

SECTION 101 -- GENERAL INFORMATION, DEFINITIONS, AND TERMS

101.01 -- Abbreviations and Definitions Used on Contracts, Proposal Forms, Ratings and Qualifications of Contractors Proposing to Bid on State Highway Work.

Whenever in the State of Nebraska, Department of Roads', *Standard Specifications for Highway Construction* or in other contract documents, the following terms or pronouns in place of them are used, the intent and meaning shall be interpreted as follows:

101.02 -- Abbreviations

1. Whenever the following abbreviations are used in the *Standard Specifications* or in the plans, they are to be construed the same as the respective expressions represented:

AAN	American Association of Nurserymen
AASHTO	American Association of State Highway and Transportation Officials
ACI	American Concrete Institute
AISC	American Institute of Steel Construction
ANSI	American National Standards Institute
ASTM	American Society for Testing and Materials
AWG	American Wire Gauge
AWPA	American Wood Preservers' Association
AWS	American Welding Society
CFR	Code of Federal Regulations
DBE	Disadvantaged Business Enterprise
EBS	Electronic Bidding System
FHWA	Federal Highway Administration
IMSA	International Municipal Signal Association
ICEA	Insulated Cable Engineers Association
ITE	Institute of Transportation Engineers
MUTCD	Manual on Uniform Traffic Control Devices for Streets and Highways
NDR	Nebraska Department of Roads
NEC	National Electrical Code
NEMA	National Electrical Manufacturers Association
SAE	Society of Automotive Engineers
SSPC	Steel Structures Painting Council
UL	Underwriters Laboratories
VEP	Value Engineering Proposal

2. Common engineering and construction abbreviations for measurements and work items are:

Items of Work & Units of Measurement

A	Ampere
a	Acre
ea	Each
ft	Foot/Feet
ft ² or SF	Square Feet
ft ³ or CF	Cubic Feet
FC	Foot-Candle
ft-lb	Foot-Pound
gal, G or g	Gallon
gpm or GPM	Gallons Per Minute
gps	Gallons per Second
h	Hour
in	Inch
kip	1000 Pounds
lb	Pound
LF	Linear Foot
LS	Lump Sum
lx	Lux
mil	1/1000 Inch
MGal	1000 Gallon
Mi or M	Mile
MPH	Miles Per Hour
psi	Pounds Per Square Inch
Sta	Station
Th	Ton
V	Volt
W	Watt
yd ³ /s	Cubic Yards Per Second
yd ² or SY	Square Yards

101.03 -- Definitions

101.0301 -- Access Connection

Any roadway facility by means of which vehicles can enter or leave an arterial highway. Included are intersections at grade, private driveways, and ramps or separate lanes connecting with cross streets or frontage roads.

101.0302 -- Addendum

A written and/or graphic document, issued to all bidders and identified as an addendum before bid opening, which modifies or supplements the bid documents and becomes a part of the contract.

101.0303 -- Advertisement

A public announcement inviting bids for work to be performed or materials to be supplied.

101.0304 -- Arterial Highway

A highway primarily for through traffic, usually on a continuous route.

101.0305 -- Auxiliary Lane

The portion of the roadway adjoining the traveled way for parking, speed change, or for other purposes supplementary to through traffic movement.

101.0306 -- Award

The decision of the Department to accept the proposal of the lowest responsible bidder for the work, subject to the execution and approval of a satisfactory contract therefor and bond to secure the performance thereof, and to such other conditions as may be specified or otherwise required by law.

101.0307 -- Backslope

The surface of a cut that slopes downward toward the roadway.

101.0308 -- Balance Factor

A ratio used to equate the amount of excavation to the amount of fill. Excavation generally will exceed the amount of fill because, in handling, soil shrinkage occurs.

101.0309 -- Bidder

Any individual, firm, corporation, or joint venture of individuals, firms, or corporations submitting a proposal for the work contemplated, acting directly or through a duly authorized representative.

101.0310 -- Borrow Site

The source of approved material required for the construction of embankments, or other portions of earthwork requirements, from locations shown in the plans or approved by the Engineer.

101.0311 -- Bridge

A structure, including supports, erected over a depression or any obstruction, as a water course, highway, or railway, and having a track or passageway for carrying traffic or other moving loads and having a length measured along the centerline of a roadway of more than 20 feet between undercopings of abutments or extreme ends of openings for multiple boxes.

101.0312 -- Bridge Length

The overall length along the centerline of the bridge from end to end of the bridge floor.

101.0313 -- Calendar Day

Every day shown on the calendar, including Sundays and holidays, beginning and ending at midnight.

101.0314 -- Change Order

A written order issued by the Engineer to the Contractor covering changes within the scope of the contract.

101.0315 -- Channel

A natural or artificial waterway.

101.0316 -- Commission

The Nebraska State Highway Commission.

101.0317 -- Contract

1. The written agreement executed between the Department and/or any other political subdivision and the successful bidder covering the performance of the work and the furnishing of labor and material, by which the Contractor is bound to construct, reconstruct, improve, maintain, and/or repair roads, bridges, and their appurtenances and furnish the labor and materials, and by which the Department is obligated to compensate him/her therefor at the mutually established and accepted rate or price.

2. The contract includes the invitation for bids, proposal, contract form and contract bond, *Standard Specifications*, supplemental specifications, special provisions, general and detailed plans, Notice to Proceed, and any change orders and agreements that are required to complete the construction of the work in an acceptable manner, including authorized extensions thereof, all of which constitute one instrument.

101.0318 -- Contract Bond

The security executed by the Contractor and the Contractor's surety or sureties furnished to the Department to guarantee complete performance of the contract.

101.0319 -- Contract Item

An item of work specifically described and for which a price, either unit or lump sum, is provided. It includes the performance of all work and the furnishing of all labor, equipment, and materials described in the text of the *Standard Specification* item included in the contract or described in any subdivision of the text of the supplemental specifications or special provisions of the contract.

101.0320 -- Contractor

The prequalified individual or legal entity contracting with the Department and/or any other political subdivision for the construction, reconstruction, improvement, maintenance, and/or repair of roads, bridges, and their appurtenances.

101.0321 -- Contract Period

The period from the specified date of commencing work to the date that the specified number of working days or calendar days, as the case may be, has elapsed, both dates inclusive, or from the specified date of commencing work to the specified date for completion, both dates inclusive, as specified in the contract.

101.0322 -- Contract Time or Completion Date

The number of working days or calendar days specified in the proposal as the time allowed for the completion of the work contemplated in the contract, including authorized time extensions. When a calendar date of completion is shown in the proposal, in lieu of a number of working or calendar days, the work contemplated shall be completed by that date.

101.0323 -- Control of Access

1. The condition where the right of owners or occupants of abutting land or other persons to access, light, air, or view in connection with a highway is fully or partially controlled by public authority.

2. Full Control of Access: The authority to control access is exercised to give preference to through traffic by providing access connections with selected roads only and by prohibiting crossings at grade or direct private driveway connections.

3. Partial Control of Access: The authority to control access is exercised to give preference to through traffic to a degree that, in addition to the access connections with selected public roads, there may be some crossings at grade and some private driveway connections.

101.0324 -- County

The county in which the work is to be done, represented by its Board of Commissioners or Supervisors. Reference to any county officer shall be taken to mean such officer of the county as now defined.

101.0325 -- Culvert

Any structure not classified as a bridge which provides an opening under any roadway.

101.0326 -- Current Controlling Operation

The operation that must be performed on the current day to prevent delay in the final completion of the work.

101.0327 -- Department

The Nebraska Department of Roads.

101.0328 -- Detour

A temporary official route using existing roads to divert traffic around a roadway project. Detours are maintained and marked by the State or other proper authority.

101.0329 -- Divided Highway

A highway with separated roadways for traffic in opposite directions.

101.0330 -- Earthwork Measured-in-Embankment

The calculated volume of the embankment shown in the plans where balance factors do not apply.

101.0331 -- Easement (Right-of-Way)

A right acquired by public authority to use or control property for a designated highway purpose.

101.0332 -- Embankment

A raised soil structure.

101.0333 -- Employee

A person working on a Department project for the Contractor.

101.0334 -- Engineer

The Director-State Engineer, acting directly or through a representative duly authorized by the Director-State Engineer, such representative acting within the scope of the particular duties assigned to him/her or the authority given to him/her.

101.0335 -- Equipment

All machinery and supplies necessary for the construction, performance, and completion of the contract.

101.0336 -- Expressway

A divided arterial highway for through traffic with full or partial control of access which may have grade separations at intersections.

101.0337 -- Extra Work

An item of work and/or provisions for materials not included in the original contract.

101.0338 -- Federal Agencies and Officers

Agencies, officers, and their successors of the United States government.

101.0338a – Final Acceptance

Final acceptance is the date final payment is made. Final payment cannot be made until the Engineer has inspected all work and determined it is complete and sent a "Final Tentative Acceptance" letter to the contractor accepting the work. The Engineer's "Final Tentative Acceptance" letter relieves the contractor of responsibility for the care and maintenance of the completed work; of public liability; and for damages due to the actions of the elements or the action of traffic.

101.0338b – Final Tentative Acceptance

Final tentative acceptance is the date the Engineer writes a “Final Tentative Acceptance” letter to the contractor accepting all of the work. The Engineer’s “Final Tentative Acceptance” letter relieves the contractor of responsibility for the care and maintenance of the completed work; of public liability; and for damages due to the actions of the elements or the action of traffic.

101.0339 -- Foreslope

The surface sloping downward and away from the shoulder line.

101.0340 -- Freeway

An expressway with full control of access.

101.0341 -- Frontage Street or Frontage Road

A local street or road adjacent to a highway for service to abutting property.

101.0342 -- Grade Separation

A crossing of two highways at different elevations. Also, a highway and railroad crossing at different elevations.

101.0343 -- Highway

A road or street, including the entire area within the right-of-way, which has been designated a part of the State Highway System.

101.0344 -- Holidays

Nebraska legal holidays occur on January 1, the third Monday in January and February, the last Friday in April, the last Monday in May, July 4, the first Monday in September, the second Monday in October, November 11, the fourth Thursday and the following Friday in November, and December 25. If the date falls on Sunday, the following Monday shall be the holiday. If the date falls on Saturday, the preceding Friday shall be the holiday. All dates are subject to possible revision by State Statute or by proclamation of the Governor.

101.0345 -- Inspector

The Engineer's authorized representative assigned to make detailed inspections of the work performed and materials furnished by the Contractor.

101.0346 -- Laboratory

The testing laboratory of the Department or any other testing laboratory which may be designated by the Engineer.

101.0347 -- Letting

The public opening and reading of bids received from prequalified Contractors for work advertised by the Department.

101.0348 -- Materials

Any substance specified for use in the construction of the project. All materials shall be new unless otherwise stated in the plans or special provisions.

101.0349 -- Median

The portion of a divided highway separating the traveled ways.

101.0350 -- Median Lane

A speed-change lane within the median to accommodate left-turning vehicles.

101.0351 -- Mitigation Site

Those areas that will replace waterways, including wetlands, impacted by highway construction. The mitigation site must be constructed to insure that it meets the criteria of a wetland.

101.0352 -- Notice to Contractors

The advertisement of the provisions, requirements, and instructions pertaining to the work on which bids are to be received, manner and time of submitting proposals, and quantities of major items of work required, as prepared for the information of bidders.

101.0353 -- Notice to Proceed

A written notice to the Contractor establishing the date the Contractor shall begin the contracted work.

101.0354 -- Pavement Structure

The combination of sub-base, base course, foundation course, and surface course placed on a subgrade to support the traffic load and distribute it to the roadbed.

101.0355 -- Plans

The official plans, profiles, typical cross sections, general cross sections, summary of soil and materials survey information, aerial photo maps, earthwork computations, design data, and supplemental drawings, or exact reproductions thereof, approved by the Engineer, which show the location, character, dimensions, and details of the work to be done, and which are to be considered as a part of the contract supplementary to these *Specifications*.

101.0356 -- Point of Delivery

A place, determined by the contract or the Engineer, where materials will be received or placed.

101.0357 -- Profile Grade

The trace of a vertical plane intersecting the top of the proposed wearing surface, usually along the longitudinal centerline of the roadbed. Profile grade means either elevation or gradient of the trace depending on the context.

101.0358 -- Project

The specific section of the highway together with all appurtenances and construction to be performed thereon under the contract.

101.0359 – Bid Proposal

A bidder's offer on Department provided forms to perform stated work at the quoted prices.

101.0359 -- Proposal

A bidder's written or electronic offer on Department furnished forms to perform stated work at the quoted prices.

101.0360 -- Proposal Guaranty

The security furnished with a bid to assure that the bidder will enter into a contract for the work if the proposal is accepted.

101.0361 – Proposal Package

Subsection 101.0361 is void and deleted.

101.0362 -- Quality Assurance

All those planned and systematic actions the Department takes to determine that a product or service will satisfy specified quality requirements.

101.0363 -- Quality Control

All Contractor/supplier operational techniques and activities that are performed or conducted to fulfill the contract requirements.

101.0364 -- Ramp

A connecting roadway between two intersecting highways at an interchange.

101.0365 -- Right-of-Way

Real property used for transportation purposes.

101.0366 -- Road

A public way for the purposes of vehicular travel, including the entire area within the right-of-way. A road designated as part of the State Highway System may be called a highway, while a road in an urban area may be called a street.

101.0367 -- Roadbed

That portion of a roadway upon which the base course, surface course, shoulders, and medians are constructed. Divided highways are considered to have two roadbeds.

101.0368 -- Roadside

The area within the right-of-way, excluding the traveled way, auxiliary lanes, and the shoulders.

101.0369 -- Roadside Development

Improvements placed or constructed for the preservation or enhancement of landscape features, rehabilitation and prevention of erosion, and increasing the effectiveness and enhancing the appearance of the highway.

101.0370 -- Roadway

The portion of the highway, including shoulders, for vehicular use.

101.0371 -- Roadway Width

The clear width measured at right angles to the centerline and measured between the bottom inside face of the curbs, rails, or shoulder breaks.

101.0372 -- Setback Line

A line outside of the right-of-way, established by public authority, on the highway side of which the erection of buildings or other permanent improvements is controlled.

101.0373 -- Shoofly

A Contractor built, marked, and maintained route around a specific construction site. When an entrance and/or exit ramp must be built to provide access to a "DETOUR", the ramps will be considered to be shooflies. Maintenance excludes snow removal.

101.0374 -- Shoulders

The portion of the roadway contiguous with the traveled way for accommodation of vehicles stopped for emergencies and for lateral support of the pavement structure.

101.0375 -- Soil

Those materials listed in the Bureau of Reclamation and the Corps of Engineers' Unified Soil Classification System.

101.0376 -- Special Provisions

Additions and revisions to the *Nebraska Standard Specifications for Highway Construction* and supplemental specifications covering conditions peculiar to an individual project.

101.0377 -- Specifications

The general term comprising all the directions, provisions, and requirements contained herein, together with such as may be added or adopted as supplemental specifications or special provisions, all of which are necessary for the proper performance of the contract.

101.0378 -- Speed-Change Lane

An auxiliary lane, including tapered areas, primarily for the acceleration or deceleration of vehicles entering or leaving the through traffic lanes.

101.0379 -- State

The State of Nebraska acting through its authorized representatives.

101.0380 -- Station

The point on the ground which is part of the line defining the profile of the survey. The distance between full stations is 100 feet. The beginning point of a survey is station 0, unless otherwise designated.

101.0381 -- Street

A public way for the purpose of vehicular travel in a city or village and shall include the entire area within the right-of-way.

101.0382 -- Subcontractor

Any individual, firm, or corporation to whom the Contractor or Subcontractor, with the written consent of the Department, sublets any part of the contract.

101.0383 -- Subgrade

The upper portion of the roadbed, upon which the pavement structure and shoulders are constructed. Usually, the subgrade depth is 6 inches.

101.0384 -- Subsidiary

Work and material requirements that are not measured for payment and for which no direct payment is made. The Contractor must include the cost of performing these requirements in another item that is identified in the plans or specifications.

101.0385 -- Substructure

1. The part of the structure below:
 - a. The simple and continuous span bearings.
 - b. The bottom of the girder or bottom slab soffit.
 - c. Construction joints at the top of vertical abutment members or rigid frame piers.
2. Substructures include endwalls, wingwalls, barriers, railings attached to the wingwalls, and cantilever barriers and railings.

101.0386 -- Superintendent

The Contractor's authorized representative in responsible charge of the work.

101.0387 -- Superstructure

The entire structure above the substructure.

101.0388 -- Supplemental Agreements

Written agreements executed by the Contractor and the Department or other contracting agency, subsequent to having entered into the contract, covering alterations in the plans or unforeseen items of construction.

101.0389 -- Supplemental Specifications

Specifications adopted subsequent to the publication of this book. Supplemental specifications shall prevail over those published in the State of Nebraska, Department of Roads', *Standard Specifications for Highway Construction* whenever in conflict therewith.

101.0390 -- Surety

The corporate body registered and/or licensed to do business in Nebraska bound with and for the Contractor for the acceptable performance of the contract, the completion of the work, and for the payment of all just claims arising therefrom.

101.0391 -- Traffic Lane

The portion of a traveled way for the movement of a single line of vehicles.

101.0392 -- Traveled Way

The portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

101.0393 -- Unbalanced Bid, Materially

A bid that generates a reasonable doubt that award to the bidder submitting a mathematically unbalanced bid will result in the lowest ultimate cost to the Department. May cause a bid to be disqualified.

101.0394 -- Unbalanced Bid, Mathematically

A bid containing lump sum or unit bid items that do not reflect reasonable actual costs plus a reasonable proportionate share of the bidder's anticipated profit, overhead costs, and other indirect costs.

101.0395 -- Value Engineering Proposal

A proposal developed by the Contractor for modifying the plans, specifications, or other requirements of the contract for the purpose of reducing the total cost of the construction without reducing the design capacity or quality of the finished product.

101.0396 -- Weight

1. Weight is a measurement of the gravitational force on an object's mass. The English System of measurements does not normally distinguish an object's mass from its weight. The unit of measurement on most scales in Nebraska is the pound; and these readings are not generally corrected for the existing gravitational force to allow conversion of the measured force (weight) to the object's true mass.

2. Certified scale measurements are considered by the Department to be acceptable measures of an object's weight and/or mass.

101.0397 -- Wetlands

Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. (Wetlands generally include swamps, marshes, bogs, and similar areas.)

101.0398 -- Work

Work shall be understood to mean the furnishing of all labor, materials, equipment, and other incidentals necessary or convenient to the successful completion of the project by the Contractor and the carrying out of all duties and obligations imposed by the contract.

101.0399 -- Working Day

1. A working day is any day, Monday through Friday, when the Contractor is not prevented by weather, soil conditions, or other conditions beyond his/her control from working on the current controlling operation for more than 50 percent of the hours in his/her normal schedule with more than 80 percent of his/her normal working force.

2. If any work requiring engineering or inspection by the Department is performed on a Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving Day, or Christmas Day, then that day will be considered a working day.

3. Except as noted in Paragraph 2. above, Saturdays, Sundays, and Nebraska holidays will not be counted as working days.

4. As used in these *Specifications*, the term "NDR Work Day" has a different definition than the term "Working Day." An "NDR Work Day" is any week day (Monday through Friday) excluding holidays when the Department is open for normal (not emergency) business.

101.0400 -- Working Drawings

Shop drawings, shop plans, erection plans, falsework plans, framework plans, cofferdam cribbing and shoring plans, bending diagrams for reinforcing steel, or any other supplementary plans or similar data, including a schedule of submittal dates for working drawings where specified, which the Contractor must prepare and submit to the Engineer.

101.0401 -- Work Order

A written order directing the performance of work or furnishing of materials not included in the original contract.