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**600.01 Introduction**

Contract Provisions are legally enforceable specifications to contracts formed between the Washington State Department of Transportation (WSDOT) and contractors.

**(1) General**

Contract Provisions consist of the following:

1. Notice to Planholders
  - Project Engineer's name, address, and phone number
2. Table of Contents
3. Amendments
  - Revisions to the *Standard Specifications for Road, Bridge, and Municipal Construction (Standard Specifications)*
4. Special Provisions
  - A combination of the General Special Provisions (GSPs) and project-specific provisions
5. Boring Logs
  - For bridge or structures projects—provided by the Headquarters (HQ) Bridge and Structures Office
6. Federal-Aid Provisions
  - For federal-aid projects
7. Prevailing Minimum Hourly Wage Rates
  - State, federal, or both, depending on project funding
8. Proposal (informational copy)
  - Subcontractor List
  - Signature Page
  - Declaration of Non-Collusion
  - Certification for Federal-Aid Contractors
9. Appendices to the Special Provisions.
10. Forest Service Provisions (if applicable)
11. Railroad Insurance Forms (if applicable)
12. Other Documents

This section will discuss the Amendments, GSPs, and project-specific provisions.

The Amendment and Special Provisions sections of the Contract Provisions are created in the WSDOT "PS&E Word Program." Each Amendment and GSP is given a unique code number that ties it back to the section of the *Standard Specifications* being supplemented or revised by the document. Project-specific provisions are assigned a unique name or code number by the writer of the document.

The designer makes a list, called the run-list, of the applicable code numbers and document names, and the computer system compiles the actual documents in the order requested on the run-list.

The PS&E Word Program allows the designer to access the Amendments and GSPs through the region's LAN system. This program enables designers to:

- Read the documents.
- Compile the run-list.
- Write the project-specific information.
- Insert the information in the run-list.
- Compile the completed Contract Provisions.

For WSDOT offices not connected to the LAN system, and for consultants and local agencies, the Amendments and GSPs are available on the Internet. Access this information on the WSDOT Project Development – Specifications, Amendments, and GSPS website ([www.wsdot.wa.gov/Design/ProjectDev/Specifications.htm](http://www.wsdot.wa.gov/Design/ProjectDev/Specifications.htm)).

The Internet information is updated on the same schedule as the WSDOT system, so the information is always current. Once the information is downloaded to a personal computer with Windows 2000 (or later) and Word 2000, the WSDOT PS&E Word Program can be used to compile a complete set of Contract Provisions. (See the Appendices for a User's Guide to the PS&E Word Program.)

Assistance with the PS&E Word Program and the Amendment and GSP information on the Internet is available through the HQ PS&E Support Unit.

## 600.02 Amendments

### (1) General

The Amendments are revisions to the *Standard Specifications* that occur between printings. They are distributed by the HQ PS&E Support Unit.

It is important that all designers get the opportunity to see the Amendments when they are distributed, so they are aware of changes in requirements, materials, and how work is being measured and paid. Too often, the most recent Amendments are included in a project, and they conflict with information in the Special Provisions, the plans, or both, because the designer did not stay current with the changes. These conflicts can be costly.

The Index to the Amendments contains the code number and the section heading, and under each section heading, the "date of last revision."

The Amendments are stored in the computer using the code numbers, and these code numbers are shown in the Table of Contents to the left of the section heading. The code number identifies the section of the *Standard Specifications* being amended (for example, 10.API indicates that Section 1-10 is the section being amended). The computer program will automatically add the appropriate code numbers to the run-list based on the options you choose.

A good habit to get into is to develop a system for marking your copy of the *Standard Specifications* to indicate the areas that have been revised by Amendment. When writing Special Provisions, this system makes it easy for you to determine whether the information in the book is the latest or it's been revised by an Amendment.

## 600.03 Special Provisions

### (1) General

The Special Provisions consist of the General Special Provisions (GSPs) and the project-specific provisions. Because the GSPs and the project-specific provisions are to be combined when compiling the Special Provisions, this section will discuss both.

### (2) GSPs

GSPs are provisions that are written to cover legal and construction requirements that may occur on a project. They supplement or revise the *Standard Specifications* and are written to provide state-wide standardization for the work covered.

Like the Amendments, there is a code number and a “date of last revision” associated with each GSP, as well as a brief description of the type of project that would require the GSP.

The GSP code numbers are related directly to the sections in the *Standard Specifications*. For example, 010304B1.GR8 would be a GSP that either revises or supplements Section 8-01.3(4)B; the number 1 following the section reference is a delineator that identifies which GSP is used from those available within this section. In this example, the 1 indicates that the first one listed was used.

A GSP is to be used, as is, if it is applicable to the project being developed.

If a GSP does not specifically apply to the project, you will have to turn the GSP into a project-specific provision by replacing the date with six asterisks inside parentheses (\*\*\*\*\*) and rewriting it to make it apply to the specific project. If it is a “fill-in” GSP that is being revised, the asterisks on each side of fill-in information are also to be removed. Note: It is important to remember that if a single word in a GSP is revised, the date must be replaced, and the document must be renamed and handled as a project-specific provision. This is important because we have promised contractors that if the date has not changed, the GSP reads exactly the same as it has since the “date of last revision.”

### (3) Project-Specific Provisions

The project-specific provisions are written by the designer to supplement or revise information in the *Standard Specifications* and Amendments to make them fit the project being developed. Project-specific provisions are not to duplicate information contained in the *Standard Specifications*, Amendments, GSPs, or plans.

Approval of project-specific specifications that alter the *Standard Specifications* (WSDOT Spec. book) is required prior to inclusion in your contract. All project-specific specifications are to be sent, along with justification, to the State Construction Engineer for concurrence and approval.

Project-specific provisions should be thought of as “project-specific Amendments.” In order to know what information needs to be added to supplement the information in the *Standard Specifications*, or what information in the *Standard Specifications* needs to be revised to be applicable to the project, you have to be familiar with the information in the *Standard Specifications*. No one is expected to memorize it, but you are expected to read the applicable information and Amendments before you start writing. The field inspector will be using the *Standard Specifications* to construct the project, so it is reasonable that you use it as a design tool and the basis

for every project-specific provision you write.

Project-specific provisions will be preceded by six asterisks in parentheses (\*\*\*\*\*). The asterisks are to be placed after Standard Specification headings and ahead of the project-specific information that either supplements or revises the Standard Specification, as follows:

**ROADWAY EXCAVATION AND EMBANKMENT** (Spec. book heading)

**Construction Requirements** (Spec. book section)

**Roadway Ditches** (Spec. book subsection)

Section 2-03.3(9) is supplemented with the following:

(\*\*\*\*\*)

Project-specific information goes here

If the designer has written a new, project-specific subsection, the asterisks would go after the Standard Specification section heading and ahead of the new subsection heading, as follows:

**ROADWAY EXCAVATION AND EMBANKMENT** (Spec. book heading)

**Construction Requirements** (Spec. book section)

**Roadway Ditches** (Spec. book subsection)

Section 2-03.3(9) is supplemented with the following:

(\*\*\*\*\*)

**Rock Fallout Ditches** (new, project-specific subsection)

Project-specific information goes here.

Refer to the Appendices for a User's Guide to the PS&E Word Program.

## 600.04 Format

### (1) General

The Special Provisions will follow the format found in the *Standard Specifications*. Most of the information will appear under the same main headings as the section headings in the *Standard Specifications*. There will be occasions when the work being performed does not fall under one of the sections in the *Standard Specifications*, and the designer will have to write a complete new specification. However, the format will remain the same, and the designer will simply be responsible for providing all of the information.

Sections 2 through 8 in the *Standard Specifications* each have the following five sections, and so will every Special Provision:

1. Description
2. Materials
3. Construction Requirements
4. Measurement
5. Payment

Because the *Standard Specifications* are the beginning point for every GSP and project-specific provision, before writing anything, you need to first explore the *Standard Specifications* and determine which sections need to be supplemented or

revised to get the desired work performed.

If the information is adequately covered in the *Standard Specifications*, then there is nothing to write. The most difficult part of writing good Special Provisions is providing the proper amount of information—not too much, not too little—to get the desired results.

## **(2) Description**

The description is a brief statement of what the work is, written in the following format:

“This work shall consist of removing and disposing of concrete inlets.”

If the work is “furnishing and installing modified catch basins,” a description would not be required, since the description in Section 7-05 of the *Standard Specifications* covers the construction of all kinds of manholes, inlets, and catch basins. The writer could move on to the materials section, and explain any differences in the materials for the modified catch basin.

If a description is required, it will **not** contain:

- Detailed information, such as station limits of the work or quantities.
- Phrases like “as detailed in the Plans,” “as shown in the Plans,” or “as directed by the Engineer.”

If there is a detail in the plans, save this information for the construction requirements section.

It is the designer's responsibility to show the location of every item of work in the plans. It is not necessary to keep saying this in the Special Provisions.

Engineers do not direct the work on the project—they administer the project. The only work that is “directed” by the Engineer is force account work and work that is done off the project (for example, “the Contractor shall deliver the salvaged material to the maintenance site and stack it as directed by the Engineer”).

## **(3) Materials**

The Materials section will normally reference the appropriate section of the *Standard Specifications* or the appropriate section of a nationally recognized material specification, such as AASHTO and ASTM.

All materials information is to be in the Materials section of the Special Provisions. If a detail in the plans has materials information on it, it is not necessary to repeat the information in the Special Provisions. However, there will have to be a reference in the Special Provisions to let the reader know where to find the information. A statement such as “Materials requirements for (whatever it is) are on the detail in the Plans” is all that is required to get the reader to the information. Do not indicate a specific plan sheet number, but rather reference a series of plans (such as drainage plans or drainage details) using the same wording as shown on the index sheet, so the information can be easily found.

The *Standard Specifications* defines the requirements for materials used in road and bridge construction. There may be occasions when the regions have the need to change these requirements by Special Provision. The regions are to notify the Construction Materials Engineer at the HQ Materials Laboratory and request

concurrence to the specification change prior to including the Special Provision in the contract documents.

In some situations, the regions may have a need to reduce the testing frequency of certain materials. This can be accomplished by one of the two following methods:

1. Before construction: Notify the Construction Materials Engineer at the HQ Materials Laboratory, and request concurrence of the frequency change prior to reducing the testing frequency.
2. During construction: In accordance with Section 9-5.2B of the *Construction Manual*, Reducing Frequency of Testing.

The regions have indicated the need, in some situations, to change the testing requirements of a material, such as testing aggregate by visual inspection. The regions are to notify the Construction Materials Engineer at the HQ Materials Laboratory to request concurrence with any change in testing requirements prior to revising the test procedures.

#### **(4) Construction Requirements**

Construction requirements are to be shown in the order in which the work is to be performed. Lists are a great way to write construction requirements, because most people tend to put items in the proper order when they write a list.

If there is a detail in the plans, this is where a note would tell the contractor to “construct the (whatever it is) as detailed in the Plans.”

It is the designer’s responsibility to tell the contractor “what needs to be done,” not “how to do it.”

#### **(5) Measurement**

The measurement statement will be written to describe how the work or material, not the item name, will be measured. For example, write “measure the removal of drainage structures,” not “Removing Drainage Structures,” or “measure culvert pipe,” not “Schedule A Culv. Pipe 12 In. Diam.”

It is important to read the measurement statement in the *Standard Specifications*, because many times it will apply to items that would seem to be project specific.

For example, if the project has the item "Special Culv. Pipe 12 In. Diam.," a measurement statement would not be required, because the measurement statement in the *Standard Specifications* reads as follows:

“The length of culvert pipe or pipe arch will be the number of feet of completed installation measured along the invert.”

The measurement statement above is written so that it works with all culvert pipe; even if it’s “special,” it’s still culvert pipe.

To be complete, the measurement statement needs to include not only the unit of measure, but information as to when and where the measurement will be made. For example, “The length of culvert pipe will be the number of feet of completed installation measured along the invert of the pipe.”

#### **(6) Payment**

The payment statement will be the “Exact Item Name” inside quotation marks,

followed by the unit of measure, as follows:

“Adjust Catch Basin,” per each.

Normally, this is all that would be required for the payment statement, unless the cost of work associated with the item is included in the cost of the item, as follows:

“Removing Manhole,” per each. The unit contract price per each for “Removing Manhole” shall include all costs for sawcutting existing pavement associated with the removal.

There should be no surprises in the payment statement. If sawcutting is required and is to be included in the cost of the catch basin removal, it has to have been discussed in some other section of the Special Provision. It will not just show up in the payment statement as being required and included in the cost of the item.

### **(7) Text**

Special Provisions and the plans shall adhere to several general guidelines:

1. The writing must be clear, concise, and complete.
2. Avoid nonstandard usage of words or numerous cross-references to other specifications.
3. Although cross-referencing is sometimes necessary, the provision shall be capable of standing alone as an explanatory document.
4. Punctuation goes outside quotation marks used with a bid item.
5. The following words shall be capitalized within the text: Contractor, Engineer, Plans, Section (referring to a specific section of the *Standard Specifications*), Special Provisions, Standard Specifications, Standard Plans, State, and Contracting Agency.
6. Use "all costs" or "all expenses," but not both.
7. Use "as shown in the Plans" rather than "as shown on the Plans."
8. Avoid repetition of information available from other parts of the contract document, including the *Standard Specifications*.
9. Avoid abbreviations, except for those included within a bid item name.
10. The word "shall" is used to denote work to be done by the Contractor.
11. The word "will" is used to denote something the State is to do.
12. "Incidental to and included in" is not to be used as a combination. "Incidental to" refers to a general type of work, such as earthwork or paving, whereas "included in" links payment to a specific item of work.
13. "As designated by the Engineer..." or "...as staked by the Engineer..." is applicable within the project limits. Avoid "As directed by the Engineer..."
14. If enough information is available to describe a standard of work, the description is preferable. Avoid using "... to the satisfaction of the Engineer..."
15. Avoid "...and/or..." where possible. For example, "...steel, wood, or both..." is preferable to "...steel and/or wood..."
16. Avoid "...as per..." as a substitute for "...in accordance with..."

17. When referring to a number of things, use alpha notation; for example, install two catch basins.
18. All measurement units are expressed in Arabic numerals, such as 6 inches, 20 feet, 1.5 miles, and so on.
19. Counted numbers are expressed as follows:
  - Numbers 1 through 10 are spelled out (for example, six working days, seven catch basins, and so on).
  - Numbers larger than 10 use Arabic numerals (for example, 35 working days, 24 hours, and so on).
  - All numbers that begin a sentence are spelled out. If your sentence starts with a large number, try to reconfigure your sentence.
  - **Do not use both Arabic and spelled-out outnumbers together.**