

0072002 LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – DUST  
CONTROL  
INTERNAL/INDUSTRY REVIEW COMMENTS

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Alan Autry  
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Comments: (1-15-16)

We should to define "early in the project". "Early" to one, may very well be interpreted as "late" to another.

Response:

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Foster Bachschmidt  
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Comments: (1-18-16)

This is a positive change. However, without additional pay items this work is difficult to accommodate and can be expensive to the Department. Rather than utilizing (as often occurs) the Performance Turf pay items for temporary sodding, the Department may want to consider a "Temporary Hydro Grassing" pay item. This pay item would be much cheaper than Performance Turf (either seed and mulch or sod) as it would not include long term establishment requirements. It would also serve to prevent erosion, in addition to adding in dust control. While such a revision may be beyond the scope of this proposed change, it is certainly something for the Department to consider in future revisions.

Response:

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Neil Monkman  
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Comments: (1-18-16)

I believe you are creating a loophole. 1. what is a "dusty" material and who defines that? 2. You are stating to control dust during the storage and handling. Are we not to control dust once material is placed. I am placing and compacting embankment and meet density, technically I am no longer handling it. I suggest "Control dust of materials during the life of the contract by wetting, covering"....etc.

Response:

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Unknown

Comments: (1-18-16)

If permanent dust/erosion control features are directed by the engineer, provisions should be made for payment. This spec will be interpreted as incidental to the contract.

Response:

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Scott DeReus  
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Comments: (1-19-16)

The comment I had that led to this change contained two parts. The proposed change only addresses one of the problems with this spec. The 102-5 reference needed to come out, so that has been addressed. The other issue relates to language such as “transported beyond the limits of construction...”, “embankments or other cleared or unsurfaced areas...”, and “install mulch, seed, sod, or temporary paving...” Specification 7-20 speaks only to air pollution from asphalt plants, so unless the asphalt plant is located within the limits of construction, none of these comments apply. Even if the plant is on the construction site, how can “embankments or other cleared or unsurfaced areas...” and “install mulch, seed, sod, or temporary paving...” have anything to do with the plant? The bulk of this spec should be elsewhere so that it can be applied to the actual construction site. As it stands now, there is nothing in the specs that addresses dust coming from embankments or other cleared or unsurfaced areas that would benefit from the install(ation of) mulch, seed, sod, or temporary paving.

Response:

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Art Berger  
FDOT

Comments: (1-19-16)

1. “Control dust during the storage and handling of dusty materials by wetting, covering, or other means as approved by the Engineer.” - What about dust from equipment/trucks driving along the unpaved (dirt) right-of-way? Won’t this activity cause most of the dust and is not covered by this wording?

Response:

2. “When included in the Plans, install mulch, seed, sod, or temporary paving early in the project.” - Contractors are not going to do this because it will increase contractor’s costs to maintain the sod. If the Department wants this, there needs to be a specific requirement that ‘sod will be placed within 5 days of \_\_\_\_’. Contractor can then include that requirement with costs, The last sentence is too vague and not reasonably enforceable.

Response:

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Brian Blair  
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Comments: (1-21-16)

Review whether the last sentence needs to be included in this Spec.: "When included in the Plans, install mulch, seed, sod, or temporary paving early in the project." Typically, the plans do not dictate when seed, mulch, and/or sod are to be constructed within the construction sequencing; existing specifications provide the requirements (Section 104, 570, etc.). If the sentence remains in this Spec., the language "early in the project" should be revised to include a more definitive timeframe to avoid differences of interpretation during the administration of the construction contract.

Response:

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