



# Specifications and Plans The Complete Contract

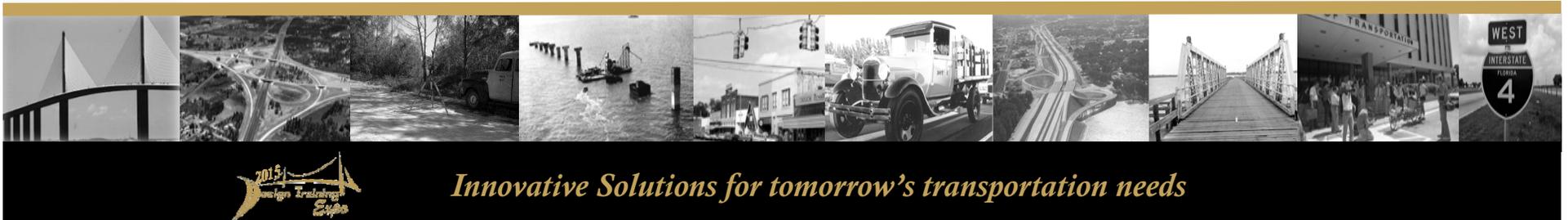
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# What are Contract Documents?

- **2015 eBook – Standard Specifications for R&B Constr.**
- The term “Contract Documents” includes: Advertisement for Proposal, Proposal, Certification as to Publication and Notice of Advertisement for Proposal, Appointment of Agent by Nonresident Contractors, Noncollusion Affidavit, Warranty Concerning Solicitation of the Contract by Others, Resolution of Award of Contract, Executed Form of Contract, Performance Bond and Payment Bond, **Specifications, plans (including revisions thereto issued during construction)**, Addenda, or other information mailed or otherwise transmitted to the prospective bidders prior to the receipt of bids, work orders and supplemental agreements, all of which are to be treated as one instrument whether or not set forth at length in the form of contract.



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# Remember who the audience is....

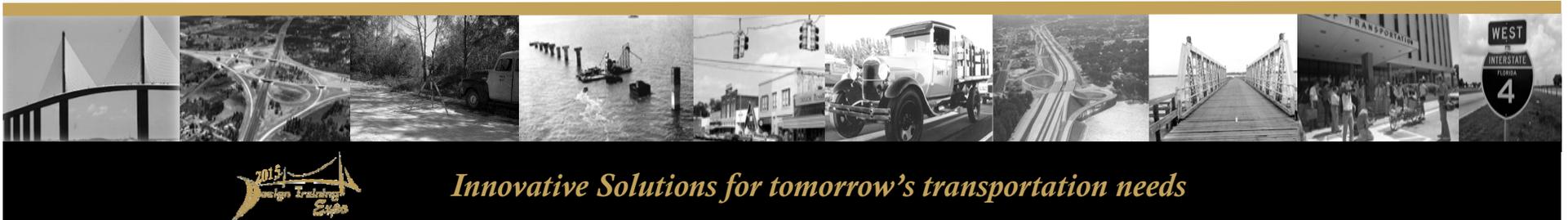
## DIVISION I General Requirements and Covenants

### SECTION 1 DEFINITIONS AND TERMS

#### 1-1 General.

These Specifications are written to the bidder, prior to award of the Contract, and to the Contractor. Within Divisions I and II of the specifications, sentences that direct the Contractor to

- The Contract Documents should clearly tell the Contractor what to build.
- Information for the Designer is in the Plans Preparation Manual (PPM), CADD Manual, Drainage Manual, Structures Manual, Traffic Engineering Manual, etc.
- Information for the Inspector is in the Construction Project Administration Manual (CPAM), etc.



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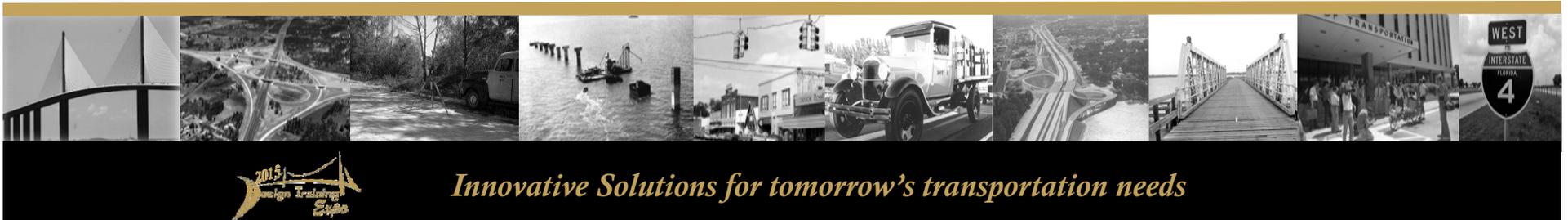
# Governing Order of Documents

## 5-2 Coordination of Contract Documents.

These Specifications, the Plans, Special Provisions, and all supplementary documents are integral parts of the Contract; a requirement occurring in one is as binding as though occurring in all. All parts of the Contract are complementary and describe and provide for a complete work. In addition to the work and materials specified in the Specifications as being included in any specific pay item, include in such pay items additional, incidental work, not specifically mentioned, when so shown in the plans, or if indicated, or obvious and apparent, as being necessary for the proper completion of the work under such pay item and not stipulated as being covered under other pay items.

In cases of discrepancy, the governing order of the documents is as follows:

1. Special Provisions.
  2. Technical Special Provisions.
  3. Plans.
  4. Design Standards.
  5. Developmental Specifications.
  6. Supplemental Specifications.
  7. Standard Specifications.
- Computed dimensions govern over scaled dimensions.



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# Specifications Division I

- Contractor and Department Agreement
- Outlines Requirements to execute the Contract

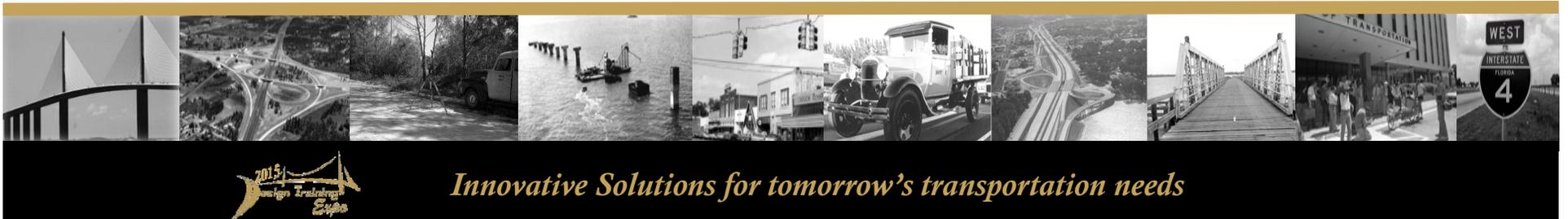
1	Definitions and Terms .....	1
2	Proposal Requirements and Conditions .....	10
3	Award and Execution of Contract .....	16
4	Scope of the Work .....	20
5	Control of the Work .....	32
6	Control of Materials .....	52
7	Legal Requirements and Responsibility to the Public .....	56
8	Prosecution and Progress .....	80
9	Measurement and Payment .....	93



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# Specifications Division II

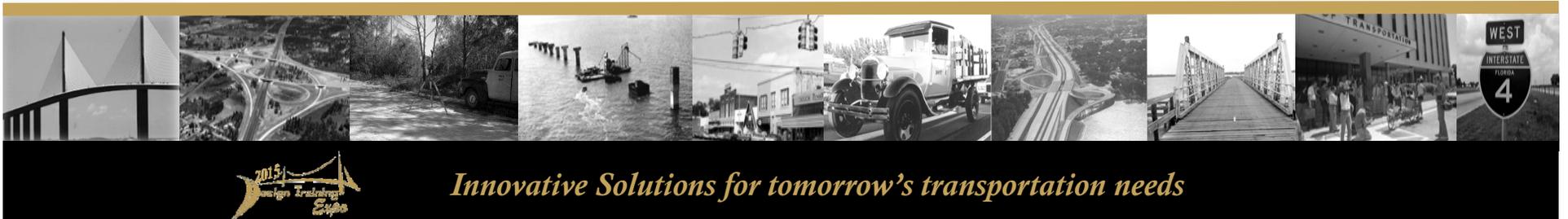
- Contractor's requirements to execute the Construction
  - Written in "Active Voice" as directives to the Contractor.
  - Compliments the Design Plans.
  - Technical information.
  - 'End-Result' specifications preferred – try not to dictate 'Means-Methods'.
    - Say what you want as an end-result, let the Contractor determine how best to deliver, and INSPECT!



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# Specifications Division III

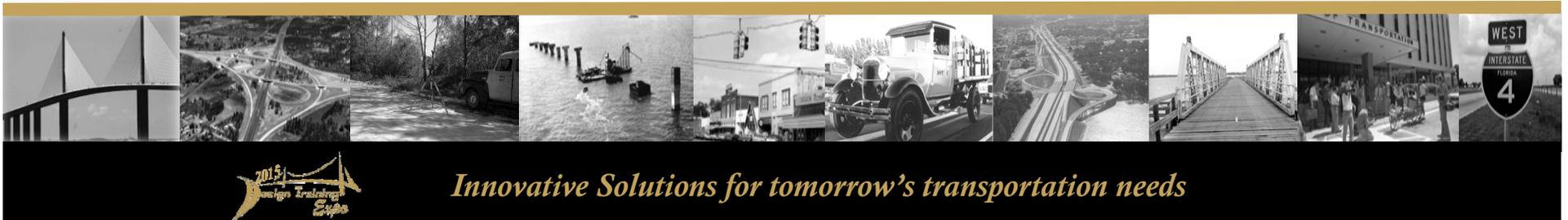
- Material Requirements that are required in Division II.
  - Very Technical with respect to material properties and testing requirements.
  - Written to the Manufacturer or Supplier, but a contract requirement of the Contractor.



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# Plans

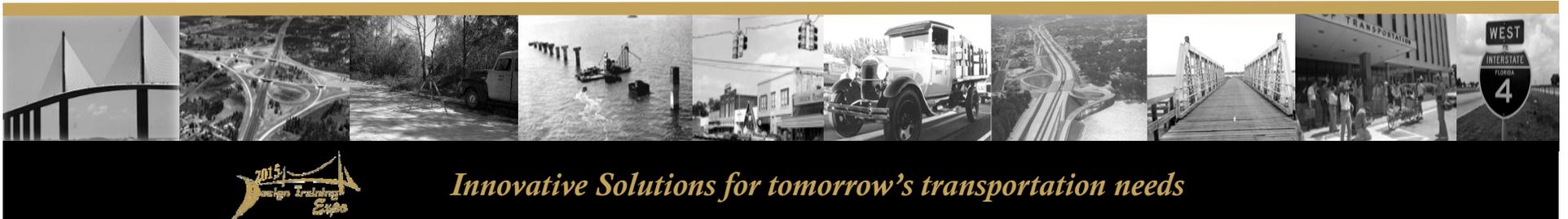
- Limit highly technical information on plan sheets – if it isn't covered in the Specifications, submit a Technical Special Provision (TSP) for approval.
- If what is in the Specifications doesn't fit your 'need', submit a Modified Special Provision (MSP) through your Project Manager and the District Specifications Engineer.
- What-Goes-Where – the Department is working to ensure the proper contact information is in the proper documents.



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# Plans Cont'd

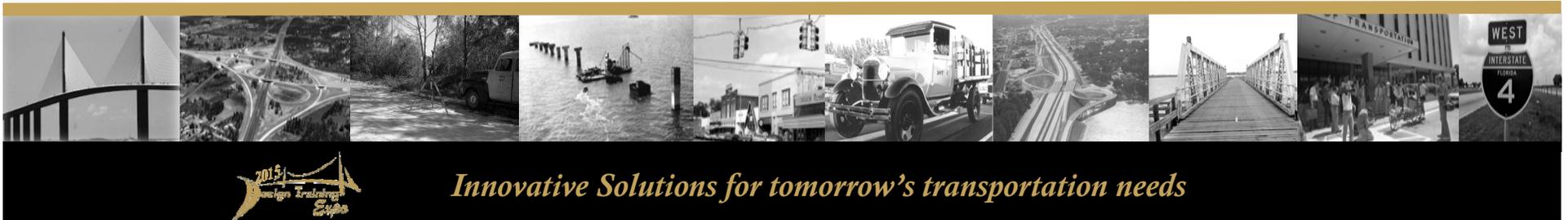
- Information on the plan sheet should rely on the detail, and not notes, to convey extensive information.
  - The Department doesn't want to see pages of text in the Plan Set – those should be written into Specifications if not already covered in the SSRBC.
- Use notes for project specific requirements:
  - “For aesthetics, coat the steel barrier rail with a white powder coat finish, color index XXXXX.”



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# Plan Notes

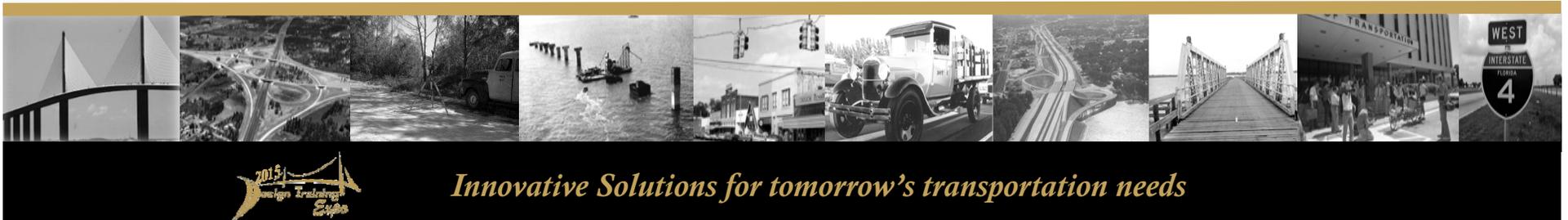
- No good deed goes unpunished...
  - Designers add notes typically to try and clarify ‘ambiguity’ or ‘confusion’ in the plan detail.
  - Only use plan notes to outline a project specific requirement – **BLANKET PLAN NOTES ARE NOT PREFERRED.**
  - Before placing a plan note, verify the topic is not already covered in the Specifications – if the Spec needs to be ‘expanded’, submit a Modified Special Provision in lieu of a plan note.
  - Use Technical Special Provisions in lieu of plan notes for ‘technical’ information.



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# Plan Notes Cont'd...

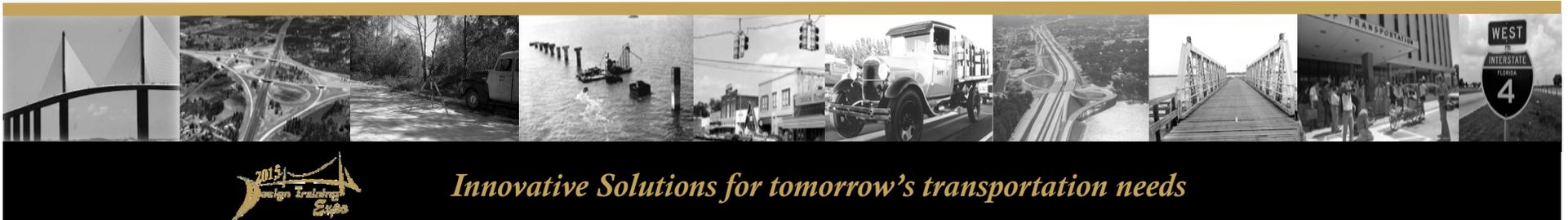
- No good deed goes unpunished...
  - Please do not repeat specifications in plans – if it is stated incorrectly, confusion between the two documents may lead to a future claim.
  - Please do not add additional ‘requirements’ on to the Contractor (i.e. Environmental stipulations) – everything is included in Division I and the permits for the project. Project ‘agreements’ are to included via an MSP.



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# Just say No..... to Plan Notes that should be drawn in the Plans

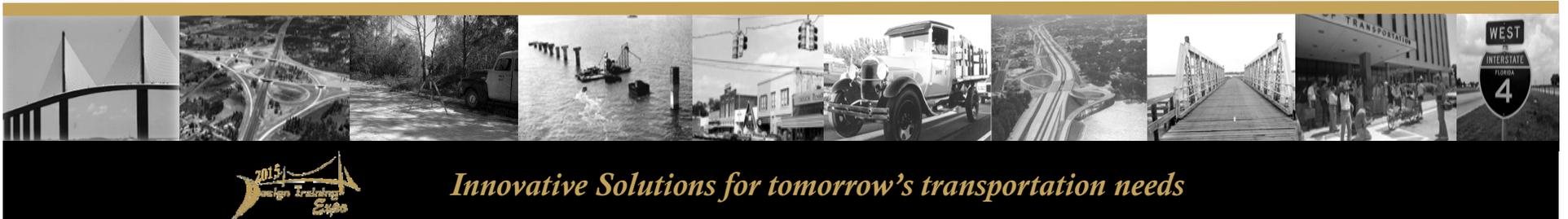
- ***SAWCUT ALL TYPE-A AND TYPE-F LOOP ASSEMBLIES TO THE DIMENSIONS OF SIX-BY-FIFTY FEET.***
  - Should be shown in the Plans if not covered by Design Standard 17781.



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# Just say No..... to Conflicting Plan Notes

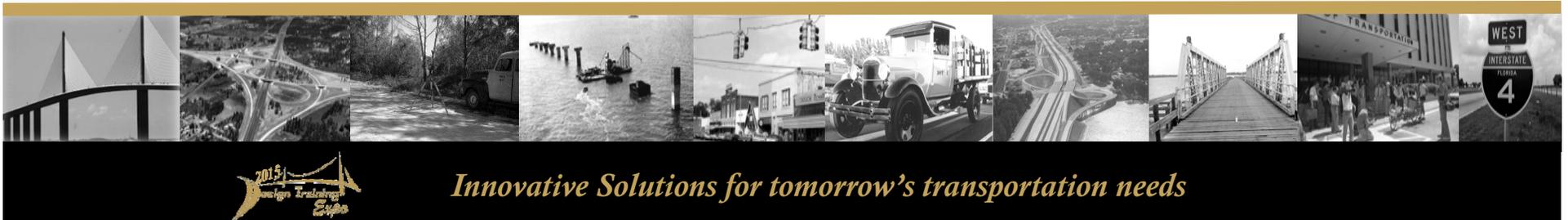
- ***ELECTRIC SERVICE WIRE SHALL BE PAID FOR PER LINEAR UNIT OF MEASURE, MULTIPLIED BY THE NUMBER OF NECESSARY CONDUCTORS.***
  - Conflicts with Standard Specification 639-5.1.



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# Just say No..... to Redundant Plan Notes

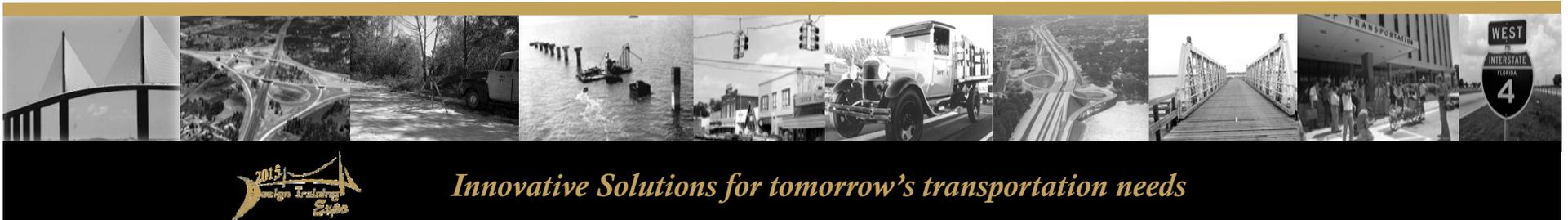
- *Contractor shall provide erosion and sediment control items in accordance with FDOT Standard Specifications for Road and Bridge Construction Specification No. 104 and State of Florida Erosion and Sediment Control Manual.*
  - Redundant with, guess what, Standard Specification 104.



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# Just say No..... to Plan Notes that are not biddable and/or constructible

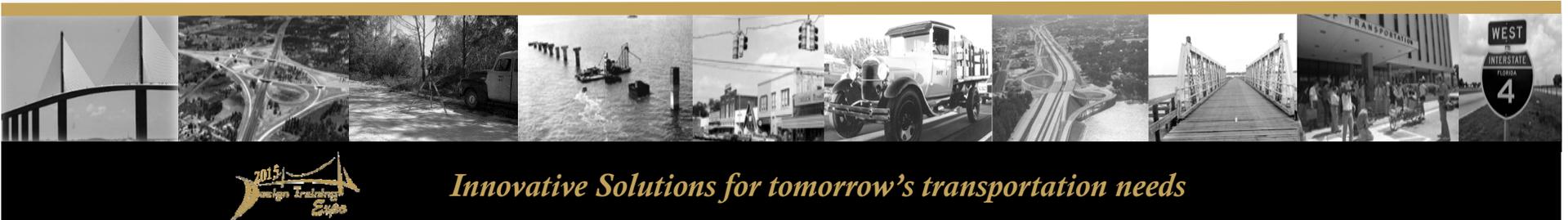
- *Additional sediment and erosion control measures may be required, during any phase of development, at the discretion of the City of \_\_\_\_\_ environmental inspector.*
  - How can the Contractor bid this?
  - The FDOT Engineer has authority for the project.
  - And this note is redundant to Standard Specification 104-1 and 104-2.



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# Just say No..... to Confusing Plan Notes

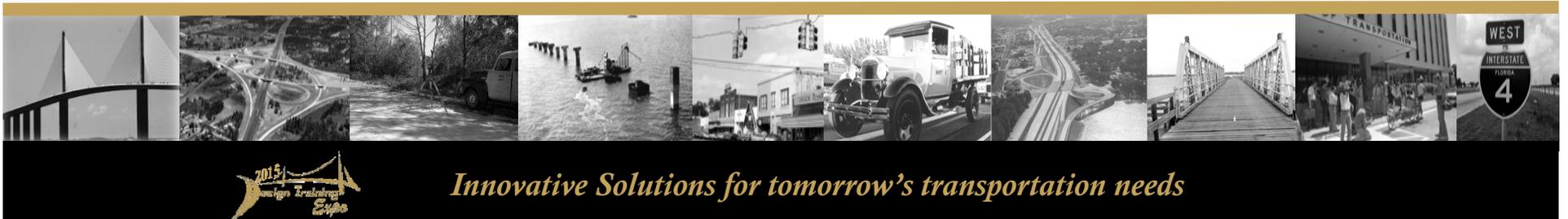
- *For each contaminated site, a. the contractor shall provide a separate written notification to the engineer no more than two (2) months and no less than one (1) month in advance of construction and utility work at each contaminated site, including remobilizations. In addition, if the contractor does not start construction activities by 1 week after the date stated on the notice or ceases construction activities for more than 1 week, the CAR will demobilize from the site and the minimum one (1) month notification procedure stated above shall be followed again. The contractor shall work within the identified areas in an expeditious manner to reduce additional costs incurred by the department. b. The Engineer shall provide a copy of each separate notification to the CAR within two (2) business days of receiving this document in order for the CAR to provide efficient support services.*
  - Say that again?!?
  - This type of coordination is better handled at the Preconstruction Meeting.



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# Just say No..... to Unnecessary Plan Notes

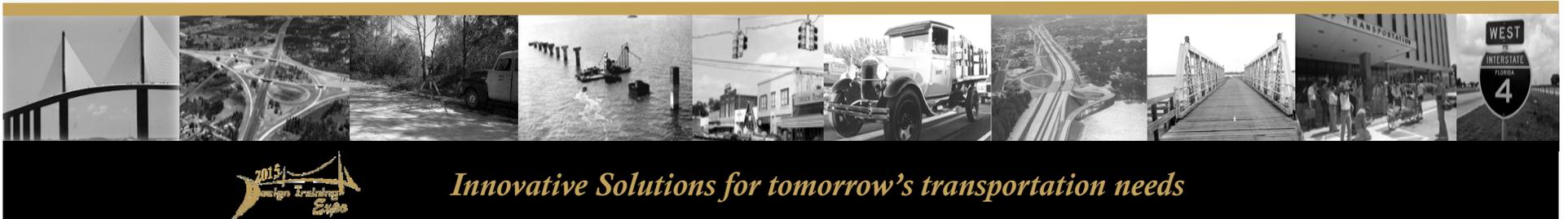
- *A DEP generic Permit for Stormwater discharge from large and small construction activities, to be furnished and obtained by the contractor, will not be required for this project. (NPDES).*
  - No need to tell the Contractor something they do not have to do.
  - And this is already covered in Standard Specification 7-2.1 anyway.



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# Just say No..... to Outdated Plan Notes

- ***FOR PROJECTS INCLUDING INSTALLATION OF FIBER OPTIC CABLE, THE CONTROLER OR MASTER CABINET ASSEMBLY SHALL BE EQUIPPED WITH AN APPROPRIATE FIBER OPTIC MODEM.***
  - Outdated language – Standard Specification 684 now covers this.
  - Careful with copying and pasting notes from previous Plan Sets



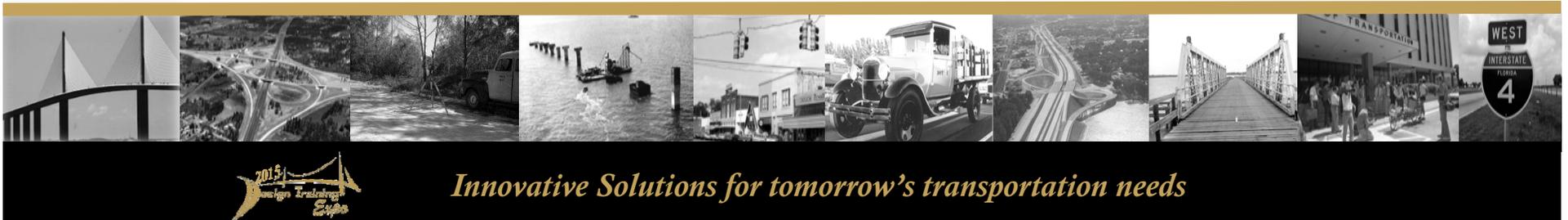
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# Design-Build is Different

## Contract Documents.

The term “Contract Documents” includes: Advertisement , Request for Proposal (RFP), the Design and Construction Criteria Package, the Technical and Price Proposal, Certification as to Publication and Notice of Advertisement for Proposal, Appointment of Agent by Nonresident Contractors, Noncollusion Affidavit, Warranty Concerning Solicitation of the Contract by Others, Resolution of Award of Contract, Executed Form of Contract, Performance Bond and Payment Bond, Design Liability Insurance, Specifications, plans (including revisions thereto issued during construction), Addenda, written statements or transcripts or minutes of oral representation by Design-Build Firm made at oral presentations, or other information mailed or otherwise transmitted to the prospective bidders prior to the receipt of bids, work orders and supplemental agreements, all of which are to be treated as one instrument whether or not set forth at length in the form of contract.

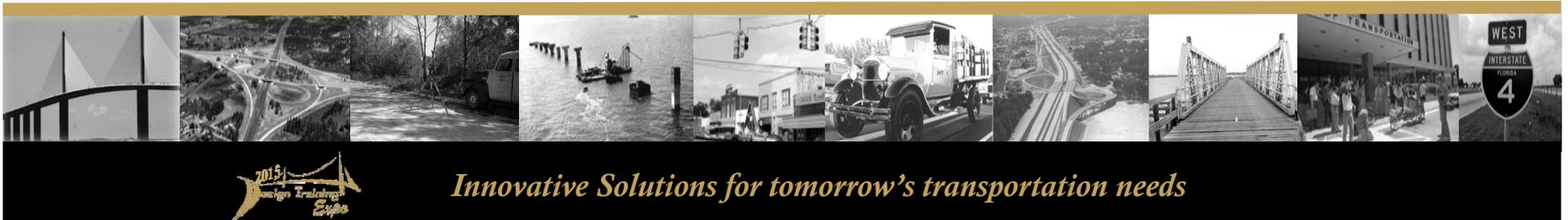
- Contract Package includes the Request for Proposal (RFP) and the associated Attachments, and the Contractor’s Proposal(s)
  - RFP Attachments may include MSPs, TSPs, Developmental Specifications, etc.



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# Why the Concern?

- Confusion between contract documents (even with the Governing Order in Division I, Section 5) can lead to a claim by the Contractor.
- If you 'think' you need a plan note, ask first... your District Program Management Office (PS&E Engineer) can help with determinations working with the District Project Manager.
- Expect comments with respect to Plan Notes by your PS&E Engineer – reduction of plan notes is a Chief Engineer initiative.



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