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2.23 SPECIAL PROVISIONS

Special Provisions are additions and revisions to the standard and supplemental specifications covering conditions specific to an individual project or group of projects. Special provisions fall within one of the two following categories:

1. Project Special Provisions: Additions and revisions to the Standard and Supplemental Specifications, specific to a project.
2. Standard Special Provision: Additions and revisions to the Standard and Supplemental Specifications, specific to a selected group of projects or which are intended for temporary use.

The Resident Engineer is responsible for preparing referenced standard special provisions and the project special provisions prior to the Final Office Review. All new or changed special provisions are to be submitted to the Project Development Branch's Specification Engineer for review at least 2 weeks prior to their inclusion in the PS&E. All Section 100 – “General Provisions” specification changes should have the Resident Engineer’s concurrence, and all materials specification changes should have the Region Material Engineer’s concurrence. The Resident Engineer will verify that all the project special provisions are completed accurately, and all necessary standard special provisions are included in the Plans, Specifications and Estimate package in accordance with the latest list provided from the Standards and Specifications Unit at the time of advertising the project.

2.23.01 Standard Specifications

The *Standard Specifications for Road and Bridge Construction* (referred to as the *Standard Specifications*) is revised and reissued periodically by the Project Development Branch, Standards and Specifications Unit, and contains the standard specifications used to control the work on CDOT transportation, maintenance, and federally funded local agency administered projects. This is the primary reference for specifications related to road and bridge construction.

2.23.02 Standard Special Provisions

The Standard Special Provisions revise, clarify or supersede the *Standard Specification* book to implement current CDOT construction and materials requirements. Standard Special Provisions have an issue date and apply to a group of projects. They contain revised requirements related to procedures, current wages, construction materials and

technology, and project management. Standard Special Provisions are included in projects in accordance with the instructions issued by the Project Development Branch.

The Standards and Specification unit writes and updates the Standard Special Provisions and the instruction for use in accordance with Procedural Directive 513.1 and Chapter 16 of the CDOT *Roadway Design Guide*. The Resident Engineer adds the applicable special provisions to each project. Each Region has access to the up-to-date list of Standard Special Provisions with instruction for the use of each provision:

<http://www.coloradodot.info/business/designsupport/construction-specifications> .

2.23.03 Project Special Provisions

Project Special Provisions are revisions to the Standard Specifications that supplement or modify a particular aspect, item or condition contained in the plans, specifications, and bid package specific to a particular project. The Project Special Provisions supersede the Standard Special Provisions and provide the Contractor and Project Engineer specific information and requirements related to specific aspects of a particular project. Project Special Provisions include an index of the required Standard Special Provisions that apply to the project

Project Special Provisions are used when specific requirements are not adequately addressed in the *Standard Specifications* or in the Standard Special Provisions. They provide project specific materials and construction requirements to the Contractor to ensure proper completion of a project. The provisions appear as changes to sections of the *Standard Specifications*.

Special provisions are essential parts of the Contract, and contain requirements that are intended to be complementary and binding instructions to complete a project. The Resident Engineer is responsible for the content and accuracy of each Project Special Provision.

Review Procedural Directive 513.1 and Chapter 16 of the 2005 Roadway Design Guide frequently, and keep the following guidelines in mind when preparing project special provisions.

1. Submit every new project special provision to the Standards and Specifications Unit (SSU) for review at least two weeks before it is needed.

2. Expect SSU to delay approval and initiate a more formal review of project special provisions it determines to be controversial or have a broad impact. The more formal review may involve appropriate CDOT staff or technical committees and industry representatives.
3. Submit a commonly used project special provision to SSU for review at least two weeks before it is needed if it has been significantly modified for a particular project.
4. Submit a project special provision that was approved for use on a particular project to SSU for review before it is used on other projects. If you intend to use a new project special provision on more than one project, indicate that when you submit it to SSU. New project special provisions that will be widely used require a more thorough review that may include additional stakeholders; SSU will make that determination.
5. Prepare a new project special provision for a proposed new pay item when that pay item or the materials and construction requirements for that pay item do not appear in the Standard Specifications. Submit that special provision to both SSU and the Engineering Estimates & Market Analysis Unit (EEMA). EEMA will not approve a new pay item without consulting SSU to ensure that the requirements for that pay item are adequately covered and that there are no technical or policy problems with its use.
6. Check the Specifications page on the CDOT web site to see if there is already an approved project special provision that covers the issue you are trying to address. If there is an approved special provision, use it instead of writing a new special provision. If the existing special provision is not adequate for your project, modify it and submit it to SSU for review.
7. Do not subvert the special provision development process by incorporating un-reviewed additions or changes to the specification requirements in general notes or other plan notes.
8. **Refrain from writing warranties into the special provisions.**

Following are examples of Project Special Provisions that are usually included in the transportation construction plans:

1. Index Pages – List the applicable Project Special Provisions and Standard Special Provisions.
2. Notice to Bidders - Establishes the required amount of the proposal guaranty and lists CDOT construction representatives assigned to the project.
3. Commencement and Completion of Work - Establishes beginning work requirements and Contract time. On small simple projects it lists salient features to be shown when a bar chart schedule is allowed. Most projects require a CPM schedule.
4. Contract Goals - Establishes Disadvantaged Business Enterprises goals.

5. Force Account Items - Identifies CDOT's estimate for force account work included in the Contract.
6. Traffic Control Plan, General Contains key elements of the traffic control plan and the proposed method of handling traffic.
7. Utilities - Lists utility companies and types of utility relocations within the project limits.
8. Right of Way Restrictions – Lists restrictions that will affect the project.
9. Project Specific Special Provisions - Contain specification changes appropriate to the project.

The following outlines the procedures for preparation of special provisions:

1. The Resident Engineer will prepare Project Special Provisions for inclusion in the Final Office Review plans and include specification changes made at the Final Office Review prior to final plan review. Concurrence of the person responsible for the appropriate discipline, for example, construction, materials, or bridge, should be obtained.
2. To request new or revised Standard Special Provisions, the Resident Engineer should follow *CDOT Procedural Directive 513.1, Construction Project Specifications*. The Resident Engineer will review the current list of Standard Special Provisions for changes and additions prior to advertisement.
3. Upon request by the Resident Engineer, the Project Development Standards and Specifications Unit (SSU) will review the specifications portion of the Plans, Specifications and Estimate package. The specifications should be submitted to SSU at least 2 weeks before they need to be complete.

2.23.04 Additional References:

1. CDOT *Roadway Design Guide*, Chapter 16
2. Procedural Directive 513.1