

June 6, 2013

SUBJECT: FAI Route 55(I-55)

Project NHPP-0055(008) Section 60-(1, 2)RS-3 Madison County Contract No. 76D99

Item No. 86, June 14, 2013 Letting

Addendum A

NOTICE TO PROSPECTIVE BIDDERS:

Attached is an addendum to the plans or proposal. This addendum involves revised and/or added material.

- 1. Replaced the Schedule of Prices.
- 2. Revised sheets 2, 3, 5, 18-23, 35-45, 50, 60, 61, 113 and 115.
- 3. Revised page iii of the Table of Contents to the Special Provisions.
- 4. Revised pages 1, 17, 28, 55 and 256 of the Special Provisions.

Prime contractors must utilize the enclosed material when preparing their bid and must include any Schedule of Prices changes in their bidding proposal.

Bidders using computer-generated bids are cautioned to reflect any and all Schedule of Prices changes, if involved, into their computer programs.

Very truly yours,

John D. Baranzelli, P. E. Acting Engineer of Design and Environment

By: Ted B. Walschleger, P. E.

Tete alse by P.E.

Engineer of Project Management

cc: Jeffrey Keirn, Region 5, District 8; Dave Lippert; Mike Renner; D. Carl Puzey; Estimates

NUMBER -

C-98-082-10 State Job # -

County Name -MADISON- -

Code -119 - -

District -8 - -

Section Number -60-(1,2)RS-3

Project Number NHPP-0055/008/ Route

*REVISED: JUNE 6, 20	13

ltem Number	Pay Item Description	Unit of Measure	Quantity	х	Unit Price	=	Total Price
X0323583	SPEED INDICATOR SIGN	CAL DA	230.000				
X0324743	SUBGRD REINFORCEMENT	SQ YD	8,667.000				
X0325510	VIDEOTAPE PIPE UDRAIN	FOOT	7,300.000				
X0325667	WD CTRL MWNG STRP SP	SQ YD	6,666.000				
X0326208	ALTERNATE RTE SIGNING	L SUM	1.000				
X0326677	REM HT CBL MEDIAN BAR	FOOT	14,750.000				
X0326687	REM HTC MED BAR TERM	EACH	6.000				
X2020410	EARTH EXCAVATION SPL	CU YD	20.000				
X4401198	HMA SURF REM VAR DP	SQ YD	77,997.000				
X4421000	PARTIAL DEPTH PATCH	TON	504.000				
X4830030	PCC SHOULDERS 8 SPL	SQ YD	6,445.000				
X5420624	PIPE CULV CLEANED 24	FOOT	690.000				
X5870015	BR DK CONCRETE SEALER	SQ FT	9,665.000				
X6015000	REM CONC HDWL P DRNS	EACH	121.000				
X6350120	DELINEATOR REMOVAL	EACH	37.000				

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Section Number -60-(1,2)RS-3 **Project Number**

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NHPP-0055/008/

Route **FAI 55**

ltem Number	Pay Item Description	Unit of Measure	Quantity	X	Unit Price	=	Total Price
X6430120	REM IMP ATTEN NO SALV	EACH	4.000				
X7270025	REM EX SIGN SUPPORT	EACH	36.000				
X8570000	SMART TRAF MONIT SYS	L SUM	1.000				
Z0005305	BOX CUL TO BE CLEANED	FOOT	325.000				
Z0012754	STR REP CON DP = < 5	SQ FT	80.000				
Z0012755	STR REP CON DP OVER 5	SQ FT	40.000				
Z0013798	CONSTRUCTION LAYOUT	L SUM	1.000				
Z0016702	DETOUR SIGNING	L SUM	1.000				
Z0018500	DRAINAGE STR CLEANED	EACH	21.000				
Z0029652	HT CBL MEDIAN BARRIER	FOOT	14,650.000				
Z0029653	HT CBL MED BAR DEMO	EACH	1.000				
Z0029654	HT CBL MED BAR TERM	EACH	10.000				
Z0034105	MATL TRANSFER DEVICE	TON	10,401.000				
Z0055605	RUBBLIZING PCC PAVT	SQ YD	70,533.000				
Z0076600	TRAINEES	HOUR	2,500.000		0.800		2,000.000

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76D99

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ltem Number	Pay Item Description	Unit of Measure	Quantity	x	Unit Price	=	Total Price
Z0076604	TRAINEES TPG	HOUR	2,500.000		10.000		25,000.000
20200100	EARTH EXCAVATION	CU YD	4,450.000				
20400800	FURNISHED EXCAVATION	CU YD	6,525.000				
25000200	SEEDING CL 2	ACRE	19.000				
25000400	NITROGEN FERT NUTR	POUND	1,710.000				
25000500	PHOSPHORUS FERT NUTR	POUND	1,710.000				
25000600	POTASSIUM FERT NUTR	POUND	1,710.000				
25100115	MULCH METHOD 2	ACRE	19.000				
25100630	EROSION CONTR BLANKET	SQ YD	484.000				
28000250	TEMP EROS CONTR SEED	POUND	1,900.000				
28000305	TEMP DITCH CHECKS	FOOT	406.000				
28000500	INLET & PIPE PROTECT	EACH	21.000				
28100207	STONE RIPRAP CL A4	TON	10.000				
28100209	STONE RIPRAP CL A5	TON	15.000				
28200200	FILTER FABRIC	SQ YD	30.000				

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Section Number -60-(1,2)RS-3 **Project Number**

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Route

	em mber	Pay Item Description	Unit of Measure	Quantity	x	Unit Price	=	Total Price
*DEL	35100100	AGG BASE CSE A	TON	24,902.000				
	35100300	AGG BASE CSE A 4	SQ YD	1,137.000				
	35101100	AGG BASE CSE A 12	SQ YD	15,112.000				
	35600722	HMA BC WID 11 1/2	SQ YD	12,123.000				
*REV	40600100	BIT MATLS PR CT	GALLON	57,362.000				
	40600300	AGG PR CT	TON	120.000				
	40600545	LEV BIND HM N90	TON	30.000				
	40600982	HMA SURF REM BUTT JT	SQ YD	2,279.000				
	40600990	TEMPORARY RAMP	SQ YD	496.000				
*REV	40603092	HMA BC IL-19.0 FG N90	TON	45,097.000				
*REV	40603153	P HMA SC SMA N80	TON	10,451.000				
*REV	40603243	P HMA BC IL19.0FGN90	TON	12,782.000				
*DEL	40701911	HMA PAVT FD 11 1/2	SQ YD	70,533.000				
	42000500	PCC PVT 10	SQ YD	1,137.000				
	42001200	PAVEMENT FABRIC	SQ YD	7,582.000				

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County Name -MADISON- -

Code -119 - -8 - -

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Section Number -60-(1,2)RS-3

Project Number Route NHPP-0055/008/ **FAI 55**

Item Number	Pay Item Description	Unit of Measure	Quantity	X	Unit Price	=	Total Price
42001430	BR APPR PVT CON (FLX)	SQ YD	128.000				
42100340	CONT REINF PCC PVT 12	SQ YD	8,667.000				
42100615	PAVT REINFORCEMENT	SQ YD	8,667.000				
42101300	PROTECTIVE COAT	SQ YD	1,137.000				
44000100	PAVEMENT REM	SQ YD	9,804.000				
44000152	HMA SURF REM 3/4	SQ YD	8,244.000				
44003100	MEDIAN REMOVAL	SQ FT	610.000				
44004250	PAVED SHLD REMOVAL	SQ YD	24,856.000				
44022029	PARTIAL DEPTH REM 3	SQ YD	2,998.000				
44200966	CL B PATCH T1 10	SQ YD	17.000				
44200970	CL B PATCH T2 10	SQ YD	188.000				
44200974	CL B PATCH T3 10	SQ YD	43.000				
44201043	CL B PATCH T2 16	SQ YD	19.000				
44201048	CL B PATCH T4 16	SQ YD	32.000				
44201299	DOWEL BARS 1 1/2	EACH	543.000				

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Item Number	Pay Item Description	Unit of Measure	Quantity	х	Unit Price	=	Total Price
44213100		SQ YD	75.000				
44213200	SAW CUTS	FOOT	1,571.000				
45200300	JT OR CRACK FILLING	POUND	72.000				
48101200	AGGREGATE SHLDS B	TON	9,446.000				
48203029	HMA SHOULDERS 8	SQ YD	122.000				
48203045	HMA SHOULDERS 12	SQ YD	6,100.000				
48203100	HMA SHOULDERS	TON	31,899.000				
50100100	REM EXIST STRUCT	EACH	2.000				
50105220	PIPE CULVERT REMOV	FOOT	1,410.000				
50300225	CONC STRUCT	CU YD	36.000				
50800205	REINF BARS, EPOXY CTD	POUND	6,130.000				
50800515	BAR SPLICERS	EACH	192.000				
54002020	EXPAN BOLTS 3/4	EACH	120.000				
542A0217	P CUL CL A 1 12	FOOT	860.000				
542A0220	P CUL CL A 1 15	FOOT	52.000				

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Section Number -60-(1,2)RS-3

60618300 CONC MEDIAN SURF 4

Project Number NHPP-0055/008/

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Route

FAI 55

ltem Number	Pay Item Description	Unit of Measure	Quantity	х	Unit Price	=	Total Price
542A0223	P CUL CL A 1 18	FOOT	314.000				
542A0229	P CUL CL A 1 24	FOOT	180.000				
54213663	PRC FLAR END SEC 18	EACH	2.000				
54213681	PRC FLAR END SEC 36	EACH	1.000				
54213687	PRC FLAR END SEC 42	EACH	1.000				
54248510	CONCRETE COLLAR	CU YD	4.100				
60100060	CONC HDWL FOR P DRAIN	EACH	159.000				
60100073	SHOULDER REM & RPL 10	FOOT	8,920.000				
60100082	SHOULDER REM/REP 11.5	FOOT	33,115.000				
60107700	PIPE UNDERDRAINS 6	FOOT	68,290.000				
60108200	PIPE UNDERDRAIN 6 SP	FOOT	4,634.000				
60260100	INLETS ADJUST	EACH	1.000				
60608600	COMB CC&G TM6.06	FOOT	32.000				
60610400	COMB CC&G TM6.24	FOOT	46.000				

358.000

SQ FT

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60_/1 2\DC_2 Section Number

64200116 SHOULDER RUM STRIP 16

70100420 TRAF CONT-PROT 701411

70100450 TRAF CONT-PROT 701201

70100500 TRAF CONT-PROT 701326

64300450 IMP ATTEN NRD TL3 67000400 ENGR FIELD OFFICE A

67000600 ENGR FIELD LAB

67100100 MOBILIZATION

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Section Number -	60-(1,2)RS-3						
ltem Number	Pay Item Description	Unit of Measure	Quantity	x	Unit Price	=	Total Price
63000001	SPBGR TY A 6FT POSTS	FOOT	762.500				
63000003	SPBGR TY A 9FT POSTS	FOOT	4,300.000				
63100045	TRAF BAR TERM T2	EACH	1.000				
63100089	TRAF BAR TERM T6B	EACH	5.000				
63100167	TR BAR TRM T1 SPL TAN	EACH	4.000				
63200310	GUARDRAIL REMOV	FOOT	5,547.000				
63500105	DELINEATORS	EACH	148.000				

61,599.000

4.000

7.000

7.000

1.000

4.000

1.000

1.000

FOOT

EACH

CAL MO

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Item Number	Pay Item Description	Unit of Measure	Quantity	X	Unit Price	=	Total Price
70100700	TRAF CONT-PROT 701406	L SUM	1.000				
70100800	TRAF CONT-PROT 701401	L SUM	1.000				
70100820	TRAF CONT-PROT 701451	L SUM	1.000				
70100825	TRAF CONT-PROT 701456	L SUM	1.000				
70103815	TR CONT SURVEILLANCE	CAL DA	20.000				
70106800	CHANGEABLE MESSAGE SN	CAL MO	56.000				
70200100	NIGHT WORK ZONE LIGHT	L SUM	1.000				
70300100	SHORT TERM PAVT MKING	FOOT	11,088.000				
70300220	TEMP PVT MK LINE 4	FOOT	8,015.000				
70300240	TEMP PVT MK LINE 6	FOOT	68,042.000				
70300250	TEMP PVT MK LINE 8	FOOT	1,802.000				
70300260	TEMP PVT MK LINE 12	FOOT	2,839.000				
70301000	WORK ZONE PAVT MK REM	SQ FT	1,848.000				
70400100	TEMP CONC BARRIER	FOOT	4,750.000				
70400200	REL TEMP CONC BARRIER	FOOT	4,750.000				

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Project Number NHPP-0055/008/

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Item Number	Pay Item Description	Unit of Measure	Quantity	x	Unit Price	=	Total Price
70600260	IMP ATTN TEMP FRN TL3	EACH	4.000				
70600330	IMP ATTN REL FRD TL3	EACH	4.000				
72000100	SIGN PANEL T1	SQ FT	237.500				
72000200	SIGN PANEL T2	SQ FT	144.000				
72000300	SIGN PANEL T3	SQ FT	5,012.250				
72400200	REMOV SIN PAN ASSY TB	EACH	12.000				
72400310	REMOV SIGN PANEL T1	SQ FT	193.000				
72400320	REMOV SIGN PANEL T2	SQ FT	325.000				
72400330	REMOV SIGN PANEL T3	SQ FT	3,635.750				
72700100	STR STL SIN SUP BA	POUND	37,648.000				
72800100	TELES STL SIN SUPPORT	FOOT	282.000				
73000100	WOOD SIN SUPPORT	FOOT	536.000				
73100100	BASE TEL STL SIN SUPP	EACH	7.000				
73400100	CONC FOUNDATION	CU YD	91.000				
73700100	REM GR MT SIN SUPPORT	EACH	64.000				

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ltem Number	Pay Item Description	Unit of Measure	Quantity	x	Unit Price	=	Total Price
73700200	REM CONC FDN-GR MT	EACH	56.000				
78001110	PAINT PVT MK LINE 4	FOOT	188,995.000				
78003100	PREF PL PM TB LTR-SYM	SQ FT	209.000				
78003150	PREF PL PM TB LINE 12	FOOT	2,839.000				
78004210	PREF PL PM TB INL L4	FOOT	8,015.000				
78004230	PREF PL PM TB INL L6	FOOT	68,042.000				
78004240	PREF PL PM TB INL L8	FOOT	1,802.000				
78100100	RAISED REFL PAVT MKR	EACH	873.000				
78200300	PRISMATIC CURB REFL	EACH	18.000				
78200410	GUARDRAIL MKR TYPE A	EACH	29.000				
78200530	BAR WALL MKR TYPE C	EACH	324.000				
78201000	TERMINAL MARKER - DA	EACH	4.000				
78300100	PAVT MARKING REMOVAL	SQ FT	29,586.000				
78300200	RAISED REF PVT MK REM	EACH	873.000				
80300100	LOCATE UNDERGR CABLE	FOOT	16,215.000				

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STATE OF ILLINOIS

SPECIAL PROVISIONS

The following Special Provisions supplement the "Standard Specifications for Road and Bridge Construction," adopted January 1, 2012, the latest edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways," and the "Manual of Test Procedures for Materials" in effect on the date of invitation for bids, and the Supplemental Specifications and Recurring Special Provisions indicated on the Check Sheet included herein which apply to and govern the construction of FAI Route 55 (I-55); Project NHPP-0055(008); Section 60-(1,2)RS-3; Madison County; Contract No. 76D99 and in case of conflict with any part or parts of said Specifications, the said Special Provisions shall take precedence and shall govern.

LOCATION OF PROJECT

The project is located in Madison County along a section of FAI Route 55 from the Madison/Macoupin County line south to approximately 1.3 miles north of IL 140 and includes the interchange ramps at IL Route 4.

DESCRIPTION OF PROJECT

The intent of this project is to reconstruct four lanes of FAI Route 55 for the purpose of increasing safety, reducing present and future maintenance costs and eliminating existing deficiencies.

This work involves removing the existing Hot-Mix asphalt surface; rubblizing the existing concrete pavement; placing a layer of new variable depth HMA binder course to establish the proposed profile; and then resurfacing with 4.5 inches of new Hot-Mix asphalt materials, maintaining minimum clearances under each overpass structure. Interchange ramps will be resurfaced with 4.25 inches of new Hot-Mix asphalt materials. The existing outside ramp shoulders will be removed and replaced with new Portland cement concrete shoulders, 12 feet wide. Embankment will be added to the existing foreslopes to match the proposed new surface elevations.

The pavement under the overpasses for IL 4 and Church Road will be removed and replaced with continuously reinforced Portland cement concrete pavement, 12 inches thick, and resurfaced with 4.5 inches of Hot-Mix asphalt material.

Existing access-control fencing within the project limits will be removed and replaced. A 5-foot strip will be cleared for the fence removal process.

- 1. Pipe underdrains for the I-55 mainline pavement.
- 2. The removal and replacement of four (4) feet of the driving-lane shoulder for both the northbound and southbound pavements.
- 3. Patching the driving lanes of both the northbound and southbound pavements.
- 4. Placing leveling binder (hand method) on the driving lanes of both the northbound and southbound pavements.
- 5. Providing pavement markings and other traffic control measures.

<u>Stage Construction Phase:</u> The Contractor shall complete at least the following major work items on the I-55 mainline pavement and shoulders during the Stage Construction Phase, as described in the Suggested Stage Construction Plan, typical sections and other areas of the contract plans:

- 1. Removing the existing hot-mix asphalt (HMA) surface down to the original concrete pavement.
- 2. Rubblizing the original concrete pavement.
- 3. Omitted.
- 4. Placing all HMA binder and polymerized binder lifts on the rubblized pavement and placing HMA shoulder material on adjacent shoulders to the same height.
- 5. Removing and replacing the pavement in the areas under the overhead structures at the IL 4 interchange and at Church Road.
- 6. Providing pavement markings and other traffic control measures.
- 7. Doing all collateral work associated with the stage construction.

These Stage Construction Phase work items must be completed, with all I-55 lanes open to traffic, within 21 lane-closure calendar days. A lane-closure calendar day is defined as any 24-hour day or portion of a day during the Stage Construction Phase when any portion of an I-55 through-traffic lane(s) within the project construction limits is not open to traffic.

<u>Post-Stage Construction Phase:</u> The Contractor shall complete all work not completed in the Pre-Stage Construction Phase and Stage Construction Phase in the Post-Stage Construction Phase.

The Contractor shall complete all work associated with the Pre-Stage Construction, Stage Construction and Post-Stage Construction Phases, as shown on the plans and described in the special provisions, and have the roadway fully open to traffic by November 6, 2013.

STRINGLINE

For this project, the lift(s) of the HOT-MIX ASPHALT BINDER COURSE are intended as the first steps toward establishing the proposed profile grade shown in the plans. The hot-mix asphalt binder courses shall be controlled by stringline(s) erected, maintained and removed and disposed of by the Contractor.

The cost of providing, erecting, maintaining, removing, disposing of and employing the stringline as the grade control will not be paid for separately but shall be considered as included in the HOT-MIX ASPHALT BINDER COURSE, IL-19.0, FG, N90 pay item.

HOT MIX ASPHALT - PAY FOR PERFORMANCE USING PERCENT WITHIN LIMITS - PLANT SAMPLING (BMPR) (D8)

Effective: April 4, 2008 Revised: January 1, 2012

<u>Description</u>. This special provision describes the procedures used for production, placement and payment for hot-mix asphalt (HMA). This special provision shall apply to all pay items for High ESAL and Low ESAL HMA and SMA mixtures that individually have a minimum quantity of 8000 tons (7260 metric tons) and are placed at a minimum nominal thickness equal to or greater than three times the nominal maximum aggregate size. This special provision shall not apply to shoulders, temporary pavements and patching. This work shall be according to the Standard Specifications except as specified herein.

Delete Articles:	406.06(b), 2 nd Paragraph 406.07	(Temperature requirements) (Compaction)	
		\	
		of first paragraph (Mix design verification)	
	1030.05(a)(4, 5, 7, 8, 9, & 10)(QC/QA Documents)		
	1030.05(d)(2)a.	(Plant Tests)	
	1030.05(d)(2)b.	(Dust-to-Asphalt and Moisture Content)	
	1030.05(d)(2)d.	(Small Tonnage)	
	1030.05(d)(2)f.	(HMA Sampling)	
	1030.05(d)(3)	(Required Field Tests)	
	1030.05(d)(4)	(Control Limits)	
	1030.05(d)(5)	(Control Charts)	
	1030.05(d)(6)	(Corrective Action for Required Plant Tests)	
	1030.05(d)(7)	(Corrective Action for Field Tests (Density))	
	1030.05(e)	(Quality Assurance by the Engineer)	
	1030.05(f)	(Acceptance by the Engineer)	
	1030.06(a) paragraphs 3 (Before start-up), 7(After an acceptable),		
	8 (If	a mixture), & 9 (A nuclear/core):	

<u>Schedule:</u> The STM System shall be 100% operable prior to the Contractor closing a lane of traffic on contract 76D99. The STM System must be in operation 24 hours a day and 7 days per week until November 6, 2013.

<u>Function:</u> The components include Smart Monitoring Devices (SMD), changeable message signs, and control software for various communication functions. The main purpose of the STM System is to collect real time vehicle data at various locations prior to and within lane closures to alert drivers of delay times through the lane closure, of stopped traffic ahead, and of alternate route options. The real time vehicle data should then be input into control software which communicates to display messages on changeable message signs. The messages should be in real time and dynamic based on the data collected as the SWZ monitoring points. In addition, the STM System should also have the capability to inform the District Office of traffic delays via the internet or through the District's Traffic Management Center.

The STM System must be able to calculate and notify drivers via changeable message signs of the actual traffic backup delay time for each lane closure. Also, the STM System must be able to notify drivers of stopped traffic ahead (speeds less than 30 mph) within two miles of the traffic backup by displaying messages on changeable message signs located on mainline FAI 55. The actual message dialog and number of changeable message signs displaying messages will be determined by the Engineer. All other System changeable message signs shall have no message displayed unless directed by the Engineer.

Smart Monitoring Devices (SMD): The SMD shall be crashworthy as defined by NCRHP 350 or shall be protected by a NCRHP 350 device if placed within the clear zone, 30 feet from the edge of pavement. All communication networks used in the STM System must be provided by the Contractor. The SMD shall communicate in series and real time with multiple other SMD and changeable message signs. The SMD must have the capability to communicate with the changeable message signs 24 hrs per day, 7 days per week. The number of SMD needed to provide dynamic messages from the System shall be determined by the manufacturer.

<u>Control Software:</u> The control software shall be configurable to meet the project requirements. The control software shall be able to store all information collected by the SMD 24 hours a day and 7 days a week. The software shall include parameters to dynamically trigger in real time new messages on the changeable message signs located on the project.

<u>Changeable Message Signs:</u> The changeable message signs shall be compatible with the communication between the SMD and the control software.

Method of Measurement: The furnishing, placing, relocating, and maintenance of speed indicator measurement and display units will be measured per calendar day of service provided. A partial day shall be counted as one calendar day.

Basis of Payment: This work will be paid for at the contract unit price per calendar day for each sign as SPEED INDICATOR SIGN.

MENTOR-PROTÉGÉ PROGRAM (BDE)

Effective: June 1, 2007 Revised: February 1, 2013

<u>Eligibility</u>. This contract is eligible for the Department's Mentor-Protégé Program for those bidders with an approved Mentor-Protégé Development Plan.

In order for a Mentor-Protégé relationship to be recognized as part of this contract, the Protégé shall be used as a subcontractor and a Mentor-Protégé Agreement for Contract Assistance and Training shall be fully executed and approved. The Mentor-Protégé Agreement for Contract Assistance and Training shall be completed on the form provided by the Department and submitted with the DBE Utilization Plan for approval by the Department. If approved, the Mentor-Protégé Agreement for Contract Assistance and Training shall become part of the contract. In the event the Mentor-Protégé Agreement for Contract Assistance and Training is not approved, the contract shall be performed in accordance with the DBE Utilization Plan exclusive of the Agreement.

<u>DBE Goal Reduction</u>. The DBE participation goal set for this contract may, at the discretion of the Department, be reduced according to the Mentor-Protégé Program Guidelines when the Protégé is used as a subcontractor. When submitting the DBE Utilization Plan, the bidder shall indicate whether the Protégé will be used as a subcontractor and to what extent.

<u>Quarterly Reports</u>. The Mentor shall submit quarterly progress reports as outlined in the Mentor-Protégé Program Implementation document. The reports shall indicate the progress toward each of the Plan's stated goals. The reports shall be signed by an authorized principal of each firm and submitted to the Engineer of Construction.

Failure to timely submit reports, or submission of incomplete reports may result in dissolution of relationship.

Reimbursement of Mentor Expenses. The direct and indirect expenses of the Mentor, as detailed in the approved Mentor-Protégé Agreement for Contract Assistance and Training will be reimbursed by the Department.