



Contract Award Notification (Revised)

Title	: Group 31503 - Bituminous Concrete Hot Mix Asphalt – VPP (2nd Letting) (2015 NYSDOT Specific Projects) (Federal & State Funds) NYS Contract Reporter Category/Classification: Construction, Horizontal – Highways & Roadways; Maintenance, repair & new construction Classification Code(s):30
Award Number	: <u>22971</u>
Contract Period	: August 25, 2015 Through December 31, 2015
Bid Opening Date	: July 23, 2015
Date of Issue	: August 26, 2105 (Revised September 1, 2015)
Specification Reference	: SPEC-932 dated September 8, 2014 and as amended in the Invitation For Bids and the Purchasing Memorandums dated July 20, 2015
Contractor Information	: Appears on Page 6 of this Award

Address Inquiries To:

State Agencies & Vendors	Political Subdivisions & Others
Name : Jose De Andres Title : CMS2 Phone : 518-474-3024 E-mail : jose.deandres@ogs.ny.gov	Procurement Services - Customer Services Phone : 518-474-6717 Fax : 518-474-2437 E-mail : customer.services@ogs.ny.gov

**Procurement Services values your input.
Complete and return "Contract Performance Report" at end of document.**

Description

Bituminous Concrete is a mixture of stone of various sizes and liquid material. The mixture is heated and proportioned in a bituminous concrete plant and compacted on a road in a heated state. Once the material cools, it becomes a hard durable material. Bituminous concrete is used for preventive maintenance activities which ensure that highways and bridges meet or exceed their optimum useful life

Table of Contents

SECTION 1: INTRODUCTION	6
1.1 Contractor Information	6
1.2 Small, Minority and Women-Owned Businesses	7
1.3 Recycled, Remanufactured and Energy Efficient Products	8
1.4 Note to Authorized Users	8
1.5 Debriefing.....	8
SECTION 2: PRICE PAGES.....	9
2.1 List of OGS Items and Awardees	9
SECTION 3: PREVAILING WAGE RATES	9
3.1 Prevailing Wage Rates – State and Federally Funded Public Works Contracts	9
3.2 Worker Notification – A9052; S6240	10
3.3 OSHA 10-Hour Construction Safety and Health Course - S1537-A.....	10
SECTION 4: CONTRACT ADMINISTRATION.....	11
4.1 Contract Amendment Process	11
4.2 Contract Administrator.....	11
SECTION 5: TERMS AND CONDITIONS	11
5.1 Contract Term and Extension	11
5.1.1 Contract Term	11
5.1.2 Short Term Extension	11
5.2 Mercury Added Consumer Products	11
5.3 Disposition of Settlements.....	11
5.4 Environmental Attributes and NYS Executive Order 4.....	12
5.5 Extension of Use Commitment	12
5.6 Emergency Purchasing	12
5.7 Poor Performance	12
5.8 Contractor Requirements and Procedures for Equal Employment and Business Participation Opportunities for Minority Group Members and New York State Certified Minority-And Women-Owned Business Enterprises	13
SECTION 6: HOT MIX ASPHALT – GENERAL CLAUSES.....	15
6.1 Delivery	15
6.1.1 Delivery Ticket	15
6.2 Default (Failure to Furnish Material)	15
6.3 Quantity Received	15
6.4 Payment	15
6.5 Pricing Information	16
6.5.1 General.....	16
6.5.2 Insurance	16
6.6 Asphalt Price Adjustments	17

6.6.1	General.....	17
6.6.2	Asphalt Price Adjustment for Hot Mix Asphalt: Example.....	19
6.6.3	Asphalt Price Adjustment for Tack Coat: Example.....	20
SECTION 7: HOT MIX ASPHALT – (SPECIFIC CLAUSES)		21
7.1	Material Descriptions	21
7.2	Pre-Paving Conference.....	21
7.3	Supervision.....	21
7.4	Work Hours.....	22
7.4.1	Special Note - Overtime Dispensation Requests.....	22
7.5	Restoration of Disturbed Areas	22
7.6	Tack Coat	22
7.6.1	Tack Coat Plant Number Requirements.....	22
7.7	Construction Details	22
7.8	Attention: Special Note - Conditioning	22
7.9	Work Zone Traffic Control	23
7.9.1	Special Note - Temporary Pavement Markings	25
7.9.2	Hot Mix Asphalt Overlay Splice (Rebate).....	25
7.9.3	Special Note: Work Zone Intrusion Initiative	27
7.9.4	Temporary Rumble Strips.....	27
7.10	Contract Bonds.....	30
7.10.1	Labor and Material Bond.....	30
7.10.2	Labor and Material Bond Example.....	30
SECTION 8: PROJECTS - SPECIAL NOTES (ALL NYSDOT REGIONS).....		33
8.1	Funding Source.....	33
8.2	Special Note - Coordination with Cold Recycling Projects.....	33
8.3	Special Note – Project Completion Date for All the Projects (All NYSDOT Regions).....	33
8.4	Special Note – PG Binder and Mix Design Level.....	33
8.4.1	PG 64S-22.....	33
8.4.2	PG 64V-22.....	34
8.4.3	PG 64H-22.....	34
8.5	Special Note – Optional Use of Warm Mix Asphalt (WMA) Technologies.....	35
8.6	Special Note - Rail Road Involvement in Federal Funded Projects	35
8.7	Special Note - Rail Road Involvement in 100% State Funded Projects.....	36
8.7.1	Coordination with Railroad(s).....	36
SECTION 9: PROJECTS - SPECIAL NOTES (NYSDOT REGION 1).....		37
9.1	Holiday Restrictions – Region 1 Projects.....	37
9.2	Project Completion – Region 1 Projects.....	37
9.3	Pilot Vehicle – Region 1 Projects.....	37
9.4	Paving Operations – Region 1 Projects	37
9.5	Moisture Susceptibility Testing – Region 1 Projects.....	37

9.6	Paving Markings – Region 1 Projects	38
9.7	Non-Vibratory Rolling – Region 1 Projects	38
9.8	Project 1HWP05 – Rt. 22 Washington County RM 1338 to 1366.....	38
9.9	Project 1HWP08 – Rt. 443 Albany County RM 1000 to 1045.....	38
SECTION 10: PROJECTS - SPECIAL NOTES (NYSDOT REGION 2).....		40
10.1	Existing Pavement Markings – Region 2 Projects.....	40
10.2	Removal of Temporary Pavement Markings – Region 2 Projects.....	40
10.3	Pavement Overlay Splices “Rebates”– Region 2 Projects.....	40
10.4	Holiday Restrictions – Region 2 Projects.....	40
10.5	Non-Vibratory Rolling – Region 2 Projects	40
10.6	Paving Operations – Region 2 Projects	41
10.7	Project 2V1532- Rte. 29 – Middleville to Ives Rd. & Rte. 170A – Rte. 170 to Rte. 29.....	41
SECTION 11: PROJECTS - SPECIAL NOTES (NYSDOT REGION 3).....		42
11.1	Holiday Restrictions – Region 3 Projects.....	42
11.2	Paving Operations – Region 3 Projects	42
11.3	Project 360343 - Rte. 174: RR Bridge to Route 5	42
11.4	Project 360349 - Rte. 91: Route 80 to Route 20.....	42
11.5	Project 360351 - Rte. 91: Cortland County Line to Route 80	42
11.6	Project 360353 - Rte. 183: Route 69 to Route 13.....	43
11.7	Project 360354 - Rte. 89: Route 5 & 20 to Wayne County Line	43
SECTION 12: PROJECTS - SPECIAL NOTES (NYSDOT REGION 4).....		44
12.1	General Special Notes – Region 4 Projects	44
12.2	Project 402063 – Livingston County	44
12.3	Project 402064 – Wyoming County	44
12.4	Project 444113 – Wayne County.....	44
SECTION 13: PROJECTS - SPECIAL NOTES (NYSDOT REGION 5).....		45
13.1	General Special Notes – Region 5 Projects	45
13.2	Special Note for Hot Mix Asphalt – Region 5 Projects.....	45
13.3	Moisture Susceptibility Testing – Region 5 Projects.....	45
13.4	Dust (Minus 0.075 mm Aggregate) to Effective PG Binder Content Ratio – Region 5 Projects	45
13.5	Polymer Modified PG Binder – Region 5 Projects.....	45
13.6	Pavement Markings – Region 5 Projects.....	45
13.7	Abrading Existing Pre-Formed Pavement Markings – Region 5 Projects.....	46
13.8	Time Restrictions – Region 5 Projects	46
13.9	Project 5V1514.....	46
13.10	Project 5V1515.....	49
13.11	Project 5V1526.....	49
13.12	Project 5V1527.....	49
13.13	Project 5V1535.....	49
13.14	Project 5V1545.....	49

13.15	Project 5V1546.....	49
13.16	Project 5V1554.....	49
13.17	Project 5V1743.....	49
SECTION 14: PROJECTS - SPECIAL NOTES (NYSDOT REGION 7).....		50
14.1	Special Work Zone Traffic Control – Pilot Vehicle – Region 7 Projects.....	50
14.2	Exposed Longitudinal Joints – Region 7 Projects	50
14.3	Moisture Susceptibility Testing for Projects Requiring the Use of 64S-22 PGB – Region 7 Projects.....	50
SECTION 15: PROJECTS - SPECIAL NOTES (NYSDOT REGION 9).....		51
15.1	Project 9HW572 (Route 42).....	51
15.2	Project 9HW573 (Route 52).....	51
15.3	Project 9HW583 (Route 282).....	51
SECTION 16: SUPERPAVE HOT MIX ASPHALT		52
16.1	Superpave Hot Mix Asphalt Design Criteria.....	52
16.2	Project Dimensions.....	53
16.3	Rebates Table	54
SECTION 18: CONTRACT PERFORMANCE REPORT.....		58

SECTION 1: INTRODUCTION

1.1 Contractor Information

NOTE: See individual contract items to determine actual awardees.

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED. IDENT.#</u> <u>NYS VENDOR#</u>
PC67077 SB	AMHERST PAVING INC. 330 Meyer Rd. Amherst, New York 14226	Phone #: (716) 834-4961 Contact: Glen Willis Fax #: (716) 838-6016 E-mail: glen.amherstpaving@verizon.net Web Site: n/a Toll-Free #: n/a	16-1143301 1000015435
PC67078	BARRETT PAVING MATERIALS INC. 4530 Wetzal Road Liverpool, New York 13090	Phone #: (315) 652-4585 Contact: Todd Gokey Fax #: (315) 652-4590 E-mail: tgokey@barrettpaving.com Web Site: www.barrettpaving.com Toll-Free #: n/a	13-3003901 1000038867
PC67079 SB	BROOME BITUMINOUS PRODUCTS, INC. 416 Prentice Road Vestal, NY 13850	Phone #: (607) 729-0498 Contact: Dan Gates Fax #: (607) 729-0853 E-mail: dgates@broomebit.com Web Site: n/a Toll-Free #: n/a	16-1275720 1000015652
PC67080	CALLANAN INDUSTRIES, INC. 1245 Kings Road Schenectady, NY 12303	Phone #: (518) 374-2222 Contact: Christine Sands Fax #: (518) 381-6779 E-mail: christine.sands@callanan.com Web Site: www.callanan.com Toll-Free #: n/a	14-1539261 1000027416
PC67081	COBLESKILL STONE PRODUCTS, INC. P.O. Box 220 Cobleskill, NY 12043	(518) 234-0221 Contact: Shane J. Strong Fax #: (518) 234-0226 E-mail: csp.shane@yahoo.com Web Site: cobleskillstoneproducts.com Toll-Free #: n/a	14-1646795 1000006949
PC67082 SB	D&H EXCAVATING, INC. 11939 Route 98 South Arcade, NY 14009	Phone #: (716) 492-4956 Contact: William Janik Fax #: (716) 492-4951 E-mail: bill@dhexc.com Web Site: www.dh-excavating.com Toll-Free #: n/a	16-1459606 1000049326

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED. IDENT.#</u> <u>NYS VENDOR#</u>
PC67083	DOLOMITE PRODUCTS COMPANY, INC. D/B/A: ULSTER PAVING COMPANY 6375 Tuttle Road Canastota, New York 13032	(315) 697-3367 Andrea Lewis Fax #: (315) 697-7501 E-mail: alewis@callanan.com Web Site: n/a Toll-Free #: n/a	16-0410930 1000007433
PC67084	HANSON AGGREGATES NEW YORK LLC 4800 Jamesville Road Jamesville, NY 13078	Phone #: (315) 469-5501 Thomas McCambley Fax #: (315) 469-5587 E-mail: tom.mccambley@hanson.com Web Site: www.LehighHanson.com Toll-Free #: 800-295-9991	16-0928494 1000028456
PC67085 SB	KEELER CONSTRUCTION CO., INC. 13519 West Lee Road Albion, NY 14411	Phone #: (585) 589-4481 Contact: Rachael Spearance Fax #: (585) 589-1160 E-mail: Rachael@keelerconstruction.com Web Site: n/a Toll-Free #: n/a	16-0844121 1000039538
PC67086 SB	PECKHAM ROAD CORPORATION 375 Bay Road, Suite 100 Queensbury, New York 12804	Phone #: (518) 792-3157 Contact: Mark Petramale Fax #: (518) 792-3138 E-mail: mpetr@peckham.com Web Site: www.peckham.com Toll-Free #: n/a	13-3493213 1000006385

Cash Discount, If Shown, Should be Given Special Attention.

INVOICES MUST BE SENT DIRECTLY TO THE ORDERING AGENCY FOR PAYMENT.

(See "Contract Payments" and "Electronic Payments" in this document.)

AGENCIES SHOULD NOTIFY THE NEW YORK STATE PROCUREMENT PROMPTLY IF THE CONTRACTOR FAILS TO MEET DELIVERY OR OTHER TERMS OF THIS CONTRACT. PRODUCTS OR SERVICES WHICH DO NOT COMPLY WITH THE SPECIFICATIONS OR ARE OTHERWISE UNSATISFACTORY TO THE AGENCY SHOULD ALSO BE REPORTED TO THE PROCUREMENT SERVICES.

1.2 Small, Minority and Women-Owned Businesses

The letters SB listed under the Contract Number indicate the contractor is a NYS small business. Additionally, the letters MBE and WBE indicate the contractor is a Minority-owned Business Enterprise and/or Woman-owned Business Enterprise.

1.3 Recycled, Remanufactured and Energy Efficient Products

The Procurement Services supports and encourages the purchase of recycled, remanufactured, energy efficient and "energy star" products. If one of the following codes appears as a suffix in the Award Number or is noted under the individual Contract Number(s) in this Contract Award Notification, please look at the individual awarded items for more information on products meeting the suffix description.

RS,RP,RA	Recycled
RM	Remanufactured
SW	Solid Waste Impact
EE	Energy Efficient
E*	EPA Energy Star
ES	Environmentally Sensitive

1.4 Note to Authorized Users

When placing purchase orders under the contract(s), the authorized user should be familiar with and follow the terms and conditions governing its use which usually appears at the end of this document. The authorized user is accountable and responsible for compliance with the requirements of public procurement processes. The authorized user must periodically sample the results of its procurements to determine its compliance. In sampling its procurements, an authorized user should test for reasonableness of results to ensure that such results can withstand public scrutiny.

The authorized user, when purchasing from OGS contracts, should hold the contractor accountable for contract compliance and meeting the contract terms, conditions, specifications, and other requirements. Also, in recognition of market fluctuations over time, authorized users are encouraged to seek improved pricing whenever possible.

Authorized users have the responsibility to document purchases, particularly when using OGS multiple award contracts for the same or similar product(s)/service(s), which should include:

- a statement of need and associated requirements,
- a summary of the contract alternatives considered for the purchase,
- the reason(s) supporting the resulting purchase (e.g., show the basis for the selection among multiple contracts at the time of purchase was the most practical and economical alternative and was in the best interests of the State).

1.5 Debriefing

Contractors and bidders are accorded fair and equal treatment with respect to the opportunity for debriefing. OGS shall, upon request, provide a debriefing to any bidder or awarded contractor that responded to the IFB or RFP regarding the reason that the proposal or bid submitted by the unsuccessful bidder was not selected for a contract award. The post award debriefing should be requested by the bidder or awarded contractor within thirty days of posting of the contract award on the OGS website.

SECTION 2: PRICE PAGES

2.1 List of OGS Items and Awardees

Please refer to the price pages' link published at the webpage for this contract at the OGS – Procurement Services website:

<http://www.ogs.ny.gov/purchase/spg/awards/3150322971Can.htm>

SECTION 3: PREVAILING WAGE RATES

3.1 Prevailing Wage Rates – State and Federally Funded Public Works Contracts

Work being performed is subject to the prevailing wage rate provisions of New York State Labor Law. See "Prevailing Wage Rates - Public Works and Building Services Contracts" in Appendix B, OGS General Specifications. Any federal or State determination of a violation of any public works law or regulation, or labor law or regulation, or any OSHA violation deemed "serious or willful" may be grounds for a determination of vendor non-responsibility.

Any provisions of NYS Labor Law that are in conflict with mandatory Federal-Aid construction contract compliance requirements are superseded. Any provisions of NYS Labor Law that are not in conflict with mandatory Federal-Aid construction contract compliance requirements or the Davis-Bacon Act but are more restrictive shall apply.

The applicable Prevailing Wage Rate Schedule for this project is **PRC # 2015006322**

For access to the Department of Labor (DOL) Prevailing Wage Schedule, use the following link:

<http://wpp.labor.state.ny.us/wpp/showFindProject.do?method=showIt&id=723460>

For Prevailing Wage Updates, use the following DOL link:

<http://wpp.labor.state.ny.us/wpp/publicViewPWChanges.do?method=showIt>

Links to schedule updates appear in the table at the bottom of the web page.

The Federal Wage Rate Charts are located on the web at <http://www.wdol.gov/dba.aspx> .

(continues next page)

Referring to the following tables, enter the applicable WD# in the “Select DBA by number” field on the web page and click “Search”.

COUNTY	WD #
Albany	HWY-NY2
Allegany	HWY-NY47
Bronx	HWY-NY3
Broome	HWY-NY4
Cattaraugus	HWY-NY8
Cayuga	HWY-NY36
Chautauqua	HWY-NY8
Chemung	HWY-NY5
Chenango	HWY-NY4
Clinton	HWY-NY6
Columbia	HWY-NY2
Cortland	HWY-NY42
Delaware	HWY-NY21
Dutchess	HWY-NY7
Erie	HWY-NY8
Essex	HWY-NY6
Franklin	HWY-NY35
Fulton	HWY-NY2
Genesee	HWY-NY29
Greene	HWY-NY2
Hamilton	HWY-NY46

COUNTY	WD #
Herkimer	HWY-NY31
Jefferson	HWY-NY9
Kings	HWY-NY3
Lewis	HWY-NY9
Livingston	HWY-NY30
Madison	HWY-NY15
Monroe	HWY-NY10
Montgomery	HWY-NY2
Nassau	HWY-NY12
New York	HWY-NY3
Niagara	HWY-NY11
Oneida	HWY-NY14
Onondaga	HWY-NY16
Ontario	HWY-NY32
Orange	HWY-NY7
Orleans	HWY-NY34
Oswego	HWY-NY38
Otsego	HWY-NY37
Putnam	HWY-NY25
Queens	HWY-NY3
Rensselaer	HWY-NY2

COUNTY	WD #
Richmond	HWY-NY3
Rockland	HWY-NY20
Saratoga	HWY-NY2
Schenectady	HWY-NY2
Schoharie	HWY-NY2
Schuyler	HWY-NY5
Seneca	HWY-NY40
St Lawrence	HWY-NY9
Steuben	HWY-NY18
Suffolk	HWY-NY12
Sullivan	HWY-NY7
Tioga	HWY-NY45
Tompkins	HWY-NY24
Ulster	HWY-NY7
Warren	HWY-NY39
Washington	HWY-NY2
Wayne	HWY-NY44
Westchester	HWY-NY17
Wyoming	HWY-NY41
Yates	HWY-NY33

IMPORTANT NOTE: The above PRC number MUST be noted on all purchase orders issued for purchases from this contract.

3.2 Worker Notification – A9052; S6240

This provision is an addition to the existing prevailing wage rate law, Labor Law §220, paragraph a of subdivision 3-a. It requires contractors and subcontractors to provide written notice to all laborers, workers or mechanics of the *prevailing wage rate* for their particular job classification *on each pay stub* (in the event that the required information will not fit on the pay stub, an accompanying sheet or attachment of the information will suffice). It also requires contractors and subcontractors to *post a notice* at the beginning of the performance of every public work contract *on each job site* that includes the telephone number and address for the Department of Labor and a statement informing laborers, workers or mechanics of their right to contact the Department of Labor if he/she is not receiving the proper prevailing rate of wages and/or supplements for his/her particular job classification. The required notification will be provided with each wage schedule, may be downloaded from www.labor.state.ny.us or made available upon request by contacting the Bureau of Public Work at 518-457-5589.

3.3 OSHA 10-Hour Construction Safety and Health Course - S1537-A

This provision is an addition to the existing prevailing wage rate law, Labor Law §220, section 220-h. It requires that on all public work contracts of at least \$250,000, all laborers, workers, and mechanics working on site be certified as having successfully completed the OSHA 10-hour construction safety and health course. It further requires that the advertised bids and contracts for every public work contract of at least \$250,000 contain a provision of the requirement AND only applies to workers on a public work project that are required under Article 8 to receive the prevailing wage..

Further information may be found at: www.labor.state.ny.us/workerprotection/publicwork/PWCcontents.shtm

SECTION 4: CONTRACT ADMINISTRATION

4.1 Contract Amendment Process

During the term of the Contract, the Contract may be amended by the mutual agreement of the parties.

4.2 Contract Administrator

Contractor must provide a dedicated Contract Administrator to support the updating and management of the Contract on a timely basis. Contractor must notify OGS within five (5) Business Days if its Contract Administrator changes, and provide an interim contact person until the position is filled. Contractor may submit a Contract Administrator change by submission of a revised Contractor and Authorized Reseller Information form to the OGS Contract Administrator.

Changes to Contractor contact information, including the designation of a new Contract Administrator, shall be submitted electronically via e-mail through the submission of a revised Contractor and Authorized Reseller Information form to the OGS Contract Administrator.

SECTION 5: TERMS AND CONDITIONS

5.1 Contract Term and Extension

5.1.1 Contract Term

It is the intention of the State to enter into a contract for the term as stated on herein.

If mutually agreed between the New York State Procurement and the contractor, the contract may be renewed under the same terms and conditions for additional period(s) not to exceed a total contract term of five (5) years.

5.1.2 Short Term Extension

In the event the replacement contract has not been issued, any contract let and awarded hereunder by the State, may be extended unilaterally by the State for an additional period of up to one month upon notice to the contractor with the same terms and conditions as the original contract including, but not limited to, quantities (prorated for such one month extension), prices, and delivery requirements. With the concurrence of the contractor, the extension may be for a period of up to three months in lieu of one month. However, this extension terminates should the replacement contract be issued in the interim.

5.2 Mercury Added Consumer Products

Offerers are advised that effective January 1, 2005, Article 27, Title 21 of the Environmental Conservation Law bans the sale or distribution free of charge of fever thermometers containing mercury except by prescription written by a physician and bans the sale or distribution free of charge of elemental mercury other than for medical pre-encapsulated dental amalgam, research, or manufacturing purposes due to the hazardous waste concerns of mercury. The law further states that effective July 12, 2005, manufacturers are required to label mercury-added consumer products that are sold or offered for sale in New York State by a distributor or retailer. The label is intended to inform consumers of the presence of mercury in such products and of the proper disposal or recycling of mercury-added consumer products. Offerers are encouraged to contact the Department of Environmental Conservation, Bureau of Solid Waste, Reduction & Recycling at (518) 402-8705 or the Bureau of Hazardous Waste Regulation at 1-800-462-6553 for questions relating to the law. Offerers may also visit the Department's web site for additional information: <http://www.dec.ny.gov/chemical/8512.html>.

5.3 Disposition of Settlements

The Office of General Services has the right to determine the disposition of any rebates, settlements, restitution, liquidated damages, etc. which arise from the administration of this contract.

5.4 Environmental Attributes and NYS Executive Order 4

New York State is committed to environmental sustainability and endeavors to procure products with reduced environmental impact. One example of this commitment may be found in Executive Order No. 4 (Establishing a State Green Procurement and Agency Sustainability Program) (EO4), which imposes certain requirements on state agencies, authorities, and public benefit corporations when procuring commodities, services, and technology. More information on Executive Order No. 4, including specifications for offerings covered by this Contract, may be found at <http://www.ogs.ny.gov/EO/4/Default.asp>. State entities subject to Executive Order No. 4 are advised to become familiar with the specifications that have been developed in accordance with the Order, and to incorporate them, as applicable, when making purchases under this Contract.

5.5 Extension of Use Commitment

The Contractor agrees to honor all orders from the authorized user by law which are in compliance with the pricing, terms, and conditions set forth in the resulting Contract document.

Any unilateral limitations/restrictions imposed by the Contractor and/or manufacturer on the eligible Authorized User will be grounds for rejection of the bid or cancellation of the Contract. If a Contract, or any portion thereof, is canceled for this reason, any additional costs incurred by the eligible purchaser will be borne by the Contractor

5.6 Emergency Purchasing

In the event that a disaster emergency is declared by Executive Order under Section 28 of Article 2-B of the Executive Law, or that the Commissioner determines pursuant to his/her authority under Section 163(10)(b) of the State Finance Law that an emergency exists requiring the prompt and immediate delivery of products or services, the Commissioner reserves the right to obtain such products or services from any source, including but not limited to this contract, as the Commissioner in his/her sole discretion determines will meet the needs of such emergency. Contractor shall not be entitled to any claim or lost profits for products or services procured from other sources pursuant to this paragraph.

5.7 Poor Performance

Authorized Users should notify Procurement Services Group's Customer Services promptly if the Contractor fails to meet the requirements of this Contract. Performance which does not comply with requirements or is otherwise unsatisfactory to the Authorized User should also be reported to Customer Services:

Office of General Services

NYS Procurement

38th Floor Corning Tower

Empire State Plaza

Albany, NY 12242

Customer Services E-mail: customer.services@ogs.ny.gov

Telephone: (518) 474-6717 / Fax: (518) 474-2437

5.8 Contractor Requirements and Procedures for Equal Employment and Business Participation Opportunities for Minority Group Members and New York State Certified Minority-And Women-Owned Business Enterprises

I. General Provisions

- A. OGS is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 140-145 (“MWBE Regulations”) for all State contracts as defined therein, with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.
- B. The Contractor agrees, in addition to any other nondiscrimination provision of the Contract and at no additional cost to OGS, to fully comply and cooperate with OGS in the implementation of New York State Executive Law Article 15-A. These requirements include equal employment opportunities for minority group members and women (“EEO”) and contracting opportunities for New York State certified minority- and women-owned business enterprises (“MWBEs”). Contractor’s demonstration of “good faith efforts” pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the “Human Rights Law”) or other applicable federal, State or local laws.
- C. The Contractor further agrees to be bound by the provisions of Article 15-A and the MWBE Regulations. If any of these terms or provisions conflict with applicable law or regulations, such laws and regulations shall supersede these requirements.
- D. Failure to comply with all of the requirements herein may result in a finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

II. Contract Goals

- A. For purposes of this procurement, OGS conducted a comprehensive search and determined that this contract does not offer sufficient opportunities to set goals for participation by MWBEs as subcontractors, service providers and suppliers to Contractor. Contractor is, however, encouraged to make every good faith effort to promote and assist the participation of MWBEs on this Contract for the provision of services and materials. The directory of New York State Certified MWBEs can be viewed at: <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=2528>. Additionally, Contractor is encouraged to contact the Division of Minority and Women’s Business Development ((518) 292-5250; (212) 803-2414; or (716) 846-8200) to discuss additional methods of maximizing participation by MWBEs on the Contract.
- B. Good Faith Efforts
Pursuant to 5 NYCRR § 142.8, evidence of good faith efforts shall include, but not be limited to, the following:
 - (1) A list of the general circulation, trade and MWBE-oriented publications and dates of publications in which the Contractor solicited the participation of certified MWBEs as subcontractors/suppliers and copies of such solicitations and any responses thereto.
 - (2) A list of the certified MWBEs appearing in the Empire State Development MWBE directory that were solicited for this Contract. Provide proof of dates or copies of the solicitations and copies of the responses made by the certified MWBEs. Describe specific reasons that responding certified MWBEs were not selected.
 - (3) Descriptions of the Contract documents/plans/specifications made available to certified MWBEs by the Contractor when soliciting their participation and steps taken to structure the scope of work for the purpose of subcontracting with or obtaining supplies from certified MWBEs.
 - (4) A description of the negotiations between the Contractor and certified MWBEs for the purposes of complying with the MWBE goals of this Contract.
 - (5) Dates of any pre-bid, pre-award or other meetings attended by Contractor, if any, scheduled by OGS with certified MWBEs whom OGS determined were capable of fulfilling the MWBE goals set in the Contract.
 - (6) Other information deemed relevant to the request.

III. Equal Employment Opportunity (EEO)

A. Contractor shall comply with the following provisions of Article 15-A:

1. Contractor and Subcontractors shall undertake or continue existing EEO programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, EEO shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.
2. By entering into this Contract, Contractor certifies that the text set forth in clause 12 of Appendix A, attached hereto and made a part hereof, is Contractor's equal employment opportunity policy.

B. Form EEO 100 – Staffing Plan

To ensure compliance with this section, the Contractor submitted a staffing plan on Form EEO 100 to document the composition of the proposed workforce to be utilized in the performance of the Contract by the specified categories listed, including ethnic background, gender, and federal occupational categories. Contractor shall complete the Staffing plan form and submit it as part of their contract.

C. Form EEO 101 - Workforce Employment Utilization Report (“Workforce Report”)

EITHER: Contractor agrees it will, upon request, submit to OGS, a workforce utilization report on Form EEO 101, identifying the workforce actually utilized on the Contract if known.

OR: Contractor and OGS agree that Contractor is unable to separate out the workforce utilized in the performance of the Contract from Contractor's and/or subcontractor's total workforce and that the information provided on the previously submitted Staffing Plan is Contractor's total workforce during the subject time frame, not limited to work specifically under the contract.

D. Contractor shall comply with the provisions of the Human Rights Law, all other State and federal statutory and constitutional non-discrimination provisions. Contractor and subcontractors shall not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal and conviction and prior arrest..

ALL FORMS ARE AVAILABLE AT: <http://www.ogs.ny.gov/MWBE/Forms.asp>

SECTION 6: HOT MIX ASPHALT – GENERAL CLAUSES

6.1 Delivery

Delivery shall be made in accordance with instructions on Purchase Order from agency. If there is a discrepancy between the purchase order and what is listed on the contract, it is the contractor’s obligation to seek clarification from the ordering agency and, if applicable, from the Office of General Services, Procurement Services.

6.1.1 Delivery Ticket

A delivery ticket shall be provided with each load of bituminous material and filler for joints stating the following:

- a. Storage facility identification
- b. Ticket Number
- c. Date/time
- d. Item Number and Type
- e. Quantity ticket printed by machine
- f. Quantity in 60° F gallons for emulsions and PG binder

6.2 Default (Failure to Furnish Material)

Clause 45 of the General Specifications is modified as follows: Failure to furnish material within ten days after receiving order or as agreed upon with authorized representative or violation of shipping instructions, shall be cause for and entitle the State (1) to damages which in its judgment have resulted, or (2) to purchase in the open market at the expense of the Contractor. At the discretion of the State, one or both of these courses of action may be followed

6.3 Quantity Received

It is the responsibility of the agency to ascertain quantities shipped are accurate to the delivery ticket. Each vehicle should be checked for product upon arrival and prior to departure

6.4 Payment

Payment shall be made at contract prices per net ton for the actual quantity of material placed by the Contractor. Payment shall be made at the contract price per gallon for the actual quantity of tack coat placed by the Contractor. Payment adjustments will be applied in Quality Units for all applicable mixes as described in Sub-Section 401-4 & 402-4. The following Index Prices shall be used for all projects contained in this contract:

QUALITY UNIT INDEX PRICES	
<u>Region</u>	<u>Index Price (\$/Quality Unit)</u>
1	\$70
2	\$75
3	\$70
4	\$70
5	\$80
6	\$75
7	\$75
8	\$85
9	\$70
10	\$115
11	\$115

6.5 Pricing Information

6.5.1 General

Subsection 15-b of Appendix B (GENERAL SPECIFICATIONS) is modified to include provisions stated in this PRICING INFORMATION clause:

Price quoted shall be net per ton, furnished, delivered, dumped into approved spreading machines, placed, and compacted totally by the Contractor. The existing bituminous concrete surface (and any surfaces included in this contract that will be overlaid by this contract) shall be treated with tack coat.

Tack coat shall be paid under its own item. The price quoted for the tack coat shall include furnishing, delivering, and applying the tack coat as indicated. Price adjustments, if any, will be calculated on the basis of the material actually furnished.

The vendor is to furnish all necessary labor and equipment to complete the indicated projects except that the State will supervise and control the operation. Permanent pavement striping will be the responsibility of the State upon completion of the paving after the vendor has vacated the project site. The equipment supplied to place the hot mix asphalt shall meet the requirements of Section 402 of the New York State Department of Transportation Standard Specifications. The equipment supplied to place the tack coat shall meet the requirements of Section 407 of the New York State Department of Transportation Standard Specifications.

Hot mix asphalt pavers shall meet the requirements of Sub-Section 402-3.02, Hot Mix Pavers, of the New York Department of Transportation Standard Specifications. Compaction equipment shall meet the requirements of Sub-Section 402-3.04, Rollers of the Specification. All necessary operators shall be supplied along with the hot mix asphalt paver, rollers and distributor.

The approved hot mix asphalt pavers shall be capable of simultaneously paving the travel lanes and the shoulders as indicated in the Project Dimensions Table. All personnel supplied for the paving shall be qualified and experienced in hot mix asphalt paving.

6.5.2 Insurance

Price bid shall include all required insurance coverage costs. In particular, price shall include:

- Commercial General Liability Insurance with a limit of not less than \$2,000,000 each occurrence;
- Comprehensive Business Automobile Liability Insurance with a limit of not less than \$2,000,000 each accident;
- Owners and Contractors Protective Insurance Coverage (OCP) with a limit of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate.

Each requirement should be reviewed carefully. (Please see the Attachment 04 – Insurance Requirements for detailed insurance requirements.)

Owners and Contractors Protective Insurance Coverage (OCP)

The contractor must supply the OCP Insurance to the Regional Engineer at the Pre-Paving Conference.

6.6 Asphalt Price Adjustments

6.6.1 General

- a. Asphalt price adjustments allowed will be based on the **November 1, 2014** average of the F.O.B. terminal price **per ton** of unmodified PG 64-22 binder without anti-stripping agent (base average F.O.B. terminal price) **for the hot mix asphalt and tack coat.**

The November 1, 2014 average is \$629.000 per ton.

The new monthly average terminal price will be determined by the New York State Department of Transportation based on prices of pre-approved primary sources of performance graded binder in accordance with the New York State Department of Transportation Standard Specification.

NOTE: The same grade of asphalt cement used in establishing the base average F.O.B. terminal price shall be used in establishing the new average F.O.B. terminal price.

In the event that one or more of the New York State Department of Transportation pre-approved sources discontinue posting a price for asphalt cement, the base average F.O.B. terminal **price shall not be recalculated**

- b. The new average F.O.B. terminal price will be determined based on the above F.O.B. terminal prices posted on the 20th of each month, hereafter known as the “Adjustment Date”, during the contract period. However, asphalt price adjustments, in accordance with the formula below, will be effective for deliveries made on and after the first of the month following the adjustment date.
- c. The unit prices per ton of hot mix asphalt (HMA) and per gallon of tack coat purchased from any award based on this specification will be subject to adjustment based on the following formulae::

Hot Mix

Price Adjustment (per ton)	=	$\left(\frac{\text{New Monthly Average FOB Terminal Price} - \text{Base Average FOB Terminal Price}}{235} \right)$	X	Total % Asphalt Plus Fuel Allowance
----------------------------	---	---	---	-------------------------------------

Tack Coat

Price Adjustment (per gallon)	=	$\frac{\text{New Monthly Average FOB Terminal Price} - \text{Base Average FOB Terminal Price}}{235}$	X	Total % Asphalt Plus Fuel Allowance
-------------------------------	---	--	---	-------------------------------------

Positive Price Adjustment number shall be added to original per ton/gallon Bid Price.

Negative Price Adjustment number shall be subtracted from original per ton/gallon Bid Price.

New Monthly Average F.O.B. Terminal Price

The average F.O.B. terminal price for unmodified PG 64-22 binder without anti-stripping agent is as determined by the New York State Department of Transportation per New York State Department of Transportation Standard Specification.

Base Average F.O.B. Terminal Price

The average F.O.B. terminal price of unmodified PG 64-22 binder without anti-stripping agent is as determined by the New York State Department of Transportation as of November 1, 2014.

Total % Asphalt Plus Fuel

The percentage of total allowable asphalt and fuel for each item is as follows:

Material Designation	Asphalt %	+Fuel Allowance %	Total % Asphalt Plus Fuel
402.017902	****	1	****
402.018902	****	1	****
402.058902	8.25	1	9.25%
402.068X0218	6.70	1	7.70%
402.09XX02	6.20	1	7.20%
402.12XX02	5.50	1	6.50%
402.19XX02	4.90	1	5.90%
407.0102 Diluted Tack Coat	40.00	0.2	40.20%
407.0103 Straight Tack Coat	55.00	0.2	55.20%

****The conversion factor for Truing & Leveling will be computed separately using the conversion factors for the individual mixtures used

+Fuel Allowance represents allowance for energy (fuel, electricity, natural gas) used in the production of asphalt. It is a cost associated with the product and not intended to represent any trucking or hauling of product

- d. Work performed after the expiration of the contract, where no extension has been granted, resultant from purchase orders placed prior to expiration of the contract will receive the asphalt price adjustments applicable in effect during the last month of the contract.
 Asphalt Price Adjustments for any contracts that are extended will be based on the new average for the month in which the work is done applying the same base established for that contract.
- e. Asphalt price adjustments allowed by this contract shall be calculated and applied to the original prices. There will not be asphalt price adjustments unless the change amounts to more than \$0.10 per ton from the original price for the hot mix and \$0.0150 per gallon for the tack coat. In these instances, prices will revert back to the original prices.
- f. All asphalt price adjustments will be computed to three decimal places.
- g. Should these provisions result in a price structure which becomes unworkable, detrimental or injurious to the State or in prices which are not truly reflective of market conditions or which are deemed by the Commissioner to be unreasonable or excessive, and no adjustment in price is mutually agreeable, the Commissioner reserves the sole right upon ten days written notice mailed to the Contractor to terminate any contract resulting from this bid opening.
- h. All asphalt price adjustments shall be published by the State and issued to all contract holders whose responsibility will be to attach the appropriate State notification (based on when the work was performed) to the payment invoice submitted to agency.

6.6.2 Asphalt Price Adjustment for Hot Mix Asphalt: Example

(Example of Positive Price Adjustment - Hot Mix Asphalt)

This example is for illustration purposes only. Actual Base Average Price, etc., may vary:

Item 402.09XX02

Item 402.09XX02 Bid Price = \$70.000 (example)

Contract Base Average Price = \$629.000 (fixed for the duration of the contract)

Monthly New Average Price = \$639.000 (example, it changes each month)

Total % Asphalt plus Fuel for Item 402.09XX02 = 7.20% (see Total % Asphalt + Fuel Allowance Chart)

Monthly Price Adjustment for Item 402.09XX02 (example):

$\text{Price Adjustment} = \left(\begin{array}{l} \text{New Monthly Average} \\ \text{F.O.B. Terminal Price} \end{array} - \begin{array}{l} \text{Base Average F.O.B.} \\ \text{Terminal Price} \end{array} \right) \times \begin{array}{l} \text{Total \% Asphalt} \\ \text{(Per Ton)} \\ \text{Plus Fuel Allowance} \end{array}$

$(\$639.000 - \$629.000) \times 0.072 = \$10.000 \times 0.072 = +\$0.720 \text{ per ton}$

Positive Price Adjustment number shall be added to original per ton Bid Price.

Contract price for Item 402.09XX02 including the new Price Adjustment for that month (example):

Contract Price = Bid Price + Monthly Price Adjustment

Contract Price = \$70.000 + \$0.720 = **\$70.720 per ton**

(Example of Negative Price Adjustment- Hot Mix Asphalt)

This example is for illustration purposes only. Actual Base Average Price, etc., may vary:

Item 402.09XX02

Item 402.09XX02 Bid Price = \$70.000 (example)

Contract Base Average Price = \$629.000 (fixed for the duration of the contract)

Monthly New Average Price = \$619.000 (example, it changes each month)

Total % Asphalt plus Fuel for Item 402.09XX02 = 7.20% (see Total % Asphalt + Fuel Allowance Chart)

Monthly Price Adjustment for Item 402.09XX02 (example):

$\text{Price Adjustment} = \left(\begin{array}{l} \text{New Monthly Average} \\ \text{F.O.B. Terminal Price} \end{array} - \begin{array}{l} \text{Base Average F.O.B.} \\ \text{Terminal Price} \end{array} \right) \times \begin{array}{l} \text{Total \% Asphalt} \\ \text{(Per Ton)} \\ \text{Plus Fuel Allowance} \end{array}$

$(\$619.000 - \$629.000) \times 0.0720 = -\$10.000 \times 0.0720 = -\0.720 per ton

Negative Price Adjustment number shall be subtracted from original per ton Bid Price.

Contract price for Item 402.09XX02 including the new Price Adjustment for that month (example):

Contract Price = Bid Price - Monthly Price Adjustment

Contract Price = \$70.000 - \$0.720 = **\$69.280 per ton**

6.6.3 Asphalt Price Adjustment for Tack Coat: Example

(Example of Positive Price Adjustment – Tack Coat)

This example is for illustration purposes only. Actual Base Average Price, etc., may vary:

Item 407.0102 Diluted Tack Coat

Item 407.0102 Bid Price = \$2.000 (example)

Contract Base Average Price = \$629.000 (fixed for the duration of the contract)

Monthly New Average Price = \$639.000 (example, it changes each month)

Total % Asphalt plus Fuel for Item 407.0102 = 40.20% (see Total % Asphalt + Fuel Allowance Chart)

Monthly Price Adjustment for Item 407.0102 Diluted Tack Coat (example):

Tack Coat

Price Adjustment (per gallon)	=		(New Monthly Average FOB Terminal Price – Base Average FOB Terminal Price)	X	Total % Asphalt Plus Fuel Allowance
				235			

$$(\$639.000 - \$629.000) / 235 \times 0.402 = \$10.000 / 235 \times 0.402 = +\$0.003 \text{ per gallon}$$

Positive Price Adjustment number shall be added to original per ton Bid Price.

Contract price for Item 407.0102 Diluted Tack Coat including the new Price Adjustment for that month (example):

Contract Price = Bid Price + Monthly Price Adjustment

Contract Price = \$2.000 + \$0.003 = **\$2.003 per ton**

(Example of Negative Price Adjustment- Tack Coat)

This example is for illustration purposes only. Actual Base Average Price, etc., may vary:

Item 407.0102 Diluted Tack Coat

Item 407.0102 Bid Price = \$2.000 (example)

Contract Base Average Price = \$629.000 (fixed for the duration of the contract)

Monthly New Average Price = \$619.000 (example, it changes each month)

Total % Asphalt plus Fuel for Item 407.0102 = 40.20% (see Total % Asphalt + Fuel Allowance Chart)

Monthly Price Adjustment for Item 407.0102 Diluted Tack Coat (example):

Tack Coat

Price Adjustment (per gallon)	=		(New Monthly Average FOB Terminal Price – Base Average FOB Terminal Price)	X	Total % Asphalt Plus Fuel Allowance
				235			

$$(\$619.000 - \$629.000) / 235 \times 0.402 = -\$10.000 / 235 \times 0.402 = -\$0.003 \text{ per gallon}$$

Negative Price Adjustment number shall be subtracted from original per ton Bid Price.

Contract price for Item 402.09XX02 including the new Price Adjustment for that month (example):

Contract Price = Bid Price - Monthly Price Adjustment

Contract Price = \$2.000 - \$0.003 = **\$1.997 per ton**

SECTION 7: HOT MIX ASPHALT – (SPECIFIC CLAUSES)

7.1 Material Descriptions

The following are the material descriptions of Superpave HMA items that may be included in this contract:

Materials Designation	Description
402.017902	Truing & Leveling F9, 70 Series Compaction
402.018902	Truing & Leveling F9, 80 Series Compaction
402.058902	Shim Course F9
402.096102	9.5 F1, 60 Series Compaction
402.096202	9.5 F2, 60 Series Compaction
402.096302	9.5 F3, 60 Series Compaction
402.097102	9.5 F1, 70 Series Compaction
402.097202	9.5 F2, 70 Series Compaction
402.097302	9.5 F3, 70 Series Compaction
402.098302	9.5 F3, 80 Series Compaction
402.098902	9.5 F9, Shoulder Course, 80 Series Compaction
402.126102	12.5 F1, 60 Series Compaction
402.126202	12.5 F2, 60 Series Compaction
402.126302	12.5 F3, 60 Series Compaction
402.127102	12.5 F1, 70 Series Compaction
402.127202	12.5 F2, 70 Series Compaction
402.127302	12.5 F3, 70 Series Compaction
402.128902	12.5 F9, Shoulder Course, 80 Series Compaction
402.196902	19 F9, 60 Series Compaction
402.197902	19 F9, 70 Series Compaction
402.256902	25 F9, 60 Series Compaction
402.257902	25 F9, 70 Series Compaction
402.06810218	6.3 F1, Superthin HMA, 80 Series Compaction
402.06820218	6.3 F2, Superthin HMA, 80 Series Compaction
402.06830218	6.3 F3, Superthin HMA, 80 Series Compaction

7.2 Pre-Paving Conference

The vendor shall schedule a Pre-Paving Conference with the affected Resident Engineer **within one week after the award** of the Contract **and at least one week prior to the start of paving**. At this conference the vendor shall present Certificates of Insurance evidencing compliance with the additional insurance requirements, their proposed paving schedule, equipment, proposed tack coat application procedure and paving procedure, and Work Zone Traffic Control Plan to the State for approval. At least one week prior to the start of paving, the vendor shall coordinate the details of the paving with the Resident Engineer.

7.3 Supervision

The Department of Transportation shall provide supervision for the paving operation. The Resident Engineer shall designate a Paving Supervisor and that person shall be in responsible charge of the operation. The following portions of Section 105 - CONTROL OF WORK of the Standard Specifications shall apply to these projects: 105-01 STOPPING WORK, 105-08 COOPERATION BY THE CONTRACTOR, 105-15 CONTRACTOR'S RESPONSIBILITY FOR WORK.

7.4 Work Hours

Work shall not be permitted on Sundays and NYS Legal Holidays. If the contractors desire to work overtime on other days, dispensation from NYS Labor Department must be obtained using Department of Labor Form PW-30 (5/93). Night work is prohibited unless agreed to by the Contractor and NYS Department of Transportation.

7.4.1 Special Note - Overtime Dispensation Requests

All Overtime Dispensations will be sent to:

Hasib H. Khan

Pavement Program Engineer
Office of Transportation Maintenance, POD 54
NYS Department of Transportation
50 Wolf Road, Albany, NY 12232
Email: Hasibul.Khan@dot.ny.gov
Phone: 518-457-1572
Fax: 518-457-4203

The dispensations will be submitted for the entire contract period for 5-10hr days (with rain day Saturday) to cover all the project numbers awarded to the contractor within the resulting contract. Should a contractor needs additional dispensation beyond the one described above, they shall submit it to the Regional Director of Operations or the Regional designee as determined at the preconstruction meeting, for the Region they wish to submit special additional dispensation for.

7.5 Restoration of Disturbed Areas

During the course of the work the vendor shall take reasonable care not to disturb areas outside the existing pavement. Any areas disturbed by the vendor shall be returned to their original condition at no expense to the State. Any and all debris generated as part of the work shall be removed by the vendor upon completion of the project.

7.6 Tack Coat

The vendor shall provide and apply bituminous tack coat to all existing hot mix asphalt pavement surfaces to be overlaid in this contract (and to all hot mix asphalt pavement surfaces included in this contract that will be overlaid by this contract). Tack coat shall meet the material requirements in Section 407-2 of the Standard Specifications. The application of tack coat shall comply with Section 407-3 of the Standard Specifications. **Tack coat shall be paid under its own item in gallons.**

7.6.1 Tack Coat Plant Number Requirements

Approved Plant Numbers for Tack Coat, Items 407.0102 and 407.0103, must be listed in the appropriate locations on the bid pages for each project bid. Failure to do so may result in non-award of the affected projects.

7.7 Construction Details

The construction details shall comply with the requirements specified in Subsections 401-3.01, 402-3 and 407-3 of the Standard Specifications. The Paving Supervisor shall have sole responsibility for determining compliance with the specifications. All orders given to the vendor regarding construction details shall be considered final. The pavement thicknesses and lane and shoulder widths shall be as specified elsewhere in this Contract Award Notification.

7.8 Attention: Special Note - Conditioning

The vendor will not be responsible for the initial conditioning of the existing pavement and shoulder surfaces as described in Section 402-3.05 of the NYSDOT Standard Specifications. Patching, joint repair, crack filling and the initial surface cleaning will be done by NYSDOT forces prior to the VPP project. However, once the VPP overlay placement begins, the vendor is responsible for keeping the pavement and shoulders clean until the overlay operations are completed, as per Section 633-3.01 of the NYSDOT Standard Specifications.

7.9 Work Zone Traffic Control

The vendor shall be responsible for Work Zone Traffic Control. Traffic shall be controlled in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and Sections 619-1 through 619-3 of the Standard Specifications as described herein including modifications to the Standard Specifications. The vendor shall submit a Work Zone Traffic Control Plan for approval to the Resident Engineer at the Pre-Paving Conference. For two-way roadways, Figures TAST-C1R, TAST-C2R, TAST-C3R, TAST-C4R, TAST-C5R, TAST-C7R, TAST-C1UL, TAST-C2UL, TAST-C3UL, TAST-C4U, TAST-C7UL, TAST-C1UH, TAST-C2UH, TAST-C3UH, and TAST-C7UH included in this document may be used as a basis for development of a Work Zone Traffic Control Plan. For one-way roadways, Figures TAST-C5UL, TAST-C6UL, TAST-C8UL, TAST-C5UH, TAST-C6UH, and TAST-C8UH may be used as a basis for development of a Work Zone Traffic Control Plan. For one-way Freeways or Expressways, Figures TAST-E1, TAST-E2, TAST-E3, TAST-E4, TAST-E5, TAST-E6, and TAST-E7 may be used as a basis for development of a Work Zone Traffic Control Plan.

All necessary flaggers for Work Zone Traffic Control shall be provided by the vendor. For two-way roadways, a minimum of three flaggers shall be provided while the paving operation is underway. One shall be stationed at each end of the operation and one shall be stationed with the paver. For one-way roadways, a minimum of two flaggers shall be provided while the paving operation is underway. One shall be stationed at the beginning of the operation and one shall be stationed with the paver. The vendor shall station flaggers such that communication is maintained between the flaggers. Hand signals, radios, pilot vehicles or some other means of communication may be used subject to the approval of the Resident Engineer.

All costs for Work Zone Traffic Control including flagging, temporary pavement marking and/or delineation, and construction signs are included in the price per ton. No separate payment shall be made.

Major intersecting roads are defined as through State, County, Town, Village, or City roads. The Contractor may provide Portable signs as shown in Figure 6F-2 of the MUTCD and meeting the requirements of Section 619 of the Standard Specifications for lane closures during work hours. Signs left active at night shall be rigid and reflectorized in accordance with the Standard Specifications.

With prior permission of the State's Resident Engineer, the contractor may provide portable signs as shown in Figure 6F-2 of the MUTCD for the above referenced DO NOT PASS and NO CENTER LINE signs. Signs left active at night shall be rigid and reflectorized in accordance with the Standard Specifications. The contractor shall be responsible for assuring that these signs will be in their upright, visible positions twenty-four hours a day, seven days a week while 2' x 4" temporary yellow markings are used instead of full barrier pavement markings.

(Continues next page)

The Contractor shall provide construction signs as specified in Section 619-1 through 619-3 of the Standard Specifications and in the MUTCD. At a minimum the Contractor shall install the following permanent construction signs

SIGN	MINIMUM SIZE	LOCATION
ROAD WORK NEXT _____ MILES	<u>G20-1</u> Conventional 36" x 18" Freeways 48" x 24"	On main line upstream of project in each direction
END ROAD WORK	<u>G20-2</u> Conventional 36" x 18" Freeways 48" x 24"	On main line after end of project in each direction
ROAD WORK AHEAD	<u>W20-1</u> Conventional 36" x 36" Freeways 48" x 48"	On main line in advance of the affected highway segment in each direction and on major intersecting roads 300 -500 feet in advance of main line. Sign should be covered if it conflicts with temporary signing in the vicinity. (Place between the G20-1 and the first warning sign that states condition- i.e. W8-12, W8-9 or W8-15)
DO NOT PASS	<u>R4-1</u> Conventional 24" x 30"	If 2' x 4" temporary yellow markings are used instead of full barrier centerline pavement markings, place the first sign at or within 100 feet of the beginning of the unmarked area, second within 1,000 feet and subsequent signs, spaced every ½ mile along project in each direction
NO CENTER LINE	<u>W8-12</u> Conventional 36" x 36"	If 2' x 4" temporary yellow markings are used instead of full barrier centerline pavement markings, place the first sign in advance of the condition and the first "DO NOT PASS" sign: 300' urban is preferred (100' minimum), 500' rural is preferred (200' minimum). Place additional signs spaced every 2 miles on mainline in each direction and after every major intersecting road.
LOW SHOULDER	<u>W8-9</u> Conventional 36" x 36" Freeways 48" x 48"	Place on mainline spaced every 2 miles along project in each direction and after every major intersecting road until shoulder back-up is installed (if conditions warrant use, place between the W8-12 and R4-1, maintaining a minimum of 200' between signs for rural roads and 100' on urban. The W8-12 can be moved upstream to accommodate the required spacing.)
GROOVED PAVEMENT	<u>W8-15</u> Conventional 36" x 36" Freeways 48" x 48"	On any roadway 500 feet in advance of rebates milled under this contract, but not paved. Remove or cover after paving rebate.

**All signs should maintain an absolute minimum spacing of 200' rural or 100' urban. 500' is preferred on rural and 300' is preferred on urban. Double stacking of any of the above signs, or combination thereof, will NOT be permitted.

7.9.1 Special Note - Temporary Pavement Markings

The contractor shall install and maintain temporary pavement markings on any paved surface without permanent pavement markings before opening it to traffic, before nightfall or before the end of the work day, whichever comes soonest except for areas that are open during the work shift with channelizing devices or flaggers. Temporary pavement markings shall meet the requirements of Section 619 of the Standard Specifications except that two-lane, two-way highways may be left without full barrier centerlines in no passing zones for a maximum of 7 calendar days provided that NO CENTER LINE (W8-12, black on orange), NO PASSING ZONE (W14-3, black on orange pennant shaped sign), and DO NOT PASS (R4-1) signs are used consistent with the MUTCD and in conjunction with yellow 2 foot by 4 inch temporary markings consisting of retro-reflective removable pavement marking tape, paint or yellow temporary overlay markers installed on a 40 ft. cycle to delineate the centerline location.

The State is responsible for the final pavement markings unless otherwise indicated in the contract. If the vendor chooses to install NO CENTER LINE and DO NOT PASS signs and temporary yellow 2 foot by 4 inch pavement markings in lieu of full barrier centerline markings, the signs shall be left in place until the state has completed installing the final pavement markings. The state will normally complete final pavement markings within 7 days of the project completion. However, if unavoidable situations delay the pavement marking installation the signs shall remain in place for 14 calendar days after the project has been completed or until the state has completed installing the final pavement markings, whichever comes first. If permanent pavement marking cannot be installed within 14 days of the project completion, state must install interim pavement marking including center lines, edge lines, stop bars, and simple crosswalks with no hatching before the end of 14 days after project completion.

All costs for Work Zone Traffic Control including flagging, temporary pavement markings, delineation, and construction signs are to be included in the prices bid per ton for the bituminous concrete.

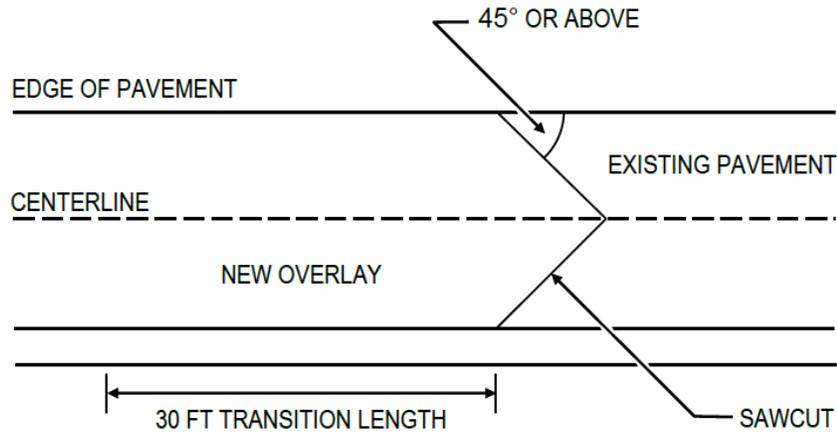
7.9.2 Hot Mix Asphalt Overlay Splice (Rebate)

The vendor shall install hot mix asphalt overlay splices (pavement terminations) as per the Detail of Hot Mix Asphalt Overlay Splice. Hot mix asphalt overlay splices shall be installed at the areas indicated in the Location Table for Hot Mix Asphalt Overlay Splices. The cost for sawcutting, milling rebates and cleaning pavement in the splice area shall be included in the price bid per ton of bituminous concrete. Tack coat shall be paid under its own item as specified elsewhere. No separate payments shall be made for hot mix asphalt overlay splices.

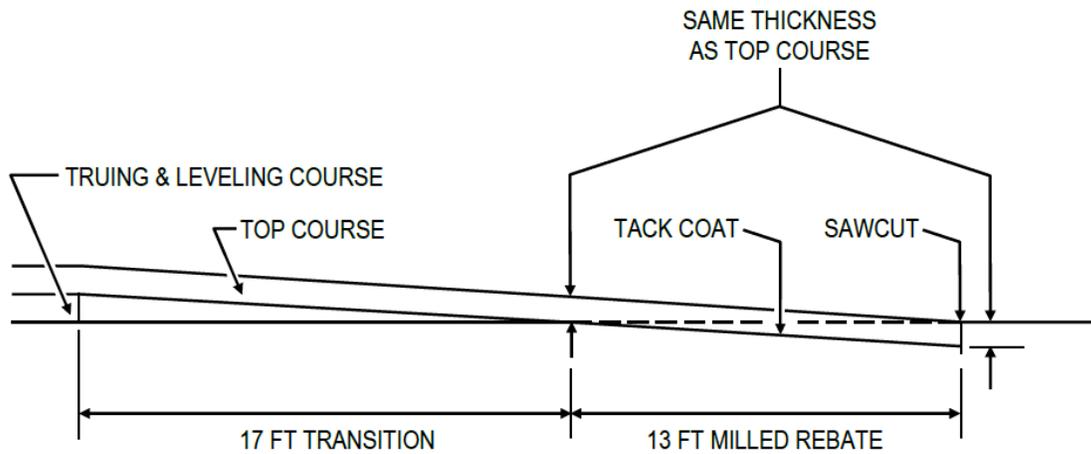
Immediately after the hot mix asphalt overlay splices are milled, a temporary asphalt ramp shall be constructed. A cone or drum shall be installed at the ramp. If the rebate is left in place at night a drum equipped with a Type A flashing warning light shall be used and the ramp sloped in accordance with Table 619-1. No separate payment shall be made for the ramps. The cost shall be included in the price bid per ton of bituminous concrete.

Where rebates are milled and ramps are constructed and traffic is to ride on the milled pavement for more than the one work day in which the rebate is milled, GROOVED PAVEMENT signs (W8-15) shall be installed on the right side of the roadway, 500 feet upstream of the rebate location. No separate payment shall be made for the GROOVED PAVEMENT sign. The cost shall be included in the price bid per ton of bituminous concrete.

DETAIL OF HOT MIX ASPHALT OVERLAY SPLICE



PLAN



SECTION

7.9.3 Special Note: Work Zone Intrusion Initiative

As part of the Department of Transportation’s Work Zone Intrusion Initiative, the following countermeasures shall apply to this Contract Award Notification.

Channelizing Device Spacing Reduction

A maximum channelizing device spacing of 40 feet shall be provided at stationary work sites where workers are exposed to traffic. This spacing shall be maintained a reasonable distance upstream of workers, and shall be used throughout the work zone.

Where tapers are located less than 500 feet from the work site, the 40 foot spacing shall be used in the taper as well.

Drums or vertical panels are preferred for long-term stationary and intermediate-term stationary work zones, and at any locations where the risk of intrusion is high. Traffic cones are normally adequate for work zones set up and removed on a daily basis.

In long lane or shoulder closures, at least two channelizing devices shall be placed transversely at maximum 800 foot intervals to discourage traffic from driving through the closed lane. Transversely placed devices are not required where pilot vehicles are in used.

Frequent checks shall be made to reset channelizing devices dislodged by traffic.

Flagger Station Enhanced Setups

Additional cones and a flag tree meeting section 6F.62 of the MUTCD shall be used upstream of flagger stations to provide added warning to drivers. These devices shall be used for flagger stations except those that are constantly moving or are in use at one location for no more than a few minutes. If the W20-7a Flagger sign is required, the additional cones and flag tree shall also be used.

For additional details on Flagger Station Enhanced Setups, see Work Zone Traffic Control drawings in this Contract Award Notification.

7.9.4 Temporary Rumble Strips

Description

This work shall consist of the installation, maintenance and subsequent removal of temporary rumble strips in paving work zones where indicated in the Contract Award Notification or as directed by the Engineer.

Materials

Rumble strips shall be either constructed in place from a raised strip of asphalt concrete or constructed in place with removable pavement marking tape.

Raised removable tape rumble strips shall be formed by applying four layers of removable black non-reflectORIZED removable pavement marking tape. The tape shall be applied to a clean, dry pavement surface in accordance with the manufacturer’s recommendations. The pavement surface shall be cleaned with compressed air just prior to application of the tape.

Raised asphalt rumble strips shall be formed from hot mix asphalt meeting the requirements of Items 402.058902 or 402.098902. Tack coat meeting the requirements of Materials Designation 702-XXXXT Diluted Tack Coat shall be used to adhere the rumble strip to the existing pavement. Temporary rumble strips shall be formed using a specially constructed rumble strip paver (drag box) pulled transversely across the pavement, or by hand placement between forms fixed to the pavement. If forms are used, they shall be removed prior to compaction of the asphalt mixture. Compaction shall be accomplished using a plate tamper or a static roller. The roadway surface on which the rumble strips are to be attached shall be dry, free of surface contaminants such as dust or oil, and shall be 45 ~~lbs~~ otherwise authorized by the Engineer. The pavement surface shall be cleaned with compressed air just prior to tack coating and subsequent installation of rumble strips.

Temporary rumble strips shall be placed in a succession of three 6 Strip Patterns according to the attached “Suggested Layout Details - Temporary Rumble Strips”. Each strip shall be placed on 10 foot centers and traversing the full width of each travel lane. On curbed roadways, rumble strips shall end a minimum of 3 feet from the curb so as to not interfere with drainage. Rumble strips shall be between 6 inches and 9 inches in width and have a final compacted thickness of 0.4 inches ± 0.1 inches.

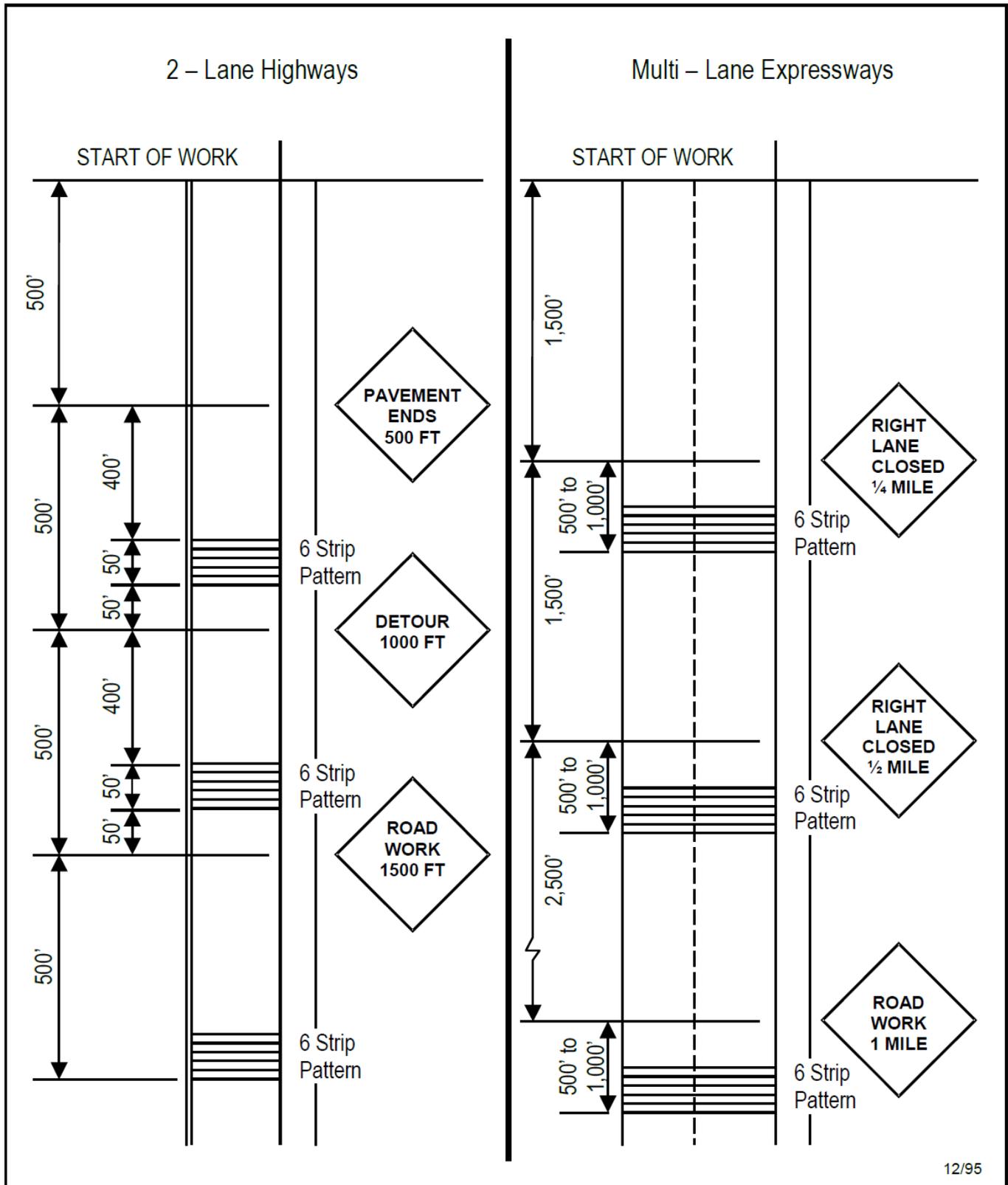
Any raised rumble strips that fail to adhere to the pavement, or become damaged or flattened such that, in the opinion of the Engineer, they are no longer performing their intended function, shall be replaced or repaired by the Contractor to the satisfaction of the Engineer. Any associated damage to the pavement shall also be repaired by the Contractor to the satisfaction of the Engineer. These replacements or repairs shall be made at no additional expense to the Purchasing Agency.

When directed by the Engineer, (e.g., prior to the start of the winter plowing season), or prior to the placement of successive pavement courses, the Contractor shall completely remove the rumble strips from the pavement. Rumble strips shall be removed upon completion of work and concurrently with the removal of other temporary traffic control signs and devices. Any pavement that is damaged in the process of removing the rumble strips shall be repaired by the Contractor to the satisfaction of the Engineer at no additional expense to the Purchasing Agency.

Basis of Payment

All costs for the installation, maintenance and removal of temporary rumble strips are included in the price per ton. No separate payment shall be made.

Suggested Layout Details -- Temporary Rumble Strips



12/95

7.10 Contract Bonds

The Contractor shall provide the State with a Labor and Materials Bond from a Surety Company listed on the U.S. Department of the Treasury listing of Approved Sureties (Treasury Department Circular 570) and licensed to do business in New York State, and with a minimum rating by A.M. Best of (A-) in the “best’s Key Rating Guide”. Treasury Department Circular 570 can be found on the U.S. Department of the Treasury website at www.fms.treas.gov/c570/index.html .

The Contractor shall procure and deliver the bond to the State at the Pre-Paving meeting and shall maintain it at its own expense and without expense to the State during the Contract and until three months after the OGS contract ending date. If the contract is extended, the Labor and Materials Bond shall be extended until three months after the new contract ending date. The Surety Company shall append a statement of its financial condition and a copy of the resolution authorizing the execution of Bonds by the officers of the Company to the bond.

7.10.1 Labor and Material Bond

The Contractor shall provide a bond in the form prescribed by the Commissioner of the New York State Department of Transportation (NYSDOT), shown in the NYSDOT Standard Specification for Design and Construction, Sub-Section 103-08 Sample Form of Labor and Material Bond, with sufficient sureties, approved by said Commissioner, guaranteeing prompt payment of monies due all persons supplying the Contractor with labor and materials employed and used in carrying out the contract, which bond shall inure to the benefit of the persons supplying such labor and materials. The amount of the Labor and Material Bond shall be 100% of the amount of the total contract bid price.

7.10.2 Labor and Material Bond Example

(See the following two pages)

S A M P L E (page 1 of 2)

103-08 SAMPLE FORM OF LABOR AND MATERIAL BOND

KNOW ALL PERSONS BY THESE PRESENTS, that _____
(Name of Contractor)

(Address)
(hereinafter called the "Principal") and the

_____ a corporation created and existing under the laws of the State of _____ having its principal office in the City of _____ (hereinafter called the "Surety"), are held and firmly bound unto the People of the State of New York (hereinafter called the "State") by and through its Department of Transportation (hereinafter called the "Department"), in the full and just sum of [Total Contract Bid Price or the "A Portion" of Total Contract Bid Price Dollars (\$.....)] good and lawful money of the United States of America, for payment of which said sum of money, well and truly to be made and done, the said Principal binds itself, its heirs, executors and administrators, successors and assigns, and the said Surety binds itself, its successors and assigns jointly and severally, firmly by these presents:

WHEREAS, said Principal has entered into a certain written contract, on the ____ day of _____, 20____ with the Department of Transportation, 50 Wolf Road, Albany, New York 12232.

(Project Description)

In the county/counties of which constitutes Contract No. NOW, THEREFORE, the condition of this obligation is such, that if the said Principal shall promptly pay all monies due to all persons furnishing labor or materials to it or its SubContractors in the prosecution of the work provided for in said contract, then this obligation shall be void, otherwise to remain in full force and effect; Provided, however, that the Comptroller of the State of New York having required the said Principal to furnish this bond in order to comply with the provisions of Section 137 of the State Finance Law, all rights and remedies on this bond shall inure solely to such persons and shall be determined in accordance with the provisions, conditions and limitations of said Section to the same extent as if they were copied at length herein; and Further, provided, that the place of trial of any action on this bond shall be in the county in which the said contract was to be performed, or if said contract was to be performed in more than one county then in any such county, and not elsewhere.

IN TESTIMONY WHEREOF, the said Principal has hereunto set his/her (their, its) hand and the said Surety has caused this instrument to be signed by its authorized officer, the day and year above written.

Signed and delivered ____ day of _____ 20____ in the presence of

_____))
(Company)
By _____) Principal
(Signature)

_____))
(Title)

_____))
(Company)
By _____) Surety
(Signature)

_____))
(Title of Authorized Officer)

(The Surety Company shall append a single copy of a statement of its financial condition and a copy of the resolution authorizing the execution of Bonds by officers of the Company to the bond(s).

S A M P L E (page 2 of 2)

103-08 SAMPLE FORM OF LABOR AND MATERIAL BOND

(Acknowledgment of principal, unless it be a corporation)

STATE OF NEW YORK ss. :

COUNTY OF _____

On this ____ day of _____ 20 ____, before me personally came _____ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same.

Notary Public

(Acknowledgment of principal, if a corporation)

STATE OF NEW YORK ss. :

COUNTY _____

On this ____ day of _____ 20 ____, before me personally came _____ to me known and known to me to be the person, who being by me duly sworn, did depose and say that he/she resides in _____ that he/she is the _____ of the _____ the corporation described in and which executed the foregoing instrument; and that he/she signed his/her name thereto by order of the Board of Directors of said Corporation.

Notary Public

(Acknowledgment of Surety Company)

STATE OF NEW YORK ss. :

COUNTY OF _____

On this ____ day of _____ 20 ____, before me personally came _____ to me known and known to me to be the person, who being by me duly sworn, did depose and say that he/she resides in _____ that he/she is the _____ of the _____ the corporation described in the foregoing instrument; and that he/she signed his/her name thereto by order of the Board of Directors of said Corporation.

Notary Public

State Of New York Office of the Attorney General

I hereby approve the foregoing contract and bond as to form and manner of execution.

SECTION 8: PROJECTS - SPECIAL NOTES (ALL NYSDOT REGIONS)

8.1 Funding Source

The following projects will be funded by **Federal Aid**:

360343, 360349, 360354, 5V1515, 5V1526, 5V1527, 5V1535, 5V1545, 5V1546, 5V1554, 5V1743, 7V1526, 7V1544, 9HW572, 9HW573 and 9HW584.

The following projects will be 100% **State funded**:

1HWP05, 1HWP08, 2V1532, 360351, 360353, 402063, 402064, 444113, 5V1514, and 9HW583.

8.2 Special Note - Coordination with Cold Recycling Projects

Prior to HMA overlay, Projects 1HWP05, 1HWP08, 2V1532, 360349, 360351, 360353, 5V1514, and 7V1544 involve cold recycling through separate contractor(s). These VPP overlay projects require that the paving contractor coordinates their work with corresponding cold recycling contractor to allow required curing period before placing the HMA overlay as well as to minimize disruption to the traveling public and the time traffic is running over a recycled surface.

8.3 Special Note – Project Completion Date for All the Projects (All NYSDOT Regions)

All projects in this Contract Award Notification must be completed by the contract end period. There will not be any contract extensions for any projects under this Contract Award Notification.

8.4 Special Note – PG Binder and Mix Design Level

8.4.1 PG 64S-22

Requirements of this note apply to all Section 402 and Section 404 Asphalt (HMA and WMA) items in this contract as outlined in Section 16.1 Superpave Hot Mix Asphalt Design Criteria table.

PG Binder

Use a **PG 64S-22** (Standard) meeting the requirements of AASHTO M 332, *Standard Specification for Performance Graded Asphalt Binder using Multiple Stress Creep Recovery (MSCR)*, for the production of hot mix asphalt mixtures for this project. Terminal Blend Crumb Rubber modifier may be used for this PG binder.

When terminal blend CRM PG binder is used, the following shall apply:

- Crumb rubber particles shall be finer than #30 sieve size.
- The CRM PG binder shall be storage-stable and homogeneous.
- The Dynamic Shear Rheometer (DSR) shall be set at 2-mm gap.
- The CRM PG binder shall be 99% free of particles retained on the 600 µm sieve as tested in accordance with Section 5.4 of M 332.

Use of polyphosphoric acid (PPA) to modify the PG binder properties is prohibited for mixtures under this contract. This prohibition also applies to the use of PPA as a cross-linking agent for polymer modification.

Mix Design

The mixture designs must be developed in accordance with the criteria specified in the HMA items that are appropriate for an Estimated Traffic Level of <30 Million ESALs.

Note: The PG binder for this project may be modified with CRM additives to meet the requirements stated above. Handling of the HMA shall be discussed at the pre-paving meeting.

(Continues next page)

SECTION 8: PROJECTS - SPECIAL NOTES (ALL NYSDOT REGIONS) (Cont'd)

8.4.2 PG 64V-22

Requirements of this note apply to all Section 402 and Section 404 Asphalt (HMA and WMA) items in this contract as outlined in Section 16.1 Superpave Hot Mix Asphalt Design Criteria table.

PG Binder

Use polymer or Terminal Blend Crumb Rubber modified PG 64V-22 (Very High) meeting the requirements of AASHTO M 332, *Standard Specification for Performance Graded Asphalt Binder using Multiple Stress Creep Recovery (MSCR)*, for the production of hot mix asphalt mixtures for this project. In addition, the binder grade must also meet the **elastomeric** properties as indicated by one of the following equations for %R_{3.2}:

1. For $J_{nr3.2} \geq 0.1$, $\%R_{3.2} > 29.371 * J_{nr3.2}^{-0.2633}$
2. For $J_{nr3.2} < 0.1$, $\%R_{3.2} > 55$

Where: R_{3.2} is % recovery at 3.2 kPa

J_{nr 3.2} is the average non-recoverable creep compliance at 3.2 kPa.

When terminal blend CRM PG binder is used, the following shall apply:

- Crumb rubber particles shall be finer than #30 sieve size.
- The CRM PG binder shall be storage-stable and homogeneous.
- The Dynamic Shear Rheometer (DSR) shall be set at 2-mm gap.
- The CRM PG binder shall be 99% free of particles retained on the 600 µm sieve as tested in accordance with Section 5.4 of M 332.

Use of polyphosphoric acid (PPA) to modify the PG binder properties is prohibited for mixtures under this contract. This prohibition also applies to the use of PPA as a cross-linking agent for polymer modification.

Mix Design

The mixture designs must be developed in accordance with the criteria specified in the HMA items that are appropriate for an Estimated Traffic Level of <30 Million ESALs.

Note: The PG binder for this project will be modified with polymer or CRM additives to meet the requirements stated above. Handling of the HMA shall be discussed at the pre-paving meeting.

8.4.3 PG 64H-22

Requirements of this note apply to all Section 402 and Section 404 Asphalt (HMA and WMA) items in this contract as outlined in Section 16.1 Superpave Hot Mix Asphalt Design Criteria table.

PG Binder

Use a PG 64H-22 (High) meeting the requirements of AASHTO M 332, *Standard Specification for Performance Graded Asphalt Binder using Multiple Stress Creep Recovery (MSCR)*, for the production of hot mix asphalt mixtures for this project. Terminal Blend Crumb Rubber modifier may be used for this PG binder.

When terminal blend CRM PG binder is used, the following shall apply:

- Crumb rubber particles shall be finer than #30 sieve size.
- The CRM PG binder shall be storage-stable and homogeneous.
- The Dynamic Shear Rheometer (DSR) shall be set at 2-mm gap.
- The CRM PG binder shall be 99% free of particles retained on the 600 µm sieve as tested in accordance with Section 5.4 of M 332.

Use of poly-phosphoric acid (PPA) to modify the PG binder properties is prohibited for mixtures containing limestone, limestone as an aggregate blend component, limestone as a constituent in crushed gravel aggregate, or recycled asphalt pavement (RAP) that includes any limestone. This prohibition also applies to the use of PPA as a cross-linking agent for polymer modification.

Mix Design

The mixture designs must be developed in accordance with the criteria specified in the HMA items that are appropriate for an Estimated Traffic Level of <30 Million ESALs.

Note: The PG binder for this project may be modified with CRM additives to meet the requirements stated above. Handling of the HMA shall be discussed at the pre-paving meeting.

SECTION 8: PROJECTS - SPECIAL NOTES (ALL NYSDOT REGIONS) (Cont'd)

8.5 Special Note – Optional Use of Warm Mix Asphalt (WMA) Technologies

The contractor has the option of using an Approved WMA Technology in the production of all 402, *Hot Mix Asphalt (HMA)* items, except *SUPERPAVE HMA with Ice Retardant items, Waterproofing Bridge Deck HMA items, and Paver-Placed Surface Treatment items*, at no additional cost to the State.

If the contractor chooses to use a WMA technology, the provisions of §401 and §402 shall apply including the following:

1. Use an approved technology appearing on the Approved List for *Technologies for Warm Mix Asphalt*. Design a mixture using a WMA Technology in accordance with MM 5.16, *Superpave Hot Mix Asphalt Mixture Design and Mixture Verification Procedure*. At a minimum, a one point verification of the mixture’s volumetric properties is acceptable for the following situations:
 - When the WMA mix design is based on an existing Production Status HMA mix design.
 - When the WMA mix design is based on, and utilizes a different WMA technology than, an existing Production Status WMA mix design.
2. Comply with the latest manufacturer’s “Production, Testing, and Compaction Details” from the Approved List for incorporating the WMA technology. Test specimens may be made from plant produced or laboratory prepared WMA. Test specimens must be made from plant produced WMA if adding the WMA technology in the lab does not simulate the production process. The Regional Materials Engineer (RME) may require a State representative be present during the fabrication and testing. Submit the WMA design to the RME for review and verification at least 14 calendar days before production, including:
 - Name of WMA technology and the target dosage rate.
 - If using an additive other than water,
 - Submit a MSDS for the additive.
 - Submit either enough of the additive for the laboratory mix design verification, or the additive pre-blended in the PG Binder at the correct dosage. If the additive is not pre-blended into the PG Binder, include directions for properly incorporating the additive into the laboratory made mixture.
 - Prior to the submission of any mix design, contact the RME to determine if there is an increased concern regarding the mixture’s moisture susceptibility based on the WMA technology and/or the type of aggregate being used, or the performance of similar mixes. The RME may require AASHTO T 283 moisture susceptibility test results, meeting a minimum Tensile Strength Ratio (TSR) of 80%, as part of the mix design submission.
3. Submit Production Quality Control Plan revisions incorporating the WMA technology if not previously submitted.
4. For 80 Series Compaction Method, complete all breakdown roller passes before the mat temperature falls below 230° F, unless approved by the Director, Materials Bureau.
5. When the asphalt mixture is being placed over a Sheet-Applied Waterproofing Membrane, maintain a minimum delivery temperature in accordance with the Material Detail Sheets prepared by the membrane manufacturer.

8.6 Special Note - Rail Road Involvement in Federal Funded Projects

Contractors are advised that there may be active at-grade railroad crossings within the limits of projects in this Contract Award Notification. The following at-grade railroad crossings have been identified, but there may be others within the limits of these projects that have not been identified:

Project Number	County	Route	Rail Road Name	Location
5V1535	Erie	Rte. 950C	CSX Transportation, Inc	RM 324 5302-1079

SECTION 8: PROJECTS - SPECIAL NOTES (ALL NYSDOT REGIONS) (Cont'd)

At the identified at-grade crossings, and any other active at grade railroad crossings encountered on the projects in this Contract Award Notification, the contractor shall conduct its work and handle the equipment such that no part of any material or equipment shall foul a track, catenary, electrical facility or signal facility. A track is fouled when any object is brought within 7.62 M (25') of the centerline of the track or the nearest point of a rail road's catenary, electrical facility or signal facility.

8.7 Special Note - Rail Road Involvement in 100% State Funded Projects

Contractors are advised that there may be active at grade railroad crossings within the limits of projects in this Contract Award Notification. The following at grade railroad crossings have been identified, but there may be others within the limits of these projects that have not been identified:

Project Number	County	Route	Rail Road Name	Location
5V1514	Cattaraugus	951R	Buffalo and Pittsburgh Railroad	One is 0.32 miles from the beginning of the project while the other is 1.59 miles from the beginning of the project.

At the identified at grade crossings, and any other active at grade railroad crossings encountered on the projects in this Contract Award Notification, the contractor shall coordinate with the corresponding Rail Road as per follows:

8.7.1 Coordination with Railroad(s)

The Contractor shall note that this project may require close coordination with a railroad and railroad protective flagging services

Description

The Contractor shall conduct its work and handle its equipment such that no part of any material or equipment shall foul a track, catenary, electrical facility or signal facility without written permission from the chief engineer of the railroad company(s) affected. A track is fouled when any object is brought within 7.62 M (25') of the centerline of the track or the nearest point of a railroad's catenary, electrical facility or signal facility.

Construction Details

In the event the Contractor's work does foul a railroad facility the Contractor shall obtain a permit in order to enter railroad property and to cover the costs of the railroad's force account services. The Contractor will not be allowed to enter onto the railroad's property to perform contract work, nor will the railroad provide services occasioned by the Contractor's operations unless the Contractor notifies the Railroad(s) and receives the railroads' prior approval. A railroad will not provide any services necessitated by the Contractor's operations until the permit is obtained. These railroad's costs will include, but may not be limited to costs incurred by the railroad to provide flaggers, spotters, engineering services, administrative services, construction inspection, or other labor, material or equipment necessary to provide a safe environment for both the Contractor's and Railroad's forces.

The Contractor is advised that a railroad may not be able to provide flag persons on a daily basis due to the railroad's operational necessities. The Contractor shall coordinate and schedule his construction activities with the railroad's engineer no later than two weeks prior to the start of the work, in consultation with the State's Engineer-in-Charge, so that a workable schedule can be formulated and agreed upon. In addition to the above, the Contractor shall also comply with the current Standard Specifications §105-09 WORK AFFECTING RAILROADS.

Basis of Payment

All costs incurred by the contractor to comply with the requirements in this Special Note shall be included in the price bid per ton for the hot mix asphalt. No extra payment shall be made.

SECTION 9: PROJECTS - SPECIAL NOTES (NYSDOT REGION 1)

9.1 Holiday Restrictions – Region 1 Projects

All Region 1 Projects shall follow the following holiday restrictions:
 There shall be no temporary lane closures permitted on the following dates:

- May 22 – 25
- July 2 – 5
- September 4 – Sept. 7
- Oct. 9 - 12
- Nov. 25 – Nov. 29
- Dec. 21 – Jan. 3

9.2 Project Completion – Region 1 Projects

The Region One Projects must be completed prior to October 31, 2015.

9.3 Pilot Vehicle – Region 1 Projects

Unless otherwise specified, the highway shall be kept open to traffic at all times. Traffic shall be discontinued on the lanes where work is being performed on these projects; and as soon as recycling is done and rolled, controlled traffic may be permitted thereon. For Region 1 projects in this Contract Award Notification, the Contractors shall provide sufficient two-way radio equipped pilot vehicles to guide traffic around recycling work at a speed not to exceed 15 mph. The pilot vehicles shall be equipped with construction signs meeting the requirements of Section 6F.58 of the Manual of Uniform Traffic Control Devices and a rotating amber beacon:

SIGN	MINIMUM SIZE	LOCATION
PILOT VEHICLE FOLLOW ME	G20-4 CONVENTIONAL 36"x 18"	ON BACK OF PILOT VEHICLES

The pilot vehicle shall have the name of the Contractor prominently displayed.

All cost for Work Zone Traffic Control including flagging, temporary pavement markings, channelizing devices, construction signs, and pilot vehicles shall be included in the prices per ton of bituminous concrete. No separate payment shall be made. **The use of the pilot shall be as ordered by the resident engineer.**

9.4 Paving Operations – Region 1 Projects

Paving operations shall progress in the opposite direction of traffic when paving on Cold Recycled roadways. This provision may only be waived by the Region 1 Materials Engineer, and this waiver will be rescinded if damage to the top course occurs.

9.5 Moisture Susceptibility Testing – Region 1 Projects

Any HMA mix design where the primary aggregate component by weight is granite or crushed gravel will be subject to moisture susceptibility testing by the producer during design, unless this requirement is waived by the RME. TSR testing may be required by the RME when there is a change to the asphalt binder source. Moisture susceptibility will be determined by calculating the tensile strength ratio (TSR) of each specimen according to AASHTO T 283, Resistance of Compacted Asphalt Mixtures to Moisture-Induced Damage, except as modified in Section VI.D. of NYSDOT Materials Method 5.16. If the TSR of the HMA gyratory specimens is less than 80%, as required in AASHTO M 323, corrective action is required. Corrective action to improve the moisture susceptibility of the HMA mixture can include the use of anti-strip additives or blending of other aggregate materials to reduce the proportion of granite or gravel aggregates in the mix. When corrective action is necessary, any changes made to the design must be noted on the JMF, and all other volumetric and mechanical properties must be evaluated for compliance with NYSDOT Materials Method 5.16 using a one-point design. The results must be reported to the RME prior to production.

SECTION 9: PROJECTS - SPECIAL NOTES (NYSDOT REGION 1) (Cont'd)

9.6 Paving Markings – Region 1 Projects

It shall be the contractor's responsibility to inventory and document the existing pavement marking patterns prior to milling and/or resurfacing and submit to the Engineer a copy of the inventory prior to beginning work. The contractor shall be responsible for completing all layout work necessary for the installation of all final pavement markings. If the original markings are obliterated, the contractor shall contact the resident engineer for guidance on their location.

9.7 Non-Vibratory Rolling – Region 1 Projects

Contractor shall use non-vibratory rolling over any bridge structure, large culvert or known utility within the project limits or as ordered by the engineer in charge.

9.8 Project 1HWP05 – Rt. 22 Washington County RM 1338 to 1366

The limits of this project will be cold in place recycled under a separate contract prior to paving. Paving work shall be completed after the required cure time and prior to 30 days upon completion of recycling work.

Item 402.068302(6.3mm HMA) is being utilized in place of shim, and is intended to be placed over the travel lanes only.

PG Binder 64S-22 (Standard Grade) shall be utilized for this mix design in this application for this project.

The following intersections shall be paved approximately 50 feet from the edge of the mainline in each direction:

Location	Roadway Width
Rt. 149	40
CR 26	40
Rt. 149 Slip Ramp	50
Rt. 149 – Quaker Street	40
Mettawee Street	50
Rt. 22A Slip Ramp	40

9.9 Project 1HWP08 – Rt. 443 Albany County RM 1000 to 1045

Project Coordination:

The bridge located at the intersection of 443/156, located near RM 1033, may be closed due to construction and a detour in place. The estimated dates of this closure are July 1 through August 31, 2015. There will be no additional compensation for the increased haul distance due to this closure, including if the closure occurs outside the estimated dates.

The limits of this project will be cold in place recycled under a separate contract prior to paving. Paving work shall be completed after the required cure time and prior to 30 days upon completion of recycling work.

Item 402.068302(6.3mm HMA) is being utilized in place of shim, and is intended to be placed over the travel lanes only.

PG Binder 64S-22 (Standard Grade) shall be utilized for this mix design in this application for this project.

(Continues next page)

SECTION 9: PROJECTS - SPECIAL NOTES (NYSDOT REGION 1) (Cont'd)

The following intersections shall be paved approximately 20 feet from the edge of the mainline in each direction:

Location	Roadway Width
Line Road	30
CR254 – Rock Road	45
CR 1 – Switzkill Road	30
CR 1 – Rock Road	30
Boerchers Road	25
Blue Farmer Lane	25
CR 9 – Canaday Hill Road	40
Irish Hill Road 1	40
Irish Hill Road 2	40
Tabor Road	25
Rt. 156	28

SECTION 10: PROJECTS - SPECIAL NOTES (NYSDOT REGION 2)

10.1 Existing Pavement Markings – Region 2 Projects

It shall be the contractor’s responsibility to inventory and document the existing pavement marking patterns prior to milling and/or resurfacing and submit to the Engineer a copy of the inventory prior to beginning work. The contractor shall be responsible for completing all layout work necessary for the installation of all final pavement markings. If the original markings are obliterated, the contractor shall contact the resident engineer for guidance on their location.

10.2 Removal of Temporary Pavement Markings – Region 2 Projects

The contractor will remove all temporary pavement markings within 2 weeks after the permanent markings are applied.

10.3 Pavement Overlay Splices “Rebates”– Region 2 Projects

Mainline pavement overlay splices to be in accordance with Standard Sheet 402-01.

10.4 Holiday Restrictions – Region 2 Projects

All Region 2 Projects shall follow the following holiday restrictions:

The Contractor will not be allowed to implement any temporary lane or shoulder closures or otherwise disrupt traffic in any way during the following holidays:

- New Year’s Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day
- Christmas Day

If an above recognized holiday or event falls on:

Day of the Week	Then <u>NO</u> lane closures are allowed from
Monday	Noon Friday to 5 am Tuesday
Tuesday	Noon Friday to 5 am Wednesday
Wednesday	Noon Tuesday to 5 am Thursday
Thursday	Noon Wednesday to 5 am Monday
Friday	Noon Thursday to 5 am Monday
Saturday/Sunday	Noon Friday to 5 am Monday

NYSDOT Ordered Work Disruptions

The State reserves the right to preclude lane and/or shoulder closures or other contractor operations on this project at the direction of the Regional Director or his/her designee for up to 2 occurrences per project location. Each occurrence may last as long as one calendar day. These described occurrences are defined as NYSDOT ordered contractor work disruptions that are not covered in the contract documents, standard specifications, or other contract related bid documents. The contractor shall have no claim against the State for any delays, contract extension, or extra costs incurred in complying with these restrictions.

10.5 Non-Vibratory Rolling – Region 2 Projects

Contractor shall use non-vibratory rolling over any bridge structure, large culvert or known utility within the project limits or as ordered by the engineer in charge.

SECTION 10: PROJECTS - SPECIAL NOTES (NYSDOT REGION 2) (Cont'd)

10.6 Paving Operations – Region 2 Projects

Paving operations shall progress in the opposite direction of traffic when paving on Cold Recycled roadways. This provision may only be waived by the Region 2 Materials Engineer, and this waiver will be rescinded if damage to the top course occurs.

10.7 Project 2V1532- Rte. 29 – Middleville to Ives Rd. & Rte. 170A – Rte. 170 to Rte. 29

2V15.32 consists of 2 locations - Rte. 29 – Middleville to Ives Rd. and Rte. 170A – Rte. 170 to Rte. 29. The total quantities for both sites are listed on the price pages.

These sites will be cold in place recycled under a separate contract. The overlay can not be placed until the CIPR cure period is complete (depending on the recycle contractor process it is 10 days for emulsion or 3 days for 64-22 AC).

The overlay must commence no later than 30 days after the end of the CIPR cure period.

Item 402.017902 – the mix used for T&L shall be **19mm** and shall be placed the full width of the recycled pavement.

To maintain smooth transitions, rebates on all side roads as listed in the contract rebate table will be cut at a distance (see rebate length table below) as measured from the edge of the mainline shoulder. The contractor should anticipate paving intersections separately from mainline, payment to be included in the price bid for Item 402.096302.

2V15.32	
Rte. 29, Middleville to Ives Rd.	
Rebate Location	Length (ft.)
Town Garage Rd. (West), RM 1028	40
Platform Rd. (CR103), RM 1028	18
Academy Walk, RM 1028	50
Town Garage Rd. (East)	25
Hard Scrabble Rd., RM 1029	25
Rte. 170, RM 1036	40
Castle Rd. (CR7), RM 1044	30
Snyder Rd., RM 1051	30
Burrell Rd., RM 1067	25
Ives Rd., RM 1074	8
Rte. 170A, Rte. 170 to Rte. 29	
Burrell Rd. (CR 9), RM 1006	65
Thompson Rd. (CR 144), RM 1020	19

SECTION 11: PROJECTS - SPECIAL NOTES (NYSDOT REGION 3)

11.1 Holiday Restrictions – Region 3 Projects

All Region 3 Projects shall follow the following holiday restrictions:
 There shall be no temporary lane closures permitted on the following dates:

July 2 – 5
 September 4 – Sept. 7
 Oct. 9 - 12
 Nov. 25 – Nov. 29
 Dec. 21 – Jan. 3

Project 360343 - Rte. 174: RR Bridge to Route 5

There shall be no temporary lane closures permitted for this project on the following dates: August 27 – Sept. 7

11.2 Paving Operations – Region 3 Projects

Paving operations shall progress in the opposite direction of traffic when paving on Cold Recycled roadways (Projects 360349, 360351 and 360353). This provision may only be waived by the Region 3 Materials Engineer, and this waiver will be rescinded if damage to the top course occurs

11.3 Project 360343 - Rte. 174: RR Bridge to Route 5

This project will be production milled under a separate DOT Maintenance contract. The paving schedule shall be coordinated with the Onondaga West DOT Resident Engineer, Larry Hasard – 315-672-8151. State DOT Forces will close Route 174 from Forward Rd. to West Genesee St., Village of Camillus during paving operations.

11.4 Project 360349 - Rte. 91: Route 80 to Route 20

Prior to top course, this project involve T&L course through a separate contractor using OGS FOB contract. This VPP overlay project requires that the top course contractor coordinates their work with T&L contractor to minimize disruption to the traveling public and the time traffic is running over a T&L course. To maintain smooth transitions, rebates on all side roads as listed in the contract rebate table will be cut at a distance of 50 feet as measured from the edge of the mainline shoulder. The contractor should anticipate paving intersections separately from mainline, payment to be included in the price bid for Item 402.096302.

Location	Width (ft.)
Spur Road	18
Academy Street	22
Bryan Road	22
Cemetery Road No. 1	25
Cemetery Road No. 2	22
Chase Road	26
Jerome Road	27

11.5 Project 360351 - Rte. 91: Cortland County Line to Route 80

To maintain smooth transitions, rebates on all side roads as listed in the contract rebate table will be cut at a distance of 50 feet as measured from the edge of the mainline shoulder. The contractor should anticipate paving intersections separately from mainline, payment to be included in the price bid for Item 402.097302.

Location	Width (ft.)
Labrador Crossroads	23

SECTION 11: PROJECTS - SPECIAL NOTES (NYSDOT REGION 3) (Cont'd)

11.6 Project 360353 - Rte. 183: Route 69 to Route 13

To maintain smooth transitions, rebates on all side roads as listed in the contract rebate table will be cut at a distance of 50 feet as measured from the edge of the mainline shoulder. The contractor should anticipate paving intersections separately from mainline, payment to be included in the price bid for Item 402.096302.

This project must be completed prior to October 17, 2015.

Location	Width (ft.)
Foil Road	30
Turk Road	30
Little Pond Road	30
Bryant Road	30
Island Road	40
Nichols Road	30
Stone Hill Road	30
Grant Road	30
Sol Davis Road	30
Gifford Road	30

11.7 Project 360354 - Rte. 89: Route 5 & 20 to Wayne County Line

Portions of this project will be production milled under a separate DOT Maintenance contract. The paving schedule shall be coordinated with the Cayuga /Seneca DOT Resident Engineer, Chris Covert– 315-539-3112.

SECTION 12: PROJECTS - SPECIAL NOTES (NYSDOT REGION 4)

12.1 General Special Notes – Region 4 Projects

The contractor shall remove any plowable reflective markers in the pavement, prior to paving. The hole left in the existing pavement, shall then be filled with a hot mix asphalt material; 9.5 mixture, or mixture approved by the Resident Engineer. Cost to be included in the bid price for the associated project.

Prior to the start of work, the contractor shall inventory all pavement markings and provide the engineer with a copy of the inventory. As part of a pavement marking program update, the Regional Traffic and Safety group is reviewing all pavement markings within the limits of paving projects. Upon their review, there may need to be adjustments to the pavement marking layout. The contractor shall be responsible for completing striping layout, including changes as indicated by the Regional Traffic and Safety Group.

Some projects may require loop detectors to be re-established prior to or once paving has been completed. This shall be done by others and coordinated by the Resident Engineer.

HMA Pavers- Spreading and Finishing Requirement

The Contractor shall provide a paver(s) capable of spreading and finishing courses of HMA plant mix material in lane widths, shoulders, or similar construction applicable to the specified typical section and thicknesses shown on the plans. In addition, the speed of the paver must remain constant to ensure a uniform thickness of the course (mat) being placed. The speed of the paver must match the production rate of the HMA plant and to the thickness and width of the course (mat) being placed. **The MAXIMUM PAVER SPEED allowed will be 40 feet per minute.**

Note: The Contractor should be prepared to discuss at the HMA Pre-Pave Meeting the paver speed and the maximum paver speed for the project based the plant production rate and course (mat) thickness being placed.

12.2 Project 402063 – Livingston County

Time restrictions: The contractor shall not schedule work moving out or moving in weekends at SUNY Geneseo College or during any other events at the college.

Rebates at the I390 bridge shall include removing all asphalt on the shoulder to the extent to match the face of the concrete surface of the lanes.

There are turn lanes included in the project in the area of the I390 bridge, approximately RM 1132 to 1136.

12.3 Project 402064 – Wyoming County

No work will be allowed from 4:00PM Thursday July 2nd until 7:00AM Monday, July 6th.

12.5 F3 Top Course HMA shall be used for the T&L course (Item 402.018902).

The 9.5 F3 Top Course HMA (Item 402.096302) shall not have any #1 stone included in the mix.

In the Hamlet of Varysburg (MM1080-1083), only the 1" top course shall be placed. The contractor is responsible for cutting the rebates along the curb in this section.

12.4 Project 444113 – Wayne County

There are signal loops at the Rte. 441/ Rte350 signal and Rte 441/Gananda Parkway intersection.

No work will be allowed the Saturday and Sunday of the Gananda Garage Sale.

For Item 402.058902 (Shim Course F9), the required PGB SHALL BE 64S-22..

SECTION 13: PROJECTS - SPECIAL NOTES (NYSDOT REGION 5)

13.1 General Special Notes – Region 5 Projects

The paving operations shall be progressed in a segment by segment basis. No longitudinal paving joints shall be allowed at the end of the work day. The segments shall be based on the contractor's daily work capacity and shall not end within an intersection.

13.2 Special Note for Hot Mix Asphalt – Region 5 Projects

All HMA production will require the use of anti-strip agent to prevent moisture induced damage to the HMA. The minimum dosage for anti-strip is 0.3% of the PG binder content. This requirement will be waived by the Regional Director if the contractor provides proof the HMA is not susceptible to moisture induced damage by providing test results as described below or if there is no history of moisture induced damage from the aggregates and production facilities used to make the HMA.

13.3 Moisture Susceptibility Testing – Region 5 Projects

The Contractor will be required to submit to the Regional Material Engineer (RME) AASHTO T-283 moisture susceptibility test results prior to production of HMA Top Course. The results shall be a minimum Tensile Strength Ratio (TSR) of 80%. If the asphalt binder source is changed after being tested for moisture susceptibility, the mixture may require testing again at the RME's discretion.

The Department may sample and test the above mixture during production to verify the moisture susceptibility requirement is met. If the results do not meet the production requirement (minimum TSR of 80%), the producer will need to take corrective action. If during production, the TSR test results fall below 70%, the RME will immediately suspend production for this project according to Section 105, Control of Work, and Section 106, Control of Material, of the Standard Specifications.

13.4 Dust (Minus 0.075 mm Aggregate) to Effective PG Binder Content Ratio – Region 5 Projects

In addition to AASHTO T283 testing, the Department will verify the Contractor's Dust (Minus 0.075 mm Aggregate) to Effective PG Binder Content Ratio during production. The minus 0.075 mm material will be determined using washed aggregate analysis and the ratio result shall be within the limits of 0.8 to 1.6.

13.5 Polymer Modified PG Binder – Region 5 Projects

All Region 5 require the use of Polymer Modified (64V-22) PG Binder.

13.6 Pavement Markings – Region 5 Projects

It shall be the contractor's responsibility to inventory and document the existing pavement marking patterns prior to milling and/or resurfacing and submit to the Engineer a copy of the inventory prior to beginning work. The contractor shall be responsible for completing all layout work necessary for the installation of all final pavement markings. If the original markings are obliterated, the contractor shall contact the resident engineer for guidance on their location.

SECTION 13: PROJECTS - SPECIAL NOTES (NYSDOT REGION 5) (Cont'd)

13.7 Abrading Existing Pre-Formed Pavement Markings – Region 5 Projects

The Contractor shall remove any pre-formed pavement markings. Care shall be taken to avoid damage to passing traffic. All damage to passing traffic caused by the Contractor's operations shall be the Contractor's responsibility. Waste material generated by the abrading operation shall be cleaned up and disposed of by the contractor. When the contractor abrades the existing pre-formed pavement markings, the contractor shall place temporary pavement markings as specified elsewhere in this Contract Award Notification under Work Zone Traffic Control, unless the HMA will be placed the same day as the pre-formed pavement markings are abraded. The contractor shall make every effort to expeditiously place the HMA in areas where the pre-formed pavement markings have been abraded. Under no circumstances will temporary pavement markings be allowed for more than five calendar days in areas where pre-formed pavement markings are abraded. In this event, the contractor shall be required to place full pavement markings at no cost to the State. During the pre-form pavement markings abrading operation, traffic shall be controlled by the contractor in accordance with Work Zone Traffic Control requirements included herein. The contractor shall submit a proposed Work Zone Traffic Control Plan to the Resident Engineer for approval. The plan may be based on the Work Zone Traffic Control drawings included in this Contract Award Notification. Payment for pre form pavement marking abrading shall be included in the price bid per ton for the HMA. No separate payment shall be made

13.8 Time Restrictions – Region 5 Projects

All Region 5 Projects shall follow the time restrictions outlined in the "Work Zone Traffic Control - for Design/Construction on State Highways in Region 5" available on the NYSDOT website or thru the Regional Transportation Systems Operations group excepting those projects listed on the Region 5 project specific special notes.

13.9 Project 5V1514

Prior to HMA overlay, this project involves cold recycling through separate contractor(s). This VPP overlay project requires that the paving contractor coordinate their work with corresponding cold recycling contractor to allow required curing period before placing the HMA overlay as well as to minimize disruption to the traveling public and the time traffic is running over a recycled surface.

Due to the fact that this road is not on the State Highway system and therefore does not have Reference Markers, **a Project 5V1514 location map is shown on page 49 of this document.**

Due to the proposed 1½" overlay, rebates are required at paved side streets, railroad crossing, and project limits. Quantity for rebate milling and asphalt to transition from mainline has been included in the contract

Special Note for Project 5V1514 -Seneca Nation of Indians Business License

The Contractor, all Sub-Contractors, and any Supplier delivering materials or performing services on the project site must comply with the Seneca Nation of Indians Business Code. This code requires the Contractor, all Sub-Contractors, and any Supplier delivering materials or performing services on the project site to obtain an annual license to perform services and/or deliver materials on Nation Territory.

The annual fee for this license is \$150 and each entity is required to reapply at the beginning of every calendar year. The Application for the Seneca Nation of Indians Business License can be obtained from the Resident Engineer.

Special Note for Project 5V1514 - Seneca Nation of Indians, Cattaraugus Territory Roads (100 Percent State-Funded Maintenance Contract)

Compliance with Applicable Laws Including Seneca Nation of Indians

TRIBAL EMPLOYMENT RIGHTS ORDINANCE (TERO)

NYSDOT expects the Contractor to comply with all applicable federal, state, municipal, and Seneca Nation of Indians statutes, ordinances, regulations, and other legal requirements that apply to the performance of the work involved in the performance of this 100 percent state-funded maintenance contract. Seneca Nation legal requirements apply because this project is located within the boundaries of Seneca Nation territory, and the Seneca Nation has certain sovereign powers within Seneca Nation territories recognized by treaty with the United States.

The contractor is advised that applicable Seneca Nation requirements enacted and administered directly by the Seneca Nation include Tribal Employment Rights Ordinance (TERO) requirements including administrative fees (see below) and subcontracting, workforce hiring and scrap materials; and Seneca Nation environmental permitting requirements. There will be no separate pay items in this contract for compliance with such requirements. The contractor is expected to include the cost for compliance with such requirements in the bid price for the various items in the contract. The contractor is further advised that, while TERO requirements are Seneca Nation legal requirements rather than State legal requirements, any failure to comply with such requirements might affect adversely not only the contractor’s continued ability to perform the work of the project, but also the State’s ongoing working relationship with the Seneca Nation on this and other projects; and accordingly might raise issues requiring review, on a case by case basis, of the contractor’s responsibility to receive the award of future competitively-bid state contracts.

The Council (Legislature) of the Seneca Nation of Indians enacted a Tribal Employment Rights Ordinance (TERO) on June 23, 1993, and most recently amended such TERO ordinance on March 30, 2005. The Contractor is responsible for obtaining a copy of the TERO ordinance from the Seneca Nation, and reviewing, understanding, and complying with it. The purpose of the TERO ordinance, as expressed by the Seneca Nation, is to guarantee a rightful share of business, employment, training, promotion and economic opportunities to qualified Indian-owned business and Indian workers for projects within the Nation’s territories.

The Seneca Nation’s TERO ordinance requires, among other things, that:

- Every covered employer (i.e. the Contractor) with a prime contract of \$50,000 or more shall pay directly to the Nation a one-time administrative **fee of 3 percent of the total amount of the contract**. The payment of such fee, payable to the Seneca Nation of Indians Treasurer, shall be required prior to commencing work
- All persons and entities (i.e. the Contractor) performing work or business within the Seneca Nation’s territories must apply a preference for qualified Indians in subcontracting and in employment.
- Covered employers (i.e. the Contractor) may be required to deliver scrap steel or other scrap materials from the project to the Seneca Nation for salvage.
- The Seneca Nation may also require the issuance of a Seneca Nation Waterways Permit for any projects involving work within or over waterways, and may impose additional environmental and/or construction monitoring fees in connection with such permits.

The Seneca Nation expects the Contractor to negotiate a TERO Compliance Plan addressing such TERO requirements for the project prior to the commencement of any work within the Seneca Nation’s territory.

For Additional Information Contact The Seneca Nation TERO Office at Either of The Following Addresses:

<i>Allegany Territory</i>	<i>Cattaraugus Territory</i>
Seneca Nation TERO Office	Seneca Nation TERO Office
P.O. Box 231	12885 Route 438
Salamanca, NY 14779	Irving, NY 14081
Telephone: (716) 945-1790, ext. 3039	Telephone: (716) 532-1033, ext. 5413
Fax: (716) 945-1565	Fax: (716) 532-6178

SECTION 13: PROJECTS - SPECIAL NOTES (NYSDOT REGION 5) (Cont'd)

Project Location Map for Project 5V1514



SECTION 13: PROJECTS - SPECIAL NOTES (NYSDOT REGION 5) (Cont'd)

13.10 Project 5V1515

The traveled way and shoulders will be production milled at full width prior to HMA overlay.

13.11 Project 5V1526

Single course overlay of travel way and 0.5' into shoulder from MIARD to MIARD. The acceleration lane at Exit 4 Rt. 426 will also be paved and is included in the pavement quantity. Surface will be milled prior to overlay.

13.12 Project 5V1527

Single course overlay of travel way and shoulders. Surface will be milled prior to overlay.

13.13 Project 5V1535

The pavement will be milled at full width prior to overlay, beginning at the east side of the at-grade railroad crossing (RM 324-5302-1079) and proceeding to the project's eastern limit (RM 324-5302-1090).

13.14 Project 5V1545

The traveled way and shoulders will be production milled at full width prior to HMA overlay.

No work shall be allowed on US 20 from 3PM to 6PM. No work will be allowed from noon Friday until Tuesday on the following holiday weekend: Labor Day (Friday, September 4, 2015 to Tuesday, September 8, 2015). These time restrictions include the set-up and take-down of work zones. Time restrictions are for single lane closures and shoulder closures for any work day, Sunday through Saturday, inclusive

13.15 Project 5V1546

The traveled way and shoulders will be production milled at full width prior to HMA overlay.

13.16 Project 5V1554

The pavement will be milled at full width prior to overlay, for the entirety of the project limits.

13.17 Project 5V1743

The traveled way and shoulders will be production milled at full width prior to HMA overlay.

The eastern project limit of work is approximately 250 feet east of Barnstead Drive and meets up with the existing joint where an asphalt patch was placed in 2014.

All four ramps for entering and exiting US 219 at NY 39 shall receive the same pavement treatment as NY 39. Work on these ramps shall include all existing asphalt extending from NY 39 to the existing concrete pavement on US 219.

SECTION 14: PROJECTS - SPECIAL NOTES (NYSDOT REGION 7)

The following Special Notes for Region 7 Projects shall supersede any other sections of this Contract Award Notification or the Standard Specifications referenced herein.

14.1 Special Work Zone Traffic Control – Pilot Vehicle – Region 7 Projects

Unless otherwise specified, the highway shall be kept open to traffic at all times. Traffic shall be discontinued on the lanes where work is being performed on these projects; and as soon as HMA is applied and rolled, controlled traffic may be permitted thereon. For Region 7 VPP projects in this Contract Award Notification, the Contractors shall provide sufficient two-way radio equipped pilot vehicles to guide traffic around paving work at a speed not to exceed 15 mph. The pilot vehicles shall be equipped with construction signs meeting the requirements of Section 6F.58 of the Manual of Uniform Traffic Control Devices and a rotating amber beacon. The requirement for delineation of the closed lane (cone placement), as defined in Section 6F.58 of the MUTCD, shall be evaluated by the Resident Engineer at the Preconstruction conference based on the traffic control plan presented by the Contractor and a determination will be made at that time whether it will be required on the project. **Daytime lane closures may be used in lieu of pilot vehicles on controlled access highways as deemed appropriate by the Resident Engineer at the time of preconstruction conference.**

SIGN	MINIMUM SIZE	LOCATION
PILOT VEHICLE FOLLOW ME	G20-4 CONVENTIONAL 36"x18"	ON BACK OF PILOT VEHICLES

The pilot vehicle shall have the name of the Contractor prominently displayed.

All cost for Work Zone Traffic Control including flagging, temporary pavement markings, channelizing devices, construction signs, and pilot vehicles shall be included in the prices bid per ton for the bituminous concrete. No separate payment shall be made.

14.2 Exposed Longitudinal Joints – Region 7 Projects

Exposed Longitudinal Centerline Joints on any asphalt material placed by the Contractor under this award will not be permitted overnight. All centerline joints and/or abutting travel lane joints shall be required to be closed by the end of each work day.

14.3 Moisture Susceptibility Testing for Projects Requiring the Use of 64S-22 PGB – Region 7 Projects

Any HMA mix design where the primary aggregate component by weight is granite or crushed gravel will be subject to moisture susceptibility testing by the producer during design, unless this requirement is waived by the RME. TSR testing may be required by the RME when there is a change to the asphalt binder source.

Moisture susceptibility will be determined by calculating the tensile strength ratio (TSR) of each specimen according to AASHTO T 283, Resistance of Compacted Asphalt Mixtures to Moisture-Induced Damage, except as modified in Section VI.D. of NYSDOT Materials Method 5.16.

If the TSR of the HMA gyratory specimens is less than 80%, as required in AASHTO M 323, corrective action is required. Corrective action to improve the moisture susceptibility of the HMA mixture can include the use of anti-strip additives or blending of other aggregate materials to reduce the proportion of granite or gravel aggregates in the mix. When corrective action is necessary, any changes made to the design must be noted on the JMF, and all other volumetric and mechanical properties must be evaluated for compliance with NYSDOT Materials Method 5.16 using a one-point design. The results must be reported to the RME prior to production.

SECTION 15: PROJECTS - SPECIAL NOTES (NYSDOT REGION 9)

15.1 Project 9HW572 (Route 42)

This project will be milled under a separate DOT Maintenance contract. The paving must be coordinated with the milling Contractor and Sullivan County DOT Resident Engineer, Ed Mall – 845-325-4804.

15.2 Project 9HW573 (Route 52)

This project will be milled under a separate DOT Maintenance contract. The paving must be coordinated with the milling Contractor and Sullivan County DOT Resident Engineer, Ed Mall – 845-325-4804.

15.3 Project 9HW583 (Route 282)

This project will be milled under a separate DOT Maintenance contract. The paving must be coordinated with the milling Contractor and Tioga County DOT Resident Engineer, Richard Sperski – 607-687-3730.

RM 1029 to approx. village line – Mill and fill travel lanes and turning lanes

Village line to RM 1016+134' – Mill and fill full width

SECTION 16: SUPERPAVE HOT MIX ASPHALT

16.1 Superpave Hot Mix Asphalt Design Criteria

The following are design criteria for SUPERPAVE Hot Mix Asphalt Items for projects contained in this Contract Award Notification (**please see the Special Notes – PG Binder and Mix Design Level**):

Project Number	Item	80kN EAL's	Aggregate Size	PG Binder
1HWP05	402.096202	<30.0 Mil	9.5	PG 64S-22
	402.06830218	<30.0 Mil	6.3	PG 64S-22
1HWP08	402.096202	<30.0 Mil	9.5	PG 64S-22
	402.06830218	<30.0 Mil	6.3	PG 64S-22
2V1532	402.096302	<0.3 Mil	9.5	PG 64V-22
	402.017902	<0.3 Mil	19.0	PG 64V-22
360343	402.096302	<30.0 Mil	9.5	PG 64S-22
	402.017902	<30.0 Mil	9.5	PG 64S-22
360349	402.096302	<30.0 Mil	9.5	PG 64S-22
360351	402.097302	<0.3 Mil	9.5	PG 64S-22
	402.017902	<0.3 Mil	9.5	PG64S-22
360353	402.096302	<30.0 Mil	9.5	PG 64S-22
	402.017902	<30.0 Mil	9.5	PG 64S-22
360354	402.096302	<30.0 Mil	9.5	PG 64S-22
	402.018902	<30.0 Mil	9.5	PG 64S-22
402063	402.06820218	<30.0 mil	9.5	PG 64V-22
402064	402.096302	<30.0 mil	9.5	PG 64S-22
	402.018902	<30.0 Mil	12.5	PG 64S-22
444113	402.06830218	<30.0 mil	6.3	PG 64V-22
	402.058902	N/A	Type 5 Shim	PG 64S-22
5V1514	402.097202	<0.3 Mil	9.5	PG 64V-22
5V1515	402.096202	<30.0 Mil	9.5	PG 64V-22
5V1526	402.096202	<0.3 Mil	9.5	PG 64V-22
5V1527	402.096202	<0.3 Mil	9.5	PG64V-22
5V1535	402.096202	<30.0 Mil	9.5	PG 64V-22
5V1545	402.096202	<30.0 Mil	9.5	PG 64V-22
5V1546	402.096202	<30.0 Mil	9.5	PG 64V-22
5V1554	402.096202	<30.0 Mil	9.5	PG 64V-22
5V1743	402.096202	<30.0 Mil	9.5	PG 64V-22
7V1526	402.126202	<30.0 Mil	12.5	PG 64S-22
	402.018902	<30.0 Mil	9.5	PG 64S-22
7V1544	402.126302	<30.0 Mil	12.5	PG 64S-22
9HW572	402.127202	<30.0 Mil	12.5	PG 64S-22
9HW573	402.127202	<30.0 Mil	12.5	PG 64S-22
9HW583	402.096302	<30.0 Mil	9.5	PG 64V-22
9HW584	402.096302	<30.0 Mil	9.5	PG 64V-22
	402.018902	<30.0 Mil	9.5	PG 64V-22

16.2 Project Dimensions

Project Number	Items	Resurfacing Depth (in)	Travel Lanes Width (ft.) (total)	Lane Width (ft.) (one lane)	Shoulder Width (ft.) (one shldr)	Number Lanes
1HWP05	402.096202	1.5	24	12	8	2
	402.06830218	0.5	24	12	8	2
1HWP08	402.096202	1.5	22	11	4	2
	402.06830218	0.5	22	11	4	2
2V1532	402.096302	2	20	10	4	2
	402.017902	1.5	20	10	4	2
360343	402.096302	1.5	22-48	11-12	4	2-4
	402.017902	1	22-48	11-12	4	2-4
360349	402.096302	1.5	20	10	6	2
360351	402.097302	1.5	20	10	5	2
	402.017902	0.75	20	10	5	2
360353	402.096302	1.5	18	9	4	2
	402.017902	0.75	18	9	4	2
360354	402.096302	1.5	20	10	4-6	2
	402.018902	Varies	20	10	4-6	2
402063	402.06820218	1	24	12	6	2
402064	402.096302	1	24	12	7	2
	402.018902	1.5	24	12	7	2
444113	402.06830218	0.75	24	12	6	2
	402.058902	0.5	24	12	6	2
5V1514	402.097202	1.5	23	11-12	0	2
5V1515	402.096202	1.5	24	12	6	2
5V1526	402.096202	1.5	24-36	12	0.5	2-3
5V1527	402.096202	1.5	21-22	10.5-11	4-5	2
5V1535	402.096202	1.5	24-58	12	0-10	2-4
5V1545	402.096202	1.5	40-65	12	0-6	2-5
5V1546	402.096202	1.5	24	12	7-9	2
5V1554	402.096202	1.5	48-56	11-12	0-5.5	4
5V1743	402.096202	1.5	12-48	12	7-8	1-4
7V1526	402.126202	1.5	22-48	11-24	0-10	2
	402.018902	0.5	22-48	11-24	0-10	2
7V1544	402.126302	1.5	22-24	11-12	6-10	2
9HW572	402.127202	1.5	24	12	4	2
9HW573	402.127202	1.5	24	12	4	2
9HW583	402.096302	1.5	24 to 48	12	0 to 10	2 to 4
9HW584	402.096302	1.5	22	11	8	2
	402.018902	0.5	22	11	8	2

16.3 Rebates Table

Project Number	Rebate Location	Rebate Width (ft.)
1HWP05	RM 1338	40
	Rt 149	40
	CR 26	40
	Rt 149 Slip Ramp	50
	Rt. 149 - Quaker Street	40
	Rt. 22/Mettawee Street	50
	Rt. 22A Slip Ramp	40
	RM 1366	40
1HWP08	RM 1000	28
	Line Road	30
	Bridge Approaches at RM 1002	56
	CR254 - Rock Road	45
	CR 1 - Switzkill Road	30
	CR 1 - Rock Road	30
	Boerchers Rd	25
	Blue Farmer Lane	25
	Bridge Approaches at RM 1020	56
	CR 9 - Canaday Hill Road	40
	Irish Hill Road 1	40
	Irish Hill Road 2	40
	Tabor Road	25
	Bridge Approaches at Rt. 156	56
	Rt. 156	28
RM 1045	28	
2V1532	RM 29-2301-1004 (Begin Project)	30
	Town Garage Rd. (West), RM 1028	28
	Platform Rd. (CR103), RM 1028	50
	Academy Walk, RM 1028	22
	Town Garage Rd. (East), RM 1029	30
	Hard Scrabble Rd., RM 1029	2 @ 30
	Rte. 170, RM 1036	35
	Castle Rd. (CR7) , RM 1044	2 @ 25
	Snyder Rd., RM 1051	32
	Burrell Rd., RM 1067	30
	Ives Rd., RM 1074	34
	RM 29-2301-1077 (End Project)	30
	RM 170A-2301-1000	27
	RM 170A-2301-1000 (Ramp)	97
	Burrell Rd. (CR 9), RM 1006	25
Thompson Rd. (CR 144), RM 1020	2 @ 29	
360343	174-3301-1135	30
	174-3301-1163	56
	174-3301-1156	44

Project Number	Rebate Location	Rebate Width (ft.)
360349	91-3302-1063	32
	91-3302-1114	32
	Spur Road	18
	Academy St.	22
	Bryan Rd	22
	Cemetery Road No. 1	25
	Cemetery Road No. 2	22
	Chase Road	26
	Jerome Road	27
360351	91-3302-1000	30
	91-3302-1030	30
	Labrador Crossroads	23
360353	183-3401-1000	40
	183-3401-1047	30
	Foil Road	30
	Turk Road	30
	Little Pond Road	30
	Bryant Road	30
	Island Road	40
	Nichols Road	30
	Stone Hill Road	30
	Grant Road	30
	Sol Davis Road	30
	Gifford Road	30
360354	89-3502-1313	32
	89-3502-1366	32
402063	20A 42031106	40
	Country Club Rd	72
	North Rd (North side)	68
	North Rd (South side)	58
	Pole Bridge Rd	98
	I390 SB off Rmap	80
	I390 SB On Ramp	92
	I390NB Off Rmap	90
	390 NB On Ramp	118
	Bridge over I390	2 @ 66
	Lakeville Groveland Road	90
	20A 4203 1146	40
	402064	French Rd
Maxon Rd		2 @ 76
Old State Rte 20A		84
Old State Rte 20A		68
bridge deck RM 1083 (both sides)		88
EB curblin Varysburg Hamlet		1040
WB curblin Varysburg Hamlet		1040
444113	441 3702 1000	44
	Gananda Parkway slip ramp	128

Project Number	Rebate Location	Rebate Width (ft.)
444113 (Cont'd)	Gananda Parkway	65
	Farmview Drive	72
	Farmview Drive	66
	Stalker Rd	106
	West Walworth Rd	82
	West Walworth slip ramp SB	84
	West Walworth Rd	56
	West Walworth NB slip ramp	84
	Canandaigua Rd	2 @ 106
	Baker Rd	94
	Downs Rd	102
	441 3702 1042	44
5V1514	South Project Limit	33
	Railroad Crossing (South)	42
	Railroad Crossing (North)	42
	Schoolhouse Road	79
	Windfall Road (West)	34
	Windfall Road (East)	68
	Railroad Crossing (West)	23
	Railroad Crossing (East)	23
	North Project Limit	45
5V1515	South Project Limit	32
	BIN 1028070 (2 @ 80 ea.)	160
	BIN 1028080 (2 @ 80 ea.)	160
	North Project Limit	36
5V1526	BIN 1091722 RM 17 5201 1010,(2@25 ea.)	50
	BIN 1091752 RM 17 5201 1048, (2@ 25 ea)	50
	BIN 1091772 RM 17 5201 1064,(2@ 25.5 ea.)	51
	BIN 1091782 RM 17 5201 1080, (2@ 25 ea)	50
5V1527	No Rebate Required	
5V1535	West Project limit/ NY 266, RM 324-5302-1071	100 & 50
	Railroad at-grade crossing west side RM 324-5302-1079 Remainder of project: No rebates necessary; (will be WOC milled prior to VPP overlay)	44
5V1545	South Project Limit (BIN 1015520)	58
	North Project Limit	68
5V1546	West Project Limit	40
	East Project Limit	40
5V1554	No rebates necessary; will be WOC milled prior to VPP overlay	
5V1743	West Project Limit	64
	US 219 SB Off Ramp (Begin)	28
	US 219 SB On Ramp (End)	28
	US 219 NB Off Ramp (Begin)	28
	US 219 NB On Ramp (End)	28
	East Project Limit	40
7V1526	No Rebate Required	

Project Number	Rebate Location	Rebate Width (ft.)
7V1544	Project Begin - RM 12-7405-1245	40
	Project End - RM 12-7405-1322	40
9HW572	No Rebate Required	
9HW573	No Rebate Required	
9HW583	No Rebate Required	
9HW584	Rte 38 Payne Marsh Road	25
	Rte 38 Beldon Ryan Road	25
	Rte 38 Project Begin	38
	Rte 38 Project End	38

SECTION 18: CONTRACT PERFORMANCE REPORT

**State of New York
Office of General Services
Procurement Services
Contract Performance Report**

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve our contract award, where appropriate. **Comments should include those of the product’s end user.**

Contract No.: _____ **Contractor:** _____

Describe Product* Provided (Include Item No., if available): _____

***Note:** “**Product**” is defined as a deliverable under any Bid or Contract, which may include commodities (including printing), services and/or technology. The term “Product” includes Licensed Software.

	Excellent	Good	Acceptable	Unacceptable
• Product meets your needs				
• Product meets contract specifications				
• Pricing				

CONTRACTOR

	Excellent	Good	Acceptable	Unacceptable
• Timeliness of delivery				
• Completeness of order (fill rate)				
• Responsiveness to inquiries				
• Employee courtesy				
• Problem resolution				

Comments: _____

 _____ (over)

Agency: _____ Prepared by: _____
 Address: _____ Title: _____
 _____ Date: _____
 _____ Phone: _____
 _____ E-mail: _____

Please detach or photocopy this form & return by email (customer.services@ogs.ny.gov) or by mail to:

OGS – PROCUREMENT SERVICES
 Customer Services, 38th Floor
 Corning Tower - Empire State Plaza
 Albany, New York 12242
 * * * * *