North Dakota Department of Transportation

Grant Levi, P.E.
Director

Doug Burgum
Governor

March 13, 2017

ADDENDUM

TO: All prospective bidders on the following projects scheduled for the March 17, 2017 bid opening.

Addendum No. 1 -	CER-CNOC-2215(058)	-	Job No. 3
Addendum No. 1 -	TAC-0028(054)	-	Job No. 4
Addendum No. 1 -	NH-1-083(124)111	-	Job No. 5
Addendum No. 1 -	TAU-1-981(112)122	-	Job No. 6
Addendum No. 1 -	SS-1-804(037)000	-	Job No. 7
Addendum No. 1-	HES-1-999(031)	-	Job No. 8
Addendum No. 3-	SS-2-046(045)067	-	Job No. 10
Addendum No. 2-	IM-2-094(137)223	-	Job No. 12
Addendum No. 2-	NH-3-002(154)209, NH-3-002(153)209 & NH-3-002(152)209	-	Job No. 13
Addendum No. 1-	SS-NHU-3-019(068)135	-	Job No. 14
Addendum No. 2-	SS-3-066(023)078	-	Job No. 15
Addendum No. 2-	NH-3-281(131)154	-	Job No. 16
Addendum No. 2-	HES-4-999(031)	-	Job No. 17
Addendum No. 2-	NH-5-012(045)034	-	Job No. 18
Addendum No. 1-	HES-5-999(017)	-	Job No. 19
Addendum No. 2-	NH-6-017(043)127 & NH-6-081(091)190	-	Job No. 20
Addendum No. 1-	SS-6-032(059)139 & SS-6-032(058)104	-	Job No. 21
Addendum No. 1-	SU-SS-6-081(092)945	-	Job No. 22
Addendum No. 1-	SS-7-022(014)141 & NH-7-023(053)035	-	Job No. 23
Addendum No. 2-	SOIB-7-023(052)902	-	Job No. 24
Addendum No. 2-	SOIB-7-023(054)910	-	Job No. 25
Addendum No. 1-	HES-7-999(013)	-	Job No. 26
Addendum No. 2-	SS-CPU-8-018(080)075	-	Job No. 27
Addendum No. 2-	SS-8-032(040)011	-	Job No. 29
Addendum No. 1-	NH-8-200(033)406	-	Job No. 30
Addendum No. 2-	SHE-9-999(367)	-	Job No. 31
Addendum No. 1-	SC-CNOC-1800(017)	-	Job No. 32
Addendum No. 5-	SOIB-CPU-TRP-4-083(130)920	-	Job No. 33

The following Request For Proposal revisions shall be made:

Add Special Provision SP 453(14) Haul Roads

This addendum is to be incorporated into the bidder's proposal for these projects.

CAL J. GENDREAU - CONSTRUCTION SERVICES ENGINEER
80:plm
Enclosures

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NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

Haul Roads

DESCRIPTION

Section 107.08, “Haul Roads” is no longer valid. Use this Special Provision in its place.

107.08 HAUL ROADS

A. General.

Before submitting a proposal, contact the appropriate State, County, Township, or City officials to determine if there are any roadways that will be designated as “no haul” routes.

Notify the Engineer of each public road proposed for use as a haul road before hauling over that route. The Engineer will designate the most practical route for transporting materials and designate the route as a “haul road,” upon completion of the pre-haul inspection unless deemed unacceptable by a local jurisdiction request.

Change the route of a designated haul road only with the Engineer’s written approval. For route change requests made for the Contractor’s convenience, the Engineer may require an agreement limiting the Department’s liability for the cost of maintenance and restoration of the haul road.

The Engineer will consider the entire haul cycle, loaded and empty, when designating haul routes.

B. Designation of Haul Roads

The Engineer will not designate paved roads off the state system as haul routes.

The Engineer will not designate a road susceptible to severe damage from concentrated heavy hauling as a haul road unless no alternate route is available. Investigate alternate routes before submitting a proposal.

If the Contractor desires to haul on a road that the Engineer determined to be unsuitable for hauling, the Engineer will designate that road as a haul road if the Contractor provides improvements that the Engineer and Contractor agree make the road suitable. Make these improvements at no additional cost to the Department.

If the Engineer determines that pre-haul improvements to a designated haul road will reduce the maintenance or restoration costs, the Department will pay for the materials used to make pre-haul improvements.

A route used to haul material from a commercial pit to the project site is not considered a haul road. A commercial pit is a pit that meets one of the following criteria at the time the project is advertised:

1. The pit has long-term facilities in place and partially derives its annual sales from ongoing operation and sources other than Department or other short-term government contracts;

2. The operator owns the land or has a long-term lease, and did not primarily set up and equip the pit at the location to serve Department contracts; or

3. The operator regularly advertises the availability of material for public sale and has facilities available for effecting public sales at times when there are no government contracted projects utilizing the pit.

C. Pre-Haul Inspection.

Before hauling over a designated haul road, the Engineer, the Contractor, and the agency charged with control and maintenance of the route will make a joint inspection of the haul road. The joint inspection will determine the existing condition of the haul road, including the type, thickness, and width of the surfacing material. The Engineer will record the results in an inspection report. The inspection report will set forth any special conditions for use, maintenance, and restoration of the route. The Contractor, the Engineer, and the agency charged with control and maintenance of the route shall review and sign the report.

D. Use, Maintenance, and Restoration.

Maintain the haul roads used by public traffic in a condition that safely and adequately accommodates public traffic.

If the Contractor damages the haul road by hauling loads in excess of the legal limit, or through negligence or failure to perform maintenance, the Contractor shall repair the damage; the Department will not pay the Contractor for the repairs.

After completing hauling operations over a designated haul road, restore the road to a condition at least equal to the condition existing at the time of the pre-haul inspection. The Engineer will order the type and amount of maintenance and restoration work and the requirements for performing this work.

Maintain and restore the road as required despite the use of the haul road concurrently by other traffic. For haul roads jointly used by multiple contractors on Department contracts, the Engineer will determine the respective obligations for maintenance and restoration.

For haul roads under Department jurisdiction, the Department will only relieve the Contractor of any further obligation for restoration of the road when the Contractor has restored the road to the condition required in the pre-haul inspection report, as accepted in writing by the Engineer. For haul roads under other jurisdiction, obtain a haul road release from the agency charged with control or maintenance of the route and submit a copy of the executed release to the Engineer.

If the Engineer determines that dust from hauling operations on designated haul roads is creating a hazard to traffic or a nuisance to the public, apply water to the haul road as necessary to control the dust.

E. Materials and Construction.

Materials and construction methods used in performing maintenance and restoration work shall meet the requirements of the relevant specifications.

F. Method of Measurement.

The Engineer will measure all approved quantities of material ordered by the Engineer for pre-haul improvements, maintenance, and restoration of designated haul roads as specified in the applicable portions of the contract. The Engineer will measure water used for dust control as specified in Section 216.05, “Method of Measurement”.

G. Basis of Payment.

The Department will pay the Contractor for measured quantities of material ordered by the Engineer for pre-haul improvements, maintenance, and restoration of designated haul roads in accordance with Section 109.03, “Compensation for Contract Revisions.”

The Department will not pay the Contractor for the costs to maintain and restore routes used to haul materials from commercial pits. Include these costs in the contract unit prices of the relevant contract items.

If maintenance and restoration work only requires the use of equipment, the Department will not pay the Contractor for the costs to use the equipment. Include these costs in the contract unit prices of the relevant contract items.