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NORTH Dakota | Transportation
Be Legendary.

September 18, 2026

ADDENDUM

TO: All prospective bidders on the following projects for the October 9, 2026 bid opening.

Job Number	Addendum Number
23324	1
23492	1
23544	1
23545	1
23810	1
24107	1
24237	1

This addendum has been issued for the above referenced jobs. Please see the attached summary from Matt Gangness, P.E. dated September 17, 2026 for an explanation of changes.

This addendum is to be incorporated into the bidder's proposal for this project.

Jeff Jirava

PHILLIP MURDOFF - CONSTRUCTION SERVICES ENGINEER

80:jwj
Enclosures

PLAN ADDENDUM SUMMARY AND APPROVAL

PROJECT INFORMATION		
Date: 9/16/2026	Project: ALL	PCN: ALL
Lead Designer:	Technical Support:	
Bid Opening Date: 10/9/2026	Job Number: ALL	Addendum Number:

PLAN SHEET CHANGES		
Section	Sheet(s)	Description

SPECIAL PROVISION CHANGES		
SP Number	Page(s)	Description
N/A	3	Fixed two typos in Sections B.2.b and c

BID ITEMS CHANGES					
Spec	Code	Description	Unit	Previous Quantity	Revised Quantity

APPROVAL

Matt Bergman 9-17-26

Kirk J. Hoff, P.E. – Design Engineer or Date
Jason Thorenson, P.E. – Bridge Engineer or
Derek D. Pfeifer, P.E. – Local Government Engineer or
Name of Division or District Engineer, P.E. – Division or District Engineer

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION

FUEL COST ADJUSTMENT CLAUSE

DESCRIPTION

This special provision provides for contract price adjustments when changes to the cost of diesel fuel occur while completing the work. Participation in the fuel cost adjustment clause is voluntary, and notification is not required at the time the proposal is submitted.

ATTACHMENTS

SFN 58393 “Fuel Cost Adjustment Affidavit” is attached for informational purposes only.

CONTRACT REQUIREMENTS

A. Fuel Cost Adjustment Affidavit.

1. **General.**
   The Department will include SFN 58393 “Fuel Cost Adjustment Affidavit” when submitting the Contract to the awarded Bidder. Return the completed Fuel Cost Adjustment Affidavit with the signed Contract as specified in Section 103.06, “Execution and Approval of the Contract”. Return the affidavit regardless of the intent to enroll in the program.

   Diesel fuel used in the operation of equipment and vehicles in the completion of contract work is the only fuel type eligible for participation in the fuel cost adjustment clause.

   If the Contractor has contracted for diesel fuel or has a fixed price for diesel fuel planned for use in the completion of the work, the Contractor will be ineligible to participate in the fuel cost adjustment clause.

   Identified costs must be reasonable and justifiable for the project. If the Engineer may request information and calculations used by participants to determine estimated diesel fuel costs. Failure to provide required information may result in the Engineer determining the Contractor is not eligible to participate in the fuel cost adjustment clause.

2. **Contractor Does Not Participate.**
   If the prime Contractor does not participate, fuel cost adjustments will not be made for the prime contractor nor for any subcontractors.

3. **Contractor Does Participate.**

   a. **General.**
      The Engineer will determine compensation adjustments as described in Section B, “Fuel Cost Adjustment Calculations” of this special provision.

      Once the form has been submitted, the quantity of fuel eligible for the adjustment clause cannot be adjusted.

b. Subcontractors.
If the prime Contractor chooses to participate in fuel cost adjustments include the estimated fuel costs for all subcontractors that also choose to participate.

If fuel cost adjustment payments are made, make payments to participating subcontractors in proportion to the percentage of work performed and the estimated fuel costs made by the participating subcontractors.

B. Fuel Cost Adjustment Calculations.

1. Definitions.

The following definitions apply when calculating the fuel cost adjustment:

Average Wholesale Price (AWP): The AWP for diesel fuel is the average daily rack price for a given month as reported by DTN Energy for Fargo, ND.

Base Fuel Index (BFI): The BFI for diesel fuel is the AWP for the full month preceding the bid opening.

Current Fuel Index (CFI): The CFI for diesel fuel is the AWP for diesel fuel from the full month preceding the month for which the adjustment is to be calculated.

Estimate: Monthly total of work performed based on progressive estimates issued in the month in which calculations are determined. This number excludes the following:

- Incentive/disincentive payments;
- Pay factor adjustments; and
- All work performed where the Department is able to assess Liquidated Damages.

Fuel Ratio (FR): The cost of diesel fuel included in the affidavit divided by the original contract amount. This number will remain constant for the duration of the contract, regardless of any changes made to the work. If this calculated ratio exceeds 10% of the original contract amount, the Engineer will cap the ratio at 10% and use that figure for the contract.

2. Cost Change Determination.

a. General
Each month the Engineer will determine the Cost Change (CC) for diesel fuel using the following calculation:

$$CC = CFI - BFI$$

When the CC is greater than ±$0.10, the Engineer will process a contract price adjustment for the price of diesel fuel for the portion of the cost change above $0.10.

b. Cost Change is Positive.
When the Cost Change is a positive number, the Engineer will determine the Fuel Cost Adjustment (FCA) for the price of diesel fuel for the portion of the cost change, in excess of $0.10, based on the following calculation:

$$FCA = FR \times Estimate \times (CC - \$0.10)$$

The Engineer will process this amount as a contract price adjustment in favor of the Contractor on the next progressive estimate.

c. Cost Change is Negative.
When the Cost Change is a negative number, the Engineer will determine the Fuel Cost Adjustment (FCA) for the price of diesel fuel for the portion of the cost change, in excess of $0.10, based on the following calculation:

$$FCA = FR \times Estimate \times (CC + \$0.10)$$

The Engineer will process this amount as a contract price adjustment in favor of the Department on the next progressive estimate.

BASIS OF PAYMENT

The Engineer will utilize the following spec and code when processing contract price adjustments related to the fuel cost adjustment clause.

Spec	Code	Pay Item	Pay Unit
109	0100	Diesel Fuel Cost Adjustment	Lump Sum