APPROVED BY THE ENGINEER. THE EROSION CONTROL SUPERVISOR AND CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL BMP'S THAT HAVE BEEN INSTALLED.
9. ALL SLOPES WILL BE ROUGHED BY THE ENGINEER. COSTS ASSOCIATED WITH THIS ORDER SHALL BE INCIDENTAL TO THE EARTHWORK PAY ITEM.
10. NO VERTICAL SLOPES SHALL BE LEFT OVERNIGHT UNPROTECTED. ALL UNPROTECTED VERTICAL SLOPES SHALL BE FLATTENED TO A 4:1 SIDE SLOPE PRIOR TO THE END OF THE WORK DAY, OR AS DIRECTED BY THE ENGINEER.
11. CLEARING AND GRUBBING SHALL INCLUDE REMOVAL OF ALL TREES, LOGS, LIMBS, BRUSH, AND TRASH, ETC. TO AN OFFSITE LOCATION.

SECTION 300/400/500

12. FOR PRELIMINARY PLAN QUANTITIES OF PAVEMENT MATERIALS, THE FOLLOWING RATES OF APPLICATION WERE USED:

AGGREGATE BASE COURSE.....@ 133 LBS./CU. FT.

13. WHERE IT IS REQUIRED TO SAWCUT EXISTING PAVEMENT OR CONCRETE, THE CUTTING SHALL BE DONE TO A NEAT LINE WITH A CUTTING SAW OR OTHER METHOD APPROVED BY THE ENGINEER. CUT FACES SHALL NOT REMAIN OVER NIGHT. THIS WORK SHALL NOT BE PAID FOR SEPARATELY, BUT BE CONSIDERED AS SUBSIDIARY TO THE WORK.

SECTION 600

14. THIS PROJECT IS CLASSIFIED AS "NON-SIGNIFICANT". CONTRACTOR'S TRANSPORTATION MANAGEMENT PLAN SHALL CONSIST OF TRAFFIC CONTROL PLAN AND PUBLIC INFORMATION SERVICES.

15. THE CONTRACTOR SHALL CLEAN THE SANITARY FACILITY A MINIMUM OF TWICE PER WEEK. THE COST OF CLEANING WILL NOT BE PAID FOR SEPARATELY, BUT SHALL BE INCLUDED IN THE COST.

(R-1) 16. A FIELD LABORATORY CLASS 2 IS REQUIRED FOR THIS PROJECT WITH HIGH SPEED INTERNET FOR LIMS ACCESS.

UTILITIES

17. THE CONTRACTOR'S ATTENTION IS DIRECTED TO SUBSECTION 105.11 OF THE STANDARD SPECIFICATIONS AND THE UTILITY PROJECT SPECIAL PROVISIONS CONCERNING UTILITIES. THE CONTRACTOR SHALL COORDINATE AND COOPERATE WITH UTILITY OWNERS IN THEIR REMOVAL, ADJUSTMENT AND/OR RELOCATION OPERATIONS SO THAT THE UTILITY WORK CAN BE ACCOMPLISHED WITHOUT IMPACTING THE CONSTRUCTION SCHEDULE.
18. THE CONTRACTOR SHALL COMPLY WITH ARTICLE 1.5 OF TITLE 9, CRS ("EXCAVATION REQUIREMENT") WHEN EXCAVATING OR GRADING IS PLANNED IN THE AREA OF UNDERGROUND UTILITY FACILITIES. THE CONTRACTOR SHALL NOTIFY ALL AFFECTED UTILITIES AT LEAST TWO (2) BUSINESS DAYS, NOT INCLUDING THE ACTUAL DAY OF NOTICE, PRIOR TO COMMENCING SUCH OPERATION. THE CONTRACTOR SHALL CONTACT THE UTILITY NOTIFICATION CENTER OF COLORADO (UNCC) AT 811 OR 1-800-922-1987, TO HAVE LOCATIONS OF UNCC REGISTERED LINES MARKED BY MEMBER COMPANIES. ALL OTHER UNDERGROUND FACILITIES SHALL BE LOCATED BY CONTACTING THE RESPECTIVE OWNER. CDOT LOCATES ARE REQUIRED THROUGH UNCC. UTILITY SERVICE LATERALS SHALL ALSO BE LOCATED PRIOR TO BEGINNING EXCAVATION OR GRADING.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES AT AREAS OF EXCAVATION AS NECESSARY TO ENSURE THE UTILITIES WILL NOT BE IMPACTED. IT IS ESTIMATED THAT 8 HOURS OF POTHOLING WILL BE REQUIRED ON THIS PROJECT AS DIRECTED THE PROJECT ENGINEER.
20. THERE ARE POSSIBLE UTILITY CONFLICTS WITHIN THE PROJECT LIMITS. THE CONTRACTOR SHALL REQUEST AND SHALL HAVE RECEIVED UTILITY LOCATES PRIOR TO COMMENCING ANY TYPE OF EXCAVATION. BASED UPON THESE LOCATES, IMPROVEMENTS MAY NEED TO BE ADJUSTED AS DIRECTED BY THE ENGINEER TO AVOID A UTILITY. HAND DIGGING MAY BE REQUIRED. WHEN EXCAVATION OPERATIONS OCCUR WITHIN TWENTY-FOUR INCHES OF AN ESTIMATED UNDERGROUND UTILITY INSTALLATION, THE EXACT LOCATION OF THE INSTALLATION SHALL BE DETERMINED BY NONDESTRUCTIVE MEANS.

ENVIRONMENTAL


21. WATER SOURCE REQUIRED FOR MOISTURE DENSITY CONTROL SHALL BE THE CONTRACTOR'S RESPONSIBILITY AND SHALL BE FREE OF EXCESSIVE SEDIMENTS OR OTHER CONTAMINATES THAT MAY BE DETRIMENTAL TO EMBANKMENTS, SUBBASES, AND BASE COURSE MATERIALS.
22. STORMWATER MANAGEMENT MAY REQUIRE MULTIPLE SEEDING OPERATIONS. THESE MULTIPLE OPERATIONS SHALL BE INCLUDED IN THE COST OF SEEDING AND MULCHING.
23. DURING ALL SUBSURFACE ACTIVITIES, WORKERS SHALL BE ALERT FOR VISUAL AND OLFACTORY SIGNS OF CONTAMINATION. IF CONTAMINATION IS ENCOUNTERED, WORK SHALL STOP AND PROCEDURES ESTABLISHED IN THE CDOT 250 SPECIFICATION SHALL BE FOLLOWED. ANY CONTAMINATED SOILS OR LANDFILL MATERIAL SHALL BE PROPERLY HANDLED AND SAMPLED PRIOR TO DISPOSAL.
24. KEEP ALL STAGING, PARKING, AND MATERIAL STOCKPILES TO PREVIOUSLY DISTURBED AREAS.

MISCELLANEOUS

25. A PRECONSTRUCTION CONFERENCE WITH THE TOWN OF PALISADE AND CDOT SHALL BE HELD PRIOR TO ANY WORK. ALL SUBMITTALS SHALL BE DUE AT THAT TIME.
26. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ACQUIRING ALL APPLICABLE PERMITS.

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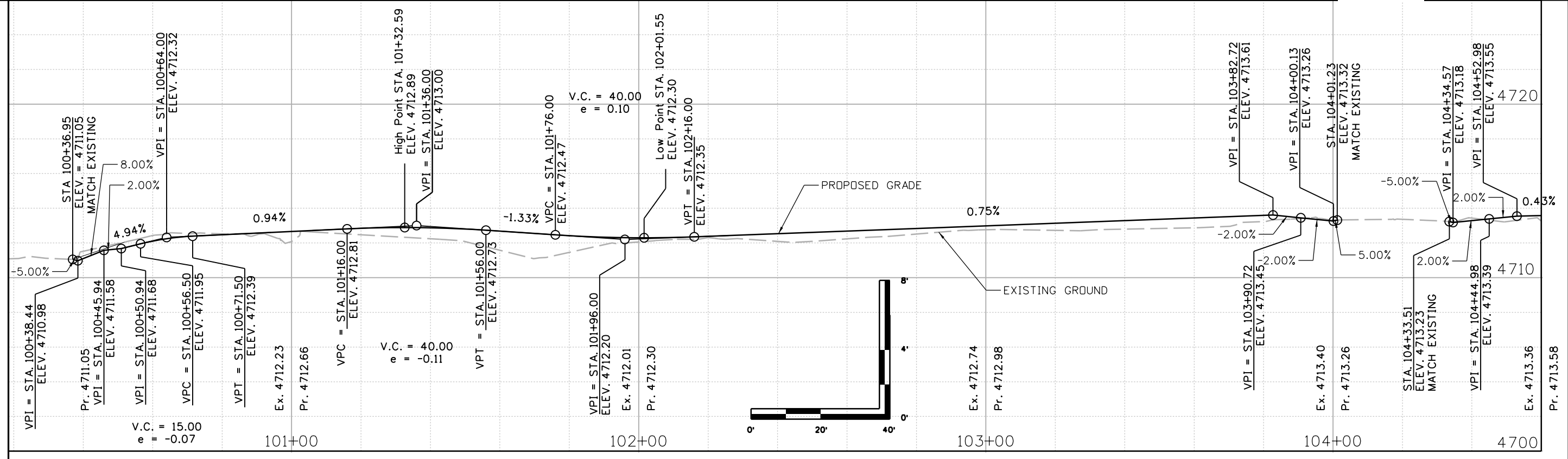
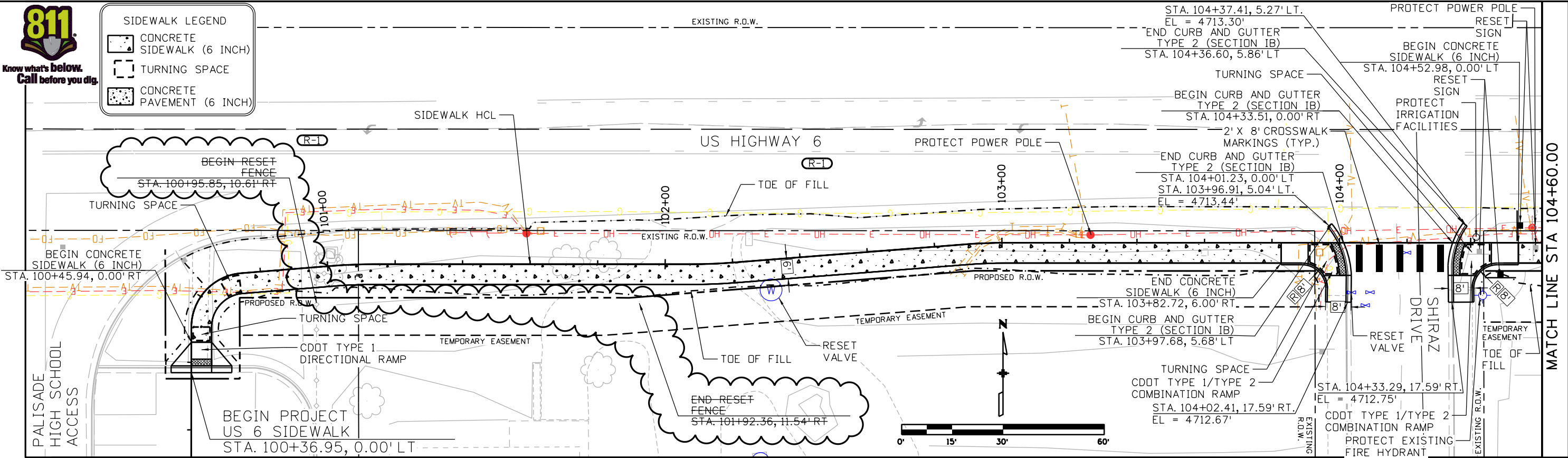
Town of Palisade, Colorado
175 East 3rd Street
P.O. Box 128
Palisade, CO 81526
Phone: 970-464-5602

As Constructed	GENERAL NOTES			Project No./Code
No Revisions:				TAP M021-001
Revised:	Designer: JLS	Structure Numbers		23616
Void:	Detailer: LAJ	Sheet Subset: NOTES	Subset Sheets: 01 of 02	Sheet Number



SIDEWALK LEGEND

- CONCRETE SIDEWALK (6 INCH)
- TURNING SPACE
- CONCRETE PAVEMENT (6 INCH)

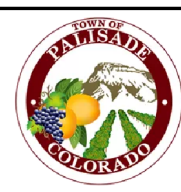


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As Constructed
No Revisions:
Revised:
Void:

US 6 PALISADE SIDEWALK PLAN AND PROFILE			
Designer:	LMV	Structure Numbers	
Detailer:	LAJ	Subset Sheets:	01 of 02
Sheet Subset:	PLN & PRF		

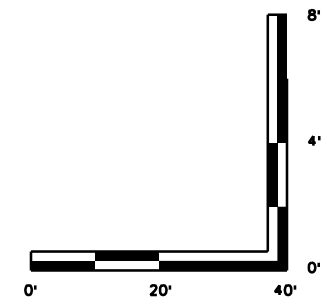
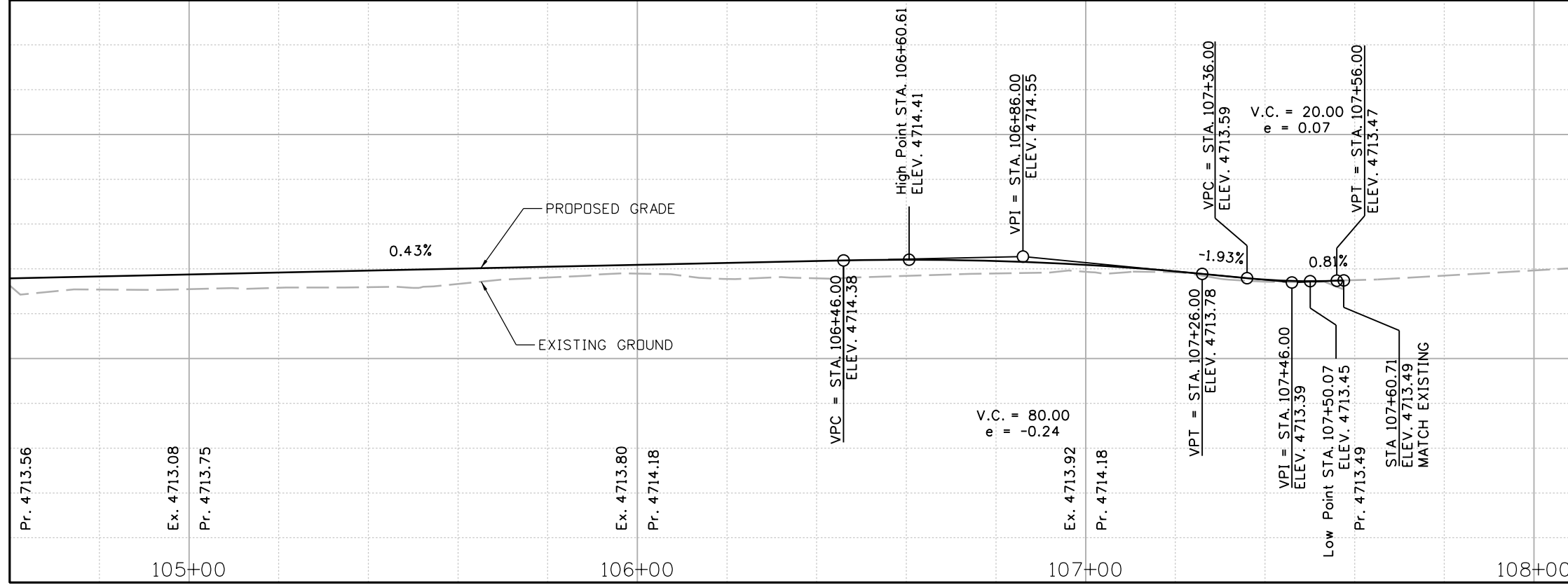
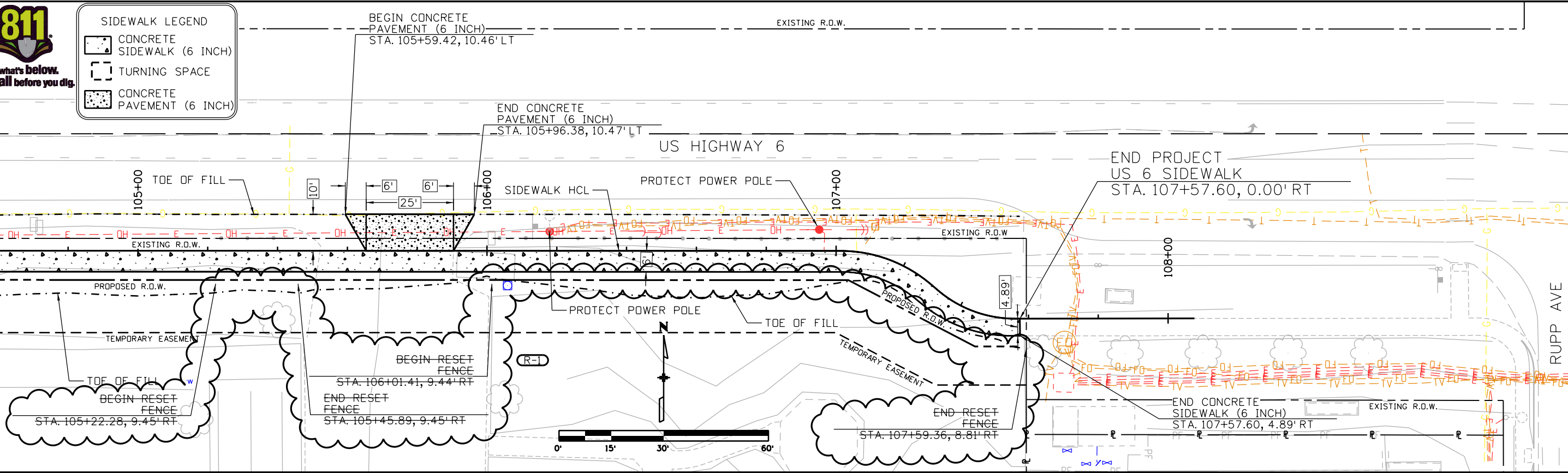
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TAP M021-001
23616
Sheet Number



Know what's below.
Call before you dig.

SIDEWALK LEGEND	
	CONCRETE SIDEWALK (6 INCH)
	TURNING SPACE
	CONCRETE PAVEMENT (6 INCH)

MATCH LINE STA 104+60.00



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As Constructed
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Revised:
Void:

US 6 PALISADE SIDEWALK PLAN AND PROFILE			
Designer:	LMV	Structure Numbers	
Detailer:	LAJ	Subset Sheets:	02 of 02
Sheet Subset:	PLN & PRF		

Project No./Code
TAP M021-001
23616
Sheet Number

**TOWN OF PALISADE
SPECIAL PROVISIONS
US 6 PALISADE SIDEWALK**

The specifications for this project shall be the Colorado Department of Transportation’s “Standard Specifications for Road and Bridge Construction,” (SSRBC) 2023 Edition. Reference to “Division”, “Department”, or “CDOT” in the SSRBC shall be considered to mean the Owner, the Town of Palisade. References to “Engineer”, “Project Engineer” or “Inspector” shall be considered to mean the owner’s field representative, a Town of Palisade Construction Coordinator. The following modified Project Technical Specifications take precedence over the SSRBC.

PROJECT SPECIAL PROVISIONS

Name	Date	Pages
Project Special Provisions Index	October 11, 2024	1
Standard Special Provisions Index	October 11, 2024	2
Notice to Bidders	October 11, 2024	3
Disadvantaged Business Enterprise (DBE) Contract Goal	October 11, 2024	4
Commencement and Completion of Work (Working Day)	October 11, 2024	5
Revision of Section 102 - Project Plans and Other Data	October 11, 2024	6
Revision of Section 202 - Removal of Structures and Obstructions	October 11, 2024	7
Revision of Section 209 - Watering and Dust Palliatives	October 11, 2024	8
Revision of Section 304 - Aggregate Base Course	October 11, 2024	9
Traffic Control Plan - General	October 11, 2024	10-13
Utilities	October 11, 2024	14-17
Force Account Items	October 11, 2024	18

**TOWN OF PALISADE
 SPECIAL PROVISIONS
 US 6 PALISADE SIDEWALK**

STANDARD SPECIAL PROVISIONS

Name	Date	No. of Pages
Revision of Section 101 - Definitions and Section 106 - Control of Materials	(January 8, 2024)	2
Revision of Sections 101 and 106 - Buy America and Build America, Buy America Requirements for Projects Containing Federal-Aid Highway Funding in the Amount Less Than \$500,000	(January 8, 2024)	8
Revision of Sections 101 and 106 Buy America and Build America, Buy America Requirements for Projects Containing \$500,000 or More in Federal-Aid Highway Funding	(January 8, 2024)	10
Revision of Section 105 - Control of Work	(October 1, 2023)	1
Revision of Section 105 - Dispute Review Board and Claims for Unresolved Disputes	(October 1, 2023)	9
Revision of Section 105 - E-Signature	(January 8, 2024)	1
Revision of Section 105 - Pavement Smoothness	(July 1, 2024)	11
Revision of Sections 105, 106, 412, and 601 - PCCP Acceptance	(January 8, 2024)	12
Revision of Section 109 - Prompt Payment (Local Agency)	(October 1, 2023)	2
Revision of Section 207 - Topsoil	(October 1, 2023)	9
Revision of Section 208 - Erosion Control (Under One Acre of (Disturbance)	(October 1, 2023)	38
Revision of Section 212 - Soil Amendments, Seeding, and Sodding	(October 1, 2023)	25
Revision of Section 401 - Plant Mix Pavements-General	(January 8, 2024)	4
Revision of Section 601 - Concrete Acceptance	(April 9, 2024)	4
Affirmative Action Requirements Equal Employment Opportunity	(October 1, 2023)	13
Certified Payroll Requirements for Construction Contracts	(October 1, 2023)	1
Disadvantaged Business Enterprise (DBE) Requirements	(October 1, 2023)	15
Minimum Wages, Colorado, U.S. Department of Labor General Decision Number CO20240014, Highway Construction for Larimer, Mesa, and Weld counties.	(August 2, 2024)	7
On the Job Training	(October 1, 2023)	6
Required Contract Provisions - Federal-Aid Construction Contracts	(October 23, 2023)	15

1
NOTICE TO BIDDERS

The proposal guaranty shall be a certified check, cashier's check, or bid bond in the amount of 5 percent of the Contractor's total bid.

Pursuant to subsections 102.04 and 102.05, it is recommended that bidders on this project review the work site and plan details with an authorized Town representative. Prospective bidders shall contact the listed authorized Town representative at least 12 hours in advance of the time they wish to go over the project.

Contract Administrator Todd Gunderman (tgunderman@jub.com)

The above referenced individual is the only representative of the Town with authority to provide any information, clarification, or interpretation regarding the plans, specifications, and any other contract documents or requirements.

Questions received from bidders along with Palisade responses will be posted to BidNet as they become available.

If the bidder has a question or requests clarification that involves the bidder's innovative or proprietary means and methods, phasing, scheduling, or other aspects of construction of the project, the Project Engineer will direct the bidder to contact the Resident Engineer directly to address the question or clarification. The Resident Engineer will keep the bidder's innovation confidential and will not share this information with other bidders.

The Project Manager will determine whether questions are innovative or proprietary in nature. If the Project Manager determines that a question does not warrant confidentiality, the bidder may withdraw the question. If the bidder withdraws the question, the Project Manager will not answer the question and the question will not be documented on the Palisade web site. If the bidder does not withdraw the question, the question will be answered, and both the question and Palisade answer will be posted on the web site. If the Project Manager agrees that a question warrants confidentiality, the Project Manager will answer the question, and keep both question and answer confidential. Palisade will keep a record of both question and answer in their confidential file.

~~All questions shall be directed to the Palisade contacts listed above no later than 7:00 A.M. Monday of the week of bid opening. Final questions and answers will be posted no later than Tuesday morning of bid opening week.~~

Questions and answers shall be used for reference only and shall not be considered part of the Contract.

1

DISADVANTAGED BUSINESS ENTERPRISE (DBE) CONTRACT GOAL

This is a federally-assisted construction project. As described in the CDOT DBE Standard Special Provision, the Bidder shall make good faith efforts to meet the following contract goal:

00% Percent DBE participation.

1
COMMENCEMENT AND COMPLETION OF WORK
(WORKING DAY)

The Contractor shall commence work under the Contract on or before the 15th day following Contract execution or the 30th day following the date of award, whichever comes later, unless such time for beginning the work is changed by the Contract Manager in the "Notice to Proceed." The Contractor shall complete all work within 30 working days in accordance with the "Notice to Proceed."

1
REVISION OF SECTION 102
PROJECT PLANS AND OTHER DATA

Section 102 of the Standard Specifications is hereby revised for this project as follows:

Subsection 102.05 shall include the following:

The following information will be available for review at the Project Manager's office (175 East 3rd Street, P.O. Box 128, Palisade, CO 81526)

1. Survey information
2. Drainage Memo
3. Deeply Digital Fiber Installation Plans

1
REVISION OF SECTION 202
REMOVAL OF STRUCTURES AND OBSTRUCTIONS

Section 202 of the Standard Specifications is hereby revised for this project as follows:

Subsection 202.02 shall include the following:

Removal of structures and obstructions shall include the removal of items identified on the plans and all other obstructions that are not designated or permitted to remain, and proper disposal of those items outside of the project limits. These items are assumed to be any item within the Limits of Disturbed Area (LDA) that is not designated as “protect” in the plans. The following items are anticipated for removal:

- Rocks
- Miscellaneous abandoned concrete

All removed debris shall become the property of the contractor and shall be removed from the project site, not buried on-site, unless otherwise specified in the plans
Payment will be made under:

Pay Item	Pay Unit
Removal of Structures and Obstructions	Lump Sum

Payment will be full compensation for all work, equipment and materials required to complete the item, including sawing, removing, and disposing of material.

1
REVISION OF SECTION 209
WATERING AND DUST PALLIATIVES

Section 209 of the Standard Specifications is hereby revised for this project as follows:

Subsection 209.05 shall include the following:

The Contractor shall be responsible for controlling vehicle and equipment speeds within the project site to keep dust to a minimum. If excessive dust is being generated by construction traffic, the Contractor shall immediately take corrective measures.

In Subsection 209.08, delete paragraphs one, two, and three and replace with the following:

Water required for all work covered under the Contract will not be measured and paid for separately but shall be included in the work. The source of this water is the Contractor's responsibility. Water may not be taken from on-site ditches, creeks, or their tributaries.

1
REVISION OF SECTION 304
AGGREGATE BASE COURSE

Section 304 of the Standard Specifications is hereby revised for this project as follows:

Subsection 304.02 shall include the following:

Materials for the base course shall be Aggregate Base Course (Class 6) as shown in subsection 703.03

The aggregate base course (Class 6) shall meet the gradation requirements and have a resistance value of at least 78 when tested by the Hveem Stabilometer method.

1

TRAFFIC CONTROL PLAN - GENERAL

The Contractor shall submit a Traffic Control Plan (TCP) for approval by the Engineer prior to the beginning of any construction. The key elements of the Contractor's method of handling traffic (MHT) are outlined in subsection 630.10(a).

The components of the TCP for this project are included in the following:

- (1) Subsection 104.04 and Section 630 of the specifications.
- (2) Standard Plan S-630-1, Traffic Controls for Highway Construction Cases 11 and 19, and Standard Plan S-630-2.
- (3) Schedule of Construction Traffic Control Devices.
- (4) CDOT R3 Lane Closure Strategy, Latest Edition

Unless otherwise approved by the Engineer, the Contractor's equipment shall follow normal and legal traffic movements. The Contractor's ingress and egress of the work area shall be accomplished with as little disruption to traffic as possible. Traffic control devices shall be removed by picking up the devices in a reverse sequence to that used for installation. This may require moving backwards through the work zone. When located behind barrier or at other locations shown on approved traffic control plans, equipment may operate in a direction opposite adjacent traffic.

Special Traffic Control Plan requirements for this project are as follows:

Allowable delays, working times, minimum lane requirements, and allowable closures shall be in accordance with Revision of Section 104 - Maintaining Traffic.

The Contractor shall maintain at their own expense that portion of the existing roadway being used to carry traffic so that traffic may readily pass over it.

The Contractor shall not have construction equipment or materials in the lanes open to traffic at any time, unless approved by the Engineer.

During the construction of this project, traffic shall use the present traveled roadway unless identified on the plans or approved by the Engineer.

The contract TCP components are not all-inclusive. The Contractor shall submit a detailed TCP for construction to the Engineer for approval prior to the implementation. The Contractor shall submit the detailed TCP at least 3 weeks before start of work for review and approval. The TCP shall meet the requirements of the plans and specifications.

2

TRAFFIC CONTROL PLAN - GENERAL

The Engineer may require revisions to the Contractor's TCP or associated MHTs if it is determined that implementation of the plan results in excessive delays to the traveling public. New or revised MHT's shall be submitted at least seven days before implementation, unless otherwise approved by the Engineer.

For the following conditions, the Contractor shall immediately remove his operation from the roadway and not resume until the Engineer gives permission:

- 1) If traffic at any time is backed up for 15 minutes or longer
- 2) If traffic at any time is so adversely affected by the operation that the Engineer determines that the situation is unsafe.

(a) Lane Closures

The Contractor shall submit a plan for lane closure to the Engineer for review and approval at least 72 hours in advance of the time the closure is to be implemented.

All lane closure dates and times shall be in accordance with CDOT's Region 3 Lane Closure Strategy (Lane Closure Strategy) for this section of US 6 and be coordinated with adjacent projects. The Lane Closure Strategy can be found using the following link: https://www.codot.gov/safety/traffic-safety/assets/work-zones/lane-closure-strategies/R3_Lane_Closure_Report.pdf

Lane closures will not be allowed to remain unless being used continuously for the purpose for which they were set-up. If a lane closure is set up for over one hour with no work performed, due to weather, equipment breakdown, failure of scheduled equipment or personnel to arrive as scheduled, or other reasons, the traffic control devices, flagging, pilot car, and traffic control management used during the time not worked shall be at the Contractor's expense. No payment will be made by CDOT for any traffic control items, except for traffic control inspection, on a day that a lane closure is set up and no work is performed.

(b) Parking

All available public parking is reserved for the public. Contractor and subcontractor employee personal vehicle parking is prohibited in these locations. Parking of Contractor or subcontractor vehicles or construction equipment in existing public parking space is allowed only in the zones that are closed for construction.

3

TRAFFIC CONTROL PLAN - GENERAL

Parking of Contractor, subcontractor or employee construction or personal vehicles (or construction equipment) in private, residential, or business parking space is also strictly prohibited. Suitable transportation to the work site for personnel whose vehicles are parked off site shall be provided by the Contractor.

In addition to the items required for MHT's in section 630 as revised, each TCP submittal shall:

- (1) Address any required oversize load restrictions to ensure the safety of workers and the traveling public.
- (2) Address any detour routes or crossovers.

Other Special Traffic Control Requirements

Signs and stands shall not be permitted to be left on sidewalks or landscaped areas overnight.

Proper, safe equipment shall be used for setting up and taking down construction traffic control signs and devices.

Equipment shall not be stored within the defined construction clear zone of the currently traveled roadway lanes.

The Contractor shall provide Traffic Control Supervisor(s) (TCS) with at least one year of experience, as accepted by the Engineer. A copy of the certification of the Traffic Control Supervisor(s) shall be provided to the Engineer at least two days prior to the project preconstruction conference.

Traffic Control Management shall include all Traffic Control Supervisors and helpers necessary to perform the work. There shall be a minimum of one helper for each Traffic Control Supervisor required for the project. At least one Traffic Control Supervisor and one Helper shall be on site at all times when construction activities are underway.

Helpers for the Traffic Control Management item may give flagger breaks. However, the time shall be included in the item for Traffic Control Management and shall not be paid for as additional flagging hours. The TCS helper(s) shall be paid Traffic/Sign Laborer wages. The Traffic Control Supervisor shall be paid Truck Driver/Pickup Truck (Includes Pilot and Sign/Barricade Truck) wages for all hours that they are on the project.

4

TRAFFIC CONTROL PLAN - GENERAL

Although Traffic Control items such as Variable Message Sign Panels, Traffic Control Management or Traffic Control Inspection, and construction traffic control signs may be required and used prior to the beginning of contract time, no payment will be made for the use of any items prior to the beginning of contract time. All work performed prior to commencement of contract time shall be considered subsidiary to mobilization.

A meeting will be scheduled each working day with the Contractor's superintendent, the Traffic Control Supervisor(s), and the Project Engineer for discussion, submittal, and approval of the MHT(s) for the day's scheduled work. Work that has not been scheduled and requires an MHT that has not been approved shall not be allowed. Work that does not require an MHT may proceed if approved by the Engineer.

The required TCS Diary shall be submitted to the Engineer by 10:00 am the following day, and shall include a listing of all flagging hours, labor hours, and traffic control devices used.

The Contractor will not be permitted to have workers or equipment operating on the paved shoulders adjacent to open lanes without proper traffic control.

All Construction Zone Traffic Control Devices shall be continuously maintained in accordance with Section 630 of the Standard Specifications. The TCS shall establish a set maintenance and cleaning schedule. A copy of the maintenance and cleaning schedule shall be approved by the Engineer.

Truck turn-around locations shall be as approved by the Engineer. All truck turn-around locations adjacent to project limits shall also be included in an MHT. Traffic Control devices and Flagging required for truck turn-around locations will not be paid for separately but shall be included in the work.

All costs incidental to the foregoing requirements shall be included in the original contract prices for the project.

The Contractor shall maintain access to all properties during construction.

1 UTILITIES

Known utilities within the limits of this project are:

UTILITY	CONTACT/EMAIL	PHONE
Lumen Fiber and Telephone	Chris Johnson Chris.johnson5@lumen.com	970-216-3152
Spectrum Fiber and Cable	Mark Kostelecky Mark.kostelecky@charter.com	970-623-9415
Xcel Energy Gas & Electric	Brian Gardner Brian.w.gardner@xcelenergy.com	
Town of Palisade Water	Janet Hawkinson jhawkinson@townofpalisade.org	720-289-1564
Town of Palisade Sanitary and Storm Sewer	Janet Hawkinson jhawkinson@townofpalisade.org	720-289-1564
Deeply Digital ITS Fiber	Jonathan Cook jcook@deeplydigital.com	970-497-5813
Palisade Irrigation District Private Irrigation	Dan Crabtree Dan.crabtree.pe@gmail.com	970-640-9481

The work described in these plans and specifications requires full cooperation between the Contractor and the utility owners in accordance with Subsection 105.11 in conducting their respective operations, so the utility work can be completed with minimum delay to all parties concerned. Also, in accordance with the plans and specifications, and as directed by the Engineer, the Contractor shall keep each utility owner advised of any work being done to its facility, so that each utility owner can coordinate its inspections for final acceptance of the work with the Engineer.

2 UTILITIES

PART 1 CONTRACTOR SHALL PERFORM THE WORK LISTED BELOW:

The Contractor shall coordinate the work with the owners of the utilities impacted by the work. Coordination with utility owners includes, but is not limited to, staking construction features, providing and periodically updating an accurate construction schedule which includes all utility work elements, providing written notification of upcoming required utility work elements as the construction schedule indicates, allowing the expected number of working days for utilities to complete necessary relocation work, conducting necessary utility coordination meetings, applying for and obtaining power or communication services in Town of Palisade's name.

and all other necessary accommodations as directed by the Project Engineer. Surveying and/or staking of utility relocations to be performed by the owner shall be the responsibility of the utility owner.

Prior to excavating or performing any earthwork operations, the Contractor shall positively locate all potential conflicts with existing underground utilities and proposed construction, as determined by the Contractor

according to proposed methods and schedule of construction. The Contractor shall modify construction plans to avoid existing underground facilities as needed, and as approved by the Engineer. Please note that UNCC marks only its member's facilities - Other facilities, such as ditches and drainage pipes and Town of Palisade's fiber optic system may exist, and it is the Contractor's responsibility to investigate, locate and avoid such facilities. The Contractor shall pothole all of the listed potential conflicts prior to starting any underground or earthwork well in advance of the work so that the utility companies can be given the required notification and to avoid delays to the contractor's work.

The Contractor shall provide traffic control for any utility work expected to be coordinated with construction, as directed by the Engineer.

THE WORK LISTED BELOW SHALL BE PERFORMED BY THE CONTRACTOR:

For any utility work by the Contractor or by a utility company necessary during the construction of the project, the following shall apply:

The Contractor shall be responsible for coordinating the adjustment of all utilities on this project. The Contractor shall keep each utility company advised of any work being performed on or around their facilities, so that each utility company can coordinate any needed inspections, including inspections with the Engineer.

The Contractor shall provide written notice to each utility company, with a copy to the

3 UTILITIES

Engineer, prior to any work by a utility company that is to be coordinated with project construction. A minimum of two (2) calendar weeks of prior notice is required.

If appropriate, the Contractor shall provide traffic control for any utility work to be coordinated with the project's construction, in accordance with an approved Method of Handling Traffic (MHT). Payment to be made via contract bid item(s).

The work listed below shall be performed by the Contractor in accordance with the plans and specifications, and as directed by the Owner. The Contractor shall keep the Town and utility company/companies advised of any work being done to their facility, so that the utility company/companies can coordinate their inspections for final acceptance of the work with the Owner.

Town of Palisade - Water

- Adjust Water Valves at STA 102+22 RT and STA 104+02 RT

PART 2 - UTILITY OWNERS SHALL PERFORM THE WORK LISTED BELOW:

Traffic control for utility work shall be the responsibility of the utility owner. The utility owner shall prepare and submit to the Engineer a Method of Handling Traffic for utility work to be performed outside typical project work hours or outside of project limits. The utility owner shall obtain acceptance of the Method of Handling Traffic from the Engineer prior to beginning the utility work to be performed outside typical project work hours or outside of project limits.

This work will be performed by the utility owners as necessary to avoid conflicts with construction activities. All work is anticipated to be completed prior to project construction start. New locations shall be as indicated in the plans. Utility owners shall comply with schedule requirements of the Contractor and make every effort not to impact the overall construction schedule. Unless otherwise approved by the Engineer, abandoned aboveground appurtenances such as pedestals shall be removed.

Utility owners are responsible for coordinating all work with the Contractor.

Utility owners are responsible for obtaining all necessary permits from the Town of Palisade as required.

Comcast - Fiber and Cable

- Reset pedestal south behind curb ramp at STA 103+90 RT

4 UTILITIES

Exact limits and offset of relocation will be determined by Comcast based on project design requirements. Work will be performed prior to start of construction project.

GENERAL:

The Contractor shall comply with Article 1.5 of Title 9, CRS ("Excavation Requirements") when excavating or grading is planned in the area of underground utility facilities. The Contractor shall notify all affected utilities at least two (2) business days, not including the actual day of notice, prior to commencing such operations. The Contractor shall contact the Utility Notification Center of Colorado (UNCC) at phone no. **811 or 1-800-922-1987**, to have locations of UNCC registered lines marked by member companies. All other underground facilities shall be located by contacting the respective owner. Utility service laterals shall also be located prior to beginning excavation or grading.

Utilities are depicted on these plans in accordance with their achieved "Quality Levels" as defined in the American Society of Civil Engineer's document ASCE 38, "Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data." The Contractor's attention is directed to subsection 105.11 of the Standard Specifications concerning utilities.

The location of utility facilities as shown on the plan and profile sheets, and herein described, were obtained from the best available information.

All costs incidental to the foregoing requirements will not be paid for separately but shall be included in the work.

FORCE ACCOUNT ITEMS

DESCRIPTION

This special provision contains the Department's estimate for force account items included in the Contract. The estimated amounts marked with an asterisk will be added to the total bid to determine the amount of the performance and payment bonds. Force Account work shall be performed as directed by the Engineer.

BASIS OF PAYMENT

Payment will be made in accordance with subsection 109.04. Payment will constitute full compensation for all work necessary to complete the item.

Force account work valued at \$5,000 or less, that must be performed by a licensed journeyman in order to comply with federal, state, or local codes, may be paid for after receipt of an itemized statement endorsed by the Contractor.

<u>Force Account Item</u>	<u>Estimated Quantity</u>	<u>Amount</u>
F/A Minor Contract Revisions	F.A.	\$8,000.00
F/A Erosion Control	F.A.	\$2,000.00
F/A Landscaping	F.A.	\$2,500.00
F/A Removal	F.A.	\$2,000.00
F/A On-The-Job Training	F.A.	\$0.00

F/A Minor Contract Revisions - Consists of minor work authorized and approved by the Engineer, which is not included in the contract plans or specifications, and is necessary to accomplish the scope of work of this contract.

F/A Erosion Control - This force account will be used to pay for additional erosion control measures not itemized in the plan sheets.

F/A Landscaping - This force account will be used to pay for any adjustments, resets, and relocations needed to irrigation lines if irrigation is uncovered during excavation and in conflict with the new sidewalk and/or grading. The Contractor shall coordinate with the property owner prior to any irrigation work.

F/A Removal - This force account will be used to pay for all costs associated with removing the private business sign at the Meadery property and removing the existing landscape borders and fill surrounding the sign. The Contractor shall salvage the sign and landscape borders during removal and return to the Meadery.

F/A On-The-Job Trainee - Cost of maintaining on-the-job pilot training program in accordance with the Standard Special Provision.

January 8, 2024

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

Notice

The Standard Special Provision (SSP) on the following page revises or modifies CDOT's *Standard Specifications for Road and Bridge Construction*. The Construction Engineering Services Branch has reviewed, approved, and issued it. Use as written without change. Do not use modified versions of it on CDOT construction projects. Do not use the following special provision on CDOT projects in a manner other than specified in the instructions without approval by CDOT's Standards and Specifications Unit. The instructions for use appear below.

Other agencies using the *Standard Specifications for Road and Bridge Construction* to administer construction projects may use this special provision appropriately and at their own risk.

Instructions for use on CDOT (and local agency-administered) construction projects:

Use this standard special provision on all federal-aid highway (FHWA) funded (CDOT and Local Agency administered) Infrastructure projects that have a federal funding Construction Phase authorization date that has occurred on or after October 23, 2023, and that contain \$500,000 or more in federal-aid highway funding. Design Project Managers should consult with their respective Region Business Office or HQ Business Office to determine the type and amount of federal-aid highway funding that has been or will be used in the projects. The \$500,000 threshold is to be based on the aggregate (total amount) of federal aid funding used or to be used in all phases of the project including Construction and any preliminary engineering phases (e.g., Right-of-way, Utilities, Design, Environmental, or Miscellaneous). The federal funding authorization date may also be viewed in the Project Status Report (ZJ40 Report) from SAP under the FHWA Agreement Date column.

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

Sections 101 and 106 of the Standard Specifications shall be revised as follows:

Add the following to Subsection 101.02:

Build America, Buy America (BABA) Requirements: Division G, title IX, subtitle A, parts I-II, sections 70901 through 70927 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58) and 2 CFR Parts 184 and 200. The “domestic content procurement preference” set forth in section 70914 of the Build America, Buy America Act, requires that all construction materials and manufactured products incorporated into the project are produced in the United States.

Buy America (BA) Requirements: FHWA Buy America statutory provisions are in 23 U.S.C.313 and the regulatory provisions are in 23 CFR 635.410, which requires that all of the steel and iron incorporated into the project is produced in the United States. For other policy and guidance links, see the FHWA Construction Program Guide.

Buy America Preferences for Infrastructure Projects: Requirements for federal-aid funded highway projects as outlined and encompassed in 2 CFR Part 184.

Component: An article, material, or supply, whether manufactured or unmanufactured, incorporated directly into: (i) a manufactured product; or, where applicable, (ii) an iron or steel product.

Construction Material: Includes an article, material, or supply that consist of only one of the following items listed means articles, materials, or supplies that consist of only one of the items listed in paragraph (1) of this definition, except as provided in paragraph (2). To the extent one of the items listed in paragraph (1) contains as inputs other items listed in paragraph (1), it is nonetheless a construction material.

(1) The listed items are:

- i. Non-ferrous metals;
- ii. Plastic and polymer-based products (including polyvinylchloride [PVC], composite building materials, and polymers used in fiber optic cables);
- iii. Glass (including optic glass);
- iv. Fiber optic cable (including drop cable);
- v. Optical fiber;
- vi. Lumber;
- vii. Engineered wood; and
- viii. Drywall.

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

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

Cost of Components for Manufactured Products: In determining whether the cost of components for manufactured products is greater than 55 percent of the total cost of all components, use the following instructions:

- (i) or components purchased by the manufacturer, the acquisition cost, including transportation costs to the place of incorporation into the manufactured product (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or
- (ii) or components manufactured by the manufacturer, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (i) of this section, plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the manufactured product.

Infrastructure Project: Includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

Iron or Steel Product: Articles, materials, or supplies that consists wholly or predominantly of iron or steel or a combination of both. Typical iron and steel products subject to Buy America preferences include, but is not limited to, structural and reinforcing steel incorporated into pavements, bridges, and buildings (such as maintenance facilities); steel rail; and other equipment.

Manufactured Product:

- (1) Articles, materials, or supplies that have been:
 - i. Processed into a specific form and shape; or
 - ii. Combined with other articles, materials, or supplies to create a product with different properties than the individual articles, materials, or supplies.

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

- (2) If an item is classified as an iron or steel product, a construction material, or a section 70917(c) material under the definitions set forth in this section, then it is not a manufactured product. However, an article, material, or supply classified as a manufactured product under paragraph (1) of this definition may include components that are construction materials, iron or steel products, or section 70917(c) materials.

Manufacturer: The entity that performs the final manufacturing process that produces a manufactured product.

Predominantly of iron or steel or a combination of both: Means that the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components.

Produced in the United States:

- (1) Steel or Iron Products: All manufacturing processes, from the initial melting/smelting stage through the application of coatings, occurred in the United States.
- (2) Manufactured Products:
- i. The product was manufactured in the United States; and
 - ii. The cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product.
- (3) Construction materials: All manufacturing processes for the construction material occurred in the United States per 106.11(f) of this specification.

Section 70917(c) Materials: Cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives. See section 70917(c) of the Build America, Buy America Act.

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

Delete Section 106.11 of the Standard Specifications and replace with the following:

106.11 Buy America (BA) and Build America, Buy America (BABA) Requirements

- (a) *Contractual Documents.* This specification shall be used in conjunction with the applicable version of the Special Notice to Contractors Section of the CDOT Field Materials Manual (FMM), and the requirements therein, in effect at the time of bidding. The Special Notice to Contractors Section of the FMM, and the requirements therein, shall be considered a contractual document when this specification is included.
- (b) *Categorization of articles, materials, and supplies.*
- (1) An article, material, or supply should only be classified into one of the following categories:
 - i. Iron or steel products;
 - ii. Manufactured products;
 - iii. Construction materials; or
 - iv. Section 70917(c) materials.
 - (2) An article, material, or supply should not be considered to fall into multiple categories. In some cases, an article, material, or supply may not fall under any of the categories listed in paragraph (b)(1) of this section. The classification of an article, material, or supply as falling into one of the categories listed in paragraph (b)(1) must be made based on its status at the time it is brought to the work site for incorporation into an infrastructure project. In general, the work site is the location of the infrastructure project at which the iron, steel, manufactured products, and construction materials will be incorporated.
 - (3) An article, material, or supply incorporated into an infrastructure project must meet the Buy America Preference for only the single category in which it is classified.
- (c) *Steel or Iron Products.* All manufacturing processes, including the application of a coating, for all steel or iron products permanently incorporated in the work shall have occurred in the United States of America. All manufacturing processes include the processes that change the raw ore or scrap metal into a finished steel or iron product.

The Contractor shall obtain and maintain on file Buy America certifications that every process from either the original smelting or melting operation, including

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

the application of a coating, performed on steel or iron products either has or has not been carried out in the United States of America. These Buy America certifications apply to every steel and iron product that requires pre-inspection, pretesting, certified test results, or a certificate of compliance. Shipping invoices, bar lists, and mill test reports shall accompany the Buy America certifications. These Buy America certifications shall be obtained from each supplier, distributor, fabricator, and manufacturer that has handled each steel or iron product. These Buy America certifications shall create a chain of custody trail for every supplier, distributor, fabricator, and manufacturer that handled the steel or iron product and shall include certified mill test reports with heat numbers from either the original smelting or melting operation. Prior to the permanent incorporation or payment for the steel or iron products, the Contractor shall also provide a copy of these certifications to the Project Engineer. The Contractor shall allow the State, FHWA, and their representatives access to the Buy America certifications including supporting documentation upon request. The lack of these certifications will be justification for rejection of the steel or iron product.

Before the permanent incorporation into the project and before payment for steel or iron products, the Contractor shall also provide the following for every iron or steel product that is delivered:

- (i) *Contractor Compliance Certification.* The compliance certification document shall certify in writing that the Contractor has received and reviewed the Buy America certifications and supplied them to the Project Engineer; the certification(s) and supporting documentation is on file and complies with the Buy America requirements; and when requested, the Contractor has submitted the required documentation to FHWA or other CDOT representatives.
- (ii) *Monthly Summary of Buy America Certifications.* The Contractor shall also maintain a document that summarizes the date and quantity of all steel and iron material delivered to the project. This summary document shall include the pay item, quantity of material delivered to the project, delivered cost of the pay item, and the quantity of material installed by the monthly progress payment cutoff date. The summary document shall reconcile the pay item for the material delivered to the project to the Buy America certifications. The summary document shall also include the delivered cost of all foreign steel or iron delivered and permanently incorporated into the project, if applicable. The Contractor shall also submit a summary document for each month that no steel or iron products

January 8, 2024

6

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

are incorporated into or delivered to the project. The Contractor shall submit the summary document to the Engineer by the monthly progress payment cutoff date.

The Contractor shall obtain and maintain on file Buy America certifications that every process from either the original smelting or melting operation, including the application of a coating, performed on steel or iron products either has or has not been carried out in the United States of America. These Buy America certifications apply to every steel and iron product that requires pre-inspection, pretesting, certified test results, or a certificate of compliance. Shipping invoices, bar lists, and mill test reports shall accompany the Buy America certifications. These Buy America certifications shall be obtained from each supplier, distributor, fabricator, and manufacturer that has handled each steel or iron product. These Buy America certifications shall create a chain of custody trail for every supplier, distributor, fabricator, and manufacturer that handled the steel or iron product and shall include certified mill test reports with heat numbers from either the original smelting or melting operation. Prior to the permanent incorporation or payment for the steel or iron products, the Contractor shall also provide a copy of these certifications to the Project Engineer. The Contractor shall allow the State, FHWA, and their representatives access to the Buy America certifications including supporting documentation upon request. The lack of these certifications will be justification for rejection of the steel or iron product.

This requirement will not prevent a minimal use of foreign steel or iron, provided the total cost, including delivery to the project, of all such steel and iron products does not exceed 1/10 of one percent (i.e., 0.1%) of the total contract cost or \$2,500, whichever is greater. When there is foreign steel or iron permanently incorporated into the project, the Contractor shall provide documentation of the project delivered cost of that foreign steel or iron to the Project Engineer.

- (d) *Manufactured Products*. The FHWA's 1983 Buy America Final Rule, (see <https://www.fhwa.dot.gov/construction/contracts/831125.cfm>) waive the application of Build America, Buy America requirements for manufactured products that do not include steel and iron components. However, Buy America requirements apply to steel or iron components of manufactured products (i.e. steel wire mesh or steel reinforcing components of precast reinforced concrete products).

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

- (e) *Glass Beads for Pavement Marking.* All post-consumer and industrial glass beads for pavement marking shall have been manufactured from North American glass waste streams in the United States of America. The bead manufacturer shall submit a COC in accordance with subsection 106.12 confirming that North American glass waste streams were used in the manufacture of the glass beads.
- (f) *Construction Materials.* Build America, Buy America (BABA) requirements apply to the following construction materials incorporated into infrastructure projects. Each listed construction material is followed by material-specific manufacturing process criteria that is necessary to be considered “produced in the United States.”
1. Non-ferrous metals. All manufacturing processes, from initial smelting or melting through final shaping, coating, and assembly, occurred in the United States;
 2. Plastic and polymer-based products (including polyvinylchloride [PVC], composite building materials, and polymers used in fiber optic cables). All manufacturing processes, from initial combination of constituent plastic or polymer-based inputs, or, where applicable, constituent composite materials, until the item is in its final form, occurred in the United States;
 3. Glass (including optic glass). All manufacturing processes, from initial batching and melting of raw materials through annealing, cooling, and cutting, occurred in the United States. See section 106.11(d) of the CDOT Specifications for additional requirements related to glass beads for pavement marking;
 4. Fiber optic cable (including drop cable). All manufacturing processes, from the initial ribboning (if applicable), through buffering, fiber stranding and jacketing, occurred in the United States. All manufacturing processes also include the standards for glass and optical fiber, but not for non-ferrous metals, plastic and polymer-based products, or any others;
 5. Optical fiber. All manufacturing processes, from the initial preform fabrication stage through the completion of the draw, occurred in the United States;
 6. Lumber. All manufacturing processes, from initial debarking through treatment and planing, occurred in the United States;
 7. Engineered wood. All manufacturing processes from the initial combination of constituent materials until the wood product is in its final form, occurred in the United States; and
 8. Drywall. All manufacturing processes, from initial blending of mined or

January 8, 2024

8

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

synthetic gypsum plaster and additives through cutting and drying of sandwiched panels, occurred in the United States.

Except as specifically provided, only a single standard under paragraph (f) of this section should be applied to a single construction material.

Before the permanent incorporation into the project and before payment for all eligible construction materials, the Contractor shall obtain a certification from each supplier, distributor, fabricator, and manufacturer that has handled the construction material and submit it to the Project Engineer. This certification shall identify that every material-specific manufacturing process as listed above either has or has not been carried out in the United States of America and shall attest specifically to Build America, Buy America compliance.

In the case that eligible construction materials are permanently incorporated into the project, the Contractor shall maintain and submit on a monthly basis, CDOT Form #1600, Contractor's Certificate of Compliance summarizing the Item Description, CDOT Bid Item Number, Manufacturer Name, Date, and Quantity Received, Date and Quantity Installed, Bid Item Unit, and delivered cost of all eligible construction materials. The completed Form #1600(s) shall be kept in the project files and shall be submitted as part of the material final documentation package.

In the case that no eligible construction materials are permanently incorporated into the project, the Contractor shall maintain and submit on a monthly basis, CDOT Form #1610, Non-Applicable Projects: Build America, Buy America (BABA), certifying that no construction materials subject to Build America, Buy America requirements as defined in this section will be permanently incorporated into the project. The completed Form #1610(s) shall be kept in the project files and shall be submitted as part of the material final documentation package.

Form #1600 or Form #1610 does not relieve the Contractor of providing the necessary Build America, Buy America supplier certifications prior to permanent incorporation into the project or before payment for the material. The Contractor shall allow the State, FHWA, and their representatives access to the Buy America and Build America, Buy America certifications and supporting documentation upon request. The lack of these certifications will be justification for rejection of the construction material.

- (i) This requirement will not prevent a minimal use of foreign construction

Revision of Sections 101 and 106
Buy America and Build America, Buy America Requirements for Projects
Containing \$500,000 or More in Federal-Aid Highway Funding

materials, provided the total cost of non-compliant materials, including delivery to the project, of all such construction materials does not exceed \$1,000,000 or five percent of the total applicable project costs, whichever is lesser. Total applicable project costs are defined as the cost of materials (including the cost of any manufactured products) used in the project that are subject to Buy America and/or Build America, Buy America requirements. When there are foreign construction materials permanently incorporated into the project, the Contractor shall provide documentation of the project delivered cost of the non-compliant materials to the Project Engineer before permanent incorporation or payment. Form #1600 shall be used to track the total applicable project cost of all materials subject to Buy America and/or Build America, Buy America requirements. The foreign construction material minimal use threshold percentage of five percent shall not be exceeded in any given month.

- (g) Section 70917(c) materials including cement and cementitious materials; aggregates such as stone, sand, or gravel; and aggregate binding agents or additives are not subject to Build America, Buy America requirements.
- (h) *Project Level Waivers.* The Federal Highway Administration is responsible for processing and approving all waivers, including waivers requested by recipients and on behalf of subrecipients. More information on Buy America waivers can be found in the Field Materials Manual Special Notice to Contractors.

If a Contractor desires to pursue a waiver they shall notify the CDOT Project Engineer in writing who will then submit it to the CDOT Materials & Geotechnical Services Unit, Pavement Design and Documentation Services Program. The Pavement Design and Documentation Services Program will review it and forward it to the FHWA Division Office for consideration.

A Contractor's decision to pursue any waivers on the project shall not waive or otherwise nullify any provisions of the Contract. In addition, the time to obtain a waiver shall be considered a non-excusable, non-compensable delay and Liquidated Damages (per Subsection 108.09) will be enforced should the Contract Time (original or as amended) expire due to the approval or non-approval of a waiver.

The Contractor will not be entitled to an extension of contract time due to the approval or non-approval of a waiver and no such claim will be considered.