

STATE OF NEBRASKA
DEPARTMENT OF ROADS
ADDENDUM NO. 1
PROJECT NO. EACNH-275-7(182)
CONTROL NO. 20796B
CALL ORDER F02
NEAR US-275, NORTHWEST OF WATERLOO
LETTING DATE: OCTOBER 25, 2001

The Special Provisions are amended to include the following:

EARTHWORK MEASURED IN EMBANKMENT

Section 205 in the 1997 Metric Edition of the Standard Specifications is amended to provide that the borrow material required be composed of granular materials.

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On page 22 of the Special Provisions, the provision titled SPECIAL PROSECUTION AND PROGRESS (Phasing) is void and superseded by the following:

SPECIAL PROSECUTION AND PROGRESS
(Phasing)

The plans depict phasing sequences that are to be used in the construction of this project. Any deviation from these sequences shall require the written approval of the Engineer.

Between December 3, 2001, and March 31, 2002, the Contractor will be allowed to perform the following operations without the charge of working days:

1. To perform bridge construction operations on both the highway N-64 and the Valley East Connector structures.
2. The Contractor may close 264th Street, between Meigs Street and the railroad, for the purpose of placing embankment material from Sta. 1292+50+/- to Sta. 1294 +40+/- and constructing pier No. 1. Should the Contractor elect to close this portion of 264th Street during this period, Meigs Street shall remain open to provide access to the sewage treatment plant until the phased construction begins for this area.

For the purpose of counting working days for the project, the conditions associated with grading between Sta. 1292+00 and Sta. 1294+40+/- (Valley East Connector) shall be considered a priority and shall govern the project's current controlling operation until the required settlement and required waiting periods have occurred.

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On page 41 of the Special Provisions, the provision titled SUBGRADE STABILIZATION is amended to include the following:

Subsection 303.04 of the Standard Specifications is amended to provide that subgrade stabilization paid for by the square meter is not measured directly. The overlying pavement is measured, and the pavement quantity is used as the subgrade stabilization quantity.

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On page 51 of the Special Provisions, the provision titled PERFORMANCE GRADED BINDER (Superpave) is void and superseded by the following:

**PERFORMANCE GRADED BINDER
(Superpave)**

Section 503 in the Standard Specifications and Supplemental Specifications is amended to include Performance Graded Binders.

I. Description:

The performance graded binder to be used on this project shall be PG Binder 64-22, supplied by a Certified Supplier.

Certified Supplier

A supplier must be certified by the Nebraska Department of Roads to be allowed to supply Performance Graded Binder in Nebraska. A certified supplier must be a participant in one or more of the following PG Binder groups.

1. AASHTO Materials Reference Laboratory (AMRL)
2. Western Cooperative Testing Group
3. Combined States Binder Group

The supplier must maintain and follow the requirements of the group or groups in which they participate in to maintain certification by the Nebraska Department of Roads. In addition, active participation is required to maintain certification by the Department. Active participation will include submitting of round robin samples results, along with meeting other requirements of the group or groups. Failure to do so will result in loss of certification by the Department.

A certified supplier may be asked to supply to the Department, past round robin results, laboratory inspection reports, reasons for and investigative reports on out lying results, quality control testing, and/or technician training and proficiency testing reports.

Supplier Certification

A supplier may request certification by contacting the Nebraska Department of Roads, Materials and Research Division, Flexible Pavement Engineer at (402) 479-4675. A temporary certification may be issued for a period of up to one year. Split sample testing will be required prior to receiving a temporary certification. Split sample testing will be done on all grades of binder that the supplier intends to supply during the temporary certification. The supplier will have up to one year to become certified by participating in and following the requirements of one or more of the approved binder groups.

A supplier may become certified through active participation in other binder certification/round robin groups that are approved by the Department. The Department may request from the supplier prior to approval, past or current round robin results, quality control testing, laboratory inspection reports, and/or technician training and proficiency testing reports.

II. Binder Sampling and Testing:

1. Lots. Each 3750 tons (3400 Mg) of HMA produced will be a binder lot.
2. A binder lot will include only one PG Binder grade or a blend as allowed in paragraph 6.e.
3. A Binder lot will only include one supplier of the PG Binder or a blend as allowed in paragraph 6.e.
4. Blending of different binder grades and binders from different suppliers will be allowed with restrictions as noted in paragraph 6.e. The Engineer must be notified of the intent to blend prior to actual blending.
5. All binders shall be sampled at the rate of one sample per lot with a minimum of three samples per project.
 - a. The sample shall consist of two one-quart (liter) cans and shall be taken by the Contractor's Certified Sampling Technician, with assistance from or under supervision of NDR personnel. The sample shall be taken at the plant from the line between the storage tank and the mixer or from the tank supplying material to the line, at a location at which material sampled is representative of the material in the line to the mixer. One can will be tested for compliance with MP1 specifications and the other can portion will be saved for dispute resolution, if needed. The sampling process shall follow procedures of the NDR Materials Sampling Guide and NDR T 40.
 - b. Testing. When the tested PG Binder is in compliance, the binder lot will be accepted and both cans of the sample can be discarded. If the tested PG Binder does not comply, then the price of the PG Binder lot represented by the sample shall be adjusted according to Table 1. Overall project average testing requirements and price adjustments will also apply, as stated in Table 2.

6. Material Requirements:

- a. Performance graded binder, as specified in the contract items shall be in accordance with AASHTO Designation MP1 and meet all minimum and maximum requirements.
- b. Substitution of a PG Binder, which exceeds the upper and lower grade designations from the specified, requires advance notification of the Engineer, and be documented by a no cost change order. The bill of lading or delivery ticket shall state the binder grade and specific gravity.
- c. Material Certification - A Material Certification shall be submitted prior to construction stating, the type of modifier being used, and the recommended mixing and compaction temperatures for the Hot Mix Asphalt.
- d. The Contractor shall receive from the supplier, instructions on the proper storage and handling of each grade and shipment of PG Binder.
- e. Blending of PG Binders at the hot mix plant site will be allowed only when transitioning to an asphalt mixture requiring a different grade of binder and with the following restrictions:
 - (1) The resultant blend will meet MP-1 specifications when tested as $\pm 3^\circ$ of the specified PG binder. The sample of the blended material will 1) be considered as a lot sample, 2) will be taken during initial production following the blending of the binders, and 3) deductions when not meeting MP-1, will apply. On the blended sample's identification form will be a note explaining the blending conditions and a statement that the sample is a blend of materials. The next lot sample, following the sample representing the blend, will be tested as the specified binder grade for the asphalt mixture being produced and shall meet MP-1 specifications.
 - (2) Modified Binders - When a type of modification is used and stated in the Material Certification as required in paragraph 6.c., it will not be allowed to be blended with a binder containing a different type of modification. Blending of the same type of modifiers will be allowed.

TABLE 1

SINGLE SAMPLE TOLERANCE AND PRICE REDUCTION TABLE		
	Price Reduction ¹ Pay Factor of 0.75	Determined by Engineer ² Pay Factor of 0.50 or Removal
<u>Tests on Original Binder</u> Dynamic Shear, $G^*/\sin \delta$, kPa	0.86-0.92	< 0.86
<u>Tests on Rolling Thin Film Oven Residue</u> Dynamic Shear, $G^*/\sin \delta$, kPa	1.76-1.97	< 1.76
<u>Tests Pressure Aging Vessel Residue</u> Dynamic Shear, $G^*\sin \delta$, kPa	5601-6200	> 6200
<u>Creep Stiffness</u> S, Mpa	325-348	> 348
m-value	0.270-0.284	< 0.270

NOTE: If more than one test fails to meet requirements, the largest individual price reduction (pay factor of 0.75 or 0.50) will be used to calculate price reduction for the asphalt binder.

¹ Price Reduction will be based on contract unit price of asphalt binder.

² The Engineer will determine if the non-compliant material will be removed. If the non-compliant material is accepted, a price reduction of 50% will be applied. The price reduction shall be based on the contract unit price of asphalt binder.

The pay factor will be applied to the quantity of material that the sample represents.

Overall Project Average - Price Reduction Based on Complete MP-1 Testing

Out of specification material will be determined by the specifications outlined in AASHTO MP-1, excluding Direct Tension.

The Nebraska Department of Roads, Materials and Research, Bituminous Laboratory will do complete testing, per MP-1 specifications, on a minimum of three samples or 20% of the total samples from the project, whichever is the greatest. The Department will randomly select one sample for complete MP-1 testing out of every five samples received. When any test result shows sample not meeting MP-1 specifications, the previous and following sample received will be tested for complete MP-1 compliance. Testing will continue in this manner until tested samples meet all of MP-1 specifications.

Original Dynamic Shear Rheometer testing will be completed on all samples. When a sample being tested for only Original Dynamic Shear Rheometer compliance falls out of MP-1 specification, it will then be tested for complete MP-1 specification compliance. Adjacent samples will be tested when results, other than the Original Dynamic Shear Rheometer result, do not meet specification. This additional complete testing for MP-1 compliance is in addition to the minimum number of samples that will be tested for complete MP-1 compliance.

At the completion of testing, all complete MP-1 test results will be averaged. For averages that do not meet MP-1 specifications, the largest reduction shown in Table 2 will be applied to all the Performance Graded Binder used on the project.

Table 2

OVERALL PROJECT AVERAGE - PRICE REDUCTION TABLE		
	Range of Average	Pay Factor Applied
<u>Tests on Original Binder</u> Dynamic Shear, $G^*/\sin \delta$, kPa Min. 1.00 kPa	< 1.00 - 0.98	0.98
	< 0.98 - 0.96	0.95
	< 0.96 - 0.94	0.92
	< 0.94	0.85
<u>Tests on Rolling Thin Film Oven Residue</u> Dynamic Shear, $G^*/\sin \delta$, kPa Min. 2.20 kPa	< 2.20 - 2.156	0.98
	< 2.156 - 2.09	0.95
	< 2.09 - 2.024	0.92
	< 2.024	0.85
<u>Tests Pressure Aging Vessel Residue</u> Dynamic Shear, $G^*\sin \delta$, kPa Max. 5000 kPa	< 5000 - 5100	0.98
	< 5100 - 5250	0.95
	< 5250 - 5400	0.92
	< 5400	0.85
m-Value Min. 0.300	< 0.300 - 0.298	0.98
	< 0.298 - 0.293	0.95
	< 0.293 - 0.290	0.92
	< 0.290	0.85
<u>Creep Stiffness</u> S, MPa Max. 300 MPa	< 300 - 306	0.98
	< 306 - 315	0.95
	< 315 - 324	0.92
	< 324	0.85

Single Sample Reduction and Overall Project Average Reduction

A sample representing a lot, not meeting MP-1 Specification, will have a reduction for the material that the sample represents. Only the largest reduction from Table 1, will apply when more than one result of a single sample does not meet MP-1 specifications. Only the largest overall project average reduction from Table 2, will apply when more than one test average falls out of MP-1 specifications. Pay Factors based on both Table 1 and Table 2 test results are separate from each other and both will be applied.

Investigation of Verification Lot Samples That Do Not Meet Specifications

When the lot sample shows test results out of specification limits, the process of resolving the sample failure will include the following actions as appropriate:

1. The Bituminous Lab may conduct retesting of the remaining portion of the original can sample as determined necessary to confirm or disaffirm the original test result(s).
2. The Flexible Pavement Engineer will notify the Contractor who will arrange to investigate all aspects of the testing, loading, handling and delivery of the material in question. The Contractor shall report findings to the Central Laboratory, Flexible Pavement Engineer.
3. The Department will collect and compile all information and prepare a report. A copy of the report will be distributed to the District and the Contractor.
4. The Bituminous Laboratory will issue the standard report of tests for all samples tested, to include any resulting pay factor deductions. A copy of the report of tests will be distributed to the District, Construction Division, and Contractor.

Dispute Resolution

After testing and investigations have been completed on the one can of the sample and there is still a dispute, the Department will select an independent laboratory for referee testing to take place on the second can of the sample. If the independent lab's tests indicate failing results and pay deductions equal to or great than the Department's, the Contractor will reimburse the Department for the cost of testing. If the independent lab's tests indicate that the material meets specification or is at a pay deduction less than the Department's, the Department will assume the cost of testing. When the independent lab's tests indicate a pay deduction, the lesser of the Department's and the independent lab's deductions will be applied.

Basis of Measurement

PG Binder shall be measured in accordance with Subsection 503.05 in the Standard Specifications and Supplemental Specifications.

Basis of Payment:

Subsection 503.06 in the Standard Specifications and Supplemental Specifications is amended to provide that PG Binder, accepted by the Engineer for use in asphaltic concrete, will be paid for at the contract unit price per ton (Megagram) for the item "Performance Graded Binder _____", less any deductions as prescribed in the tolerance and price reduction tables.

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On plan sheet 55, the seven individual notes in the NOTES column are void and superseded by the following:

Abutment, wing and grade beam pile at Abutment No. 1 shall not be driven until 90 calendar days after completion of the embankment.

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Upon execution of the contract, the plans will be revised to reflect this change.

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The Wage Rates dated 09/14/2001 are void and superseded by the following Wage Rates dated 10/12/2001:

GENERAL DECISION **NE010001** 10/12/01 NE1

General Decision Number **NE010001**

Superseded General Decision No. NE000001

State: Nebraska

Construction Type:

HEAVY

HIGHWAY

County(ies):

DOUGLAS

SAUNDERS

SARPY

WASHINGTON

HEAVY CONSTRUCTION PROJECTS (does not include water well drilling); HIGHWAY CONSTRUCTION PROJECTS (excluding tunnels, building structures in rest area projects, and railroad construction; bascule, suspension & spandrel arch bridges; bridges designed for commercial navigation; bridges involving marine construction; other major bridges)

SAUNDERS COUNTY (EAST OF HWY. #109 EXTENDED NORTH AND SOUTH TO THE COUNTY LINE)

Modification Number	Publication Date
0	03/02/2001
1	03/09/2001
2	03/30/2001
3	04/06/2001
4	07/20/2001
5	09/14/2001
6	09/28/2001
7	10/12/2001

COUNTY(ies):
DOUGLAS SAUNDERS
SARPY WASHINGTON

CARP0444B 11/01/2000

	Rates	Fringes
CARPENTER; PILED RIVER	18.64	5.40

ELEC0022B 06/01/2001

	Rates	Fringes
DOUGLAS AND SARPY COUNTIES; SAUNDERS COUNTY (east of Hwy. #109 and north of U.S. Alternate Highway No. 30 (Route 92)); AND WASHINGTON COUNTY:		

ELECTRICIAN	24.25	3.75% + 7.57
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* ELEC0265A 06/01/2001

	Rates	Fringes
SAUNDERS COUNTY (east of Hwy. #109 and south of U.S. Alternate Hwy. No. 30 (Route 92)):		

ELECTRICIAN:

Zone 1	19.97	4.5% + 5.64
Zone 2	20.27	4.5% + 5.64
Zone 3	20.57	4.5% + 5.64
Zone 4	20.97	4.5% + 5.64

FOOTNOTE:

Work on scaffolds, hanging scaffolds, boatswains chairs or ladders, etc., in any area where the worker is in a position to fall 40 ft. or more, or where objects above the worker can fall 40 ft. or more: to be paid one and one-half times the straight-time rate of pay.

ZONE DEFINITIONS:

- Zone 1: 0 to 35 miles from the main Post Office in Lincoln, NE
- Zone 2: 36 to 50 miles from the main Post Office in Lincoln, NE
- Zone 3: 51 to 75 miles from the main Post Office in Lincoln, NE
- Zone 4: 76 miles and over from the main Post Office in Lincoln, NE

ELEC1525A 09/01/2000

Rates Fringes

LINE CONSTRUCTION:

LINE TECHNICIANS:

Line technician	21.99	27.75%+2.00
Cable splicer; Line welder	23.64	27.75%+2.00
Line equipment operator	19.74	27.75%+2.00
Truck driver	15.79	27.75%+2.00
Ground person	14.23	27.75%+2.00

POLE TREATING CLASSIFICATIONS:

Pole treating inspector	21.99	27.75%+2.00
Pole treating truck driver	15.79	27.75%+2.00
Pole treating ground person	14.23	27.75%+2.00

ELEC1525C 09/01/2000

Rates Fringes

TRAFFIC SIGNAL, STREET LIGHT AND UNDERGROUND WORK:

Line technician	21.99	27.75%+2.00
Cable splicer; Line welder	23.64	27.75%+2.00
Equipment operator	19.74	27.75%+2.00
Truck driver	15.79	27.75%+2.00
Ground person	14.23	27.75%+2.00

ENGI0571C 04/01/2001

Rates Fringes

POWER EQUIPMENT OPERATORS:

Oiler, greaser, air compressor, welding machine, pump, roller, forklift, hydrohammer, pug mill, concrete pump, cure and tyne machine, rubber-tired farm tractor	14.04	3.85
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Off-road heavy hauler, Rough Roller dozer, rough blade, Ferguson-type tractors (Workbull with high tecco), asphalt roller	17.71	3.85
One and two drum hoists, tugger, trencher, concrete spreader & finishing machine, dozer loader, spread oiler, bantam-type tamper, rubber-tired tractor backhoe, oil distributor-finish roller dozer	19.26	3.85
Trimmer, crane, backhoe, mechanic, slip form paver, asphalt plant-concrete plant, laydown machine, concrete pump truck, finish blade, scraper	19.98	3.85

FOOTNOTES:

Operation of an articulating, Pitman type boom truck with single axle truck and lift capacity of less than 5,000 lbs., used to put construction materials in place: 90% of the group 2 rate.

When two (2) scraper units or two push cat units capable of operating separately are hooked together in tandem for single operation, the operator shall receive twenty-five cents (\$0.25) over the classification worked.

When air compressors are used for operating the hammer when pulling or driving pile and the compressor operator is required to operate the air valve for such hammer, such compressor operator shall receive the top wage rate.

Operators working in tunnels and caverns under compressed or free air shall receive forty cents (\$0.40) above their classification.

Hazardous waste removal work requiring the wearing of personal protective equipment and/or suits, to be paid as follows:

- Group 1: \$3.00 additional per hour
- Group 2: 2.00 additional per hour
- Group 3: 1.00 additional per hour
- Group 4: no premium pay.

IRON0021C 06/01/2000			
	Rates	Fringes	
IRONWORKER	20.01	5.91	

LABO1140D 06/01/2001

Rates Fringes

DOUGLAS AND SARPY COUNTIES; SAUNDERS COUNTY (east of Hwy. #109):

LABORERS:

Sanitary improvement work:

General laborer	15.06	3.90
Mortar mixer, concrete saw operator, pipelayer and chain saw operator	15.35	3.90
Form setter, pre-cast manhole setter, inlet builder	15.79	3.90

All other work:

General laborer	12.05	3.90
Mortar mixer, concrete saw operator, pipelayer and chain saw operator	12.34	3.90
Form setter, pre-cast manhole setter, inlet builder	12.80	3.90

LABO1140G 06/01/2001

Rates Fringes

WASHINGTON COUNTY:

LABORERS:

General laborer	11.05	3.90
Mortar mixer, concrete saw operator, pipelayer and chain saw operator	11.34	3.90
Form setter, pre-cast manhole setter, inlet builder	11.80	3.90

* PAIN0081J 06/01/2001

Rates Fringes

PAINTER	18.71	3.77
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FOOTNOTES:

Work performed above 75 ft. on suspended staging: \$.50 per hour additional.

Spray machine operator: \$.50 per hour additional.

Nozzle operator for sandblasting and waterblasting (waterblasting more than 10,000 PSI) (including all side arm grinder operators engaged in removing paint or preparing for painting): \$.50 per hour additional.

SUNE2001A 12/20/1988

	Rates	Fringes	
CEMENT MASON		13.62	3.00

SUNE2005A 08/05/1993

	Rates	Fringes	
SPRINKLER INSTALLER (LAWN)		5.15	

TEAM0554A 01/01/2001

	Rates	Fringes	
TRUCK DRIVERS:			
Low boy driver	15.97	4.05	
All other work	14.82	4.05	

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.
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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(v)).

In the listing above, the "SU" designation means that rates listed under that identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U. S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U. S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

- 4.) All decisions by the Administrative Review Board are final.
END OF GENERAL DECISION

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DEPARTMENT OF ROADS

Claude Oie
Construction Engineer

Issued: October 16, 2001

CO:F02AD110

NOTICE: Only the contractors issued bidding proposals receive this addendum and responsibility for notifying any potential subcontractors or suppliers remains with the contractor.