Where do we start?
Questions to ask concerning Unique Special Provisions

1. Is it covered in the Standard Specifications? If so, do you still need the USP?

2. Does it conflict with the current Standard Specifications? The USP should compliment, not conflict, with the Standard Specs.

3. Do we have an existing special provision, recurring or unique, that addresses the same matter? Can you use that instead?

4. Does it define a unique pay item? (more on this in a few minutes) If so, make sure the 5 basics (the Big 5) are covered.
   - Description
   - Materials
   - Construction Requirements
   - Method of Measurement
   - Basis of Payment

Only items listed in the Standard Specifications are Standard Pay Items.
5. Does it specify a proprietary item or process? If so, is it necessary? If so, make sure a **Justification For Use Of Proprietary Material** form has been completed and approved. (see IDM Chapter 17)

6. Do we have access to cited standards? (ASTM, AASHTO, LPA standards) If not, can the cited standard be revised to one we do have access to? If not, the standard must be included in the unique.

7. Does it involve Department testing? If so, have you checked with our folks at Materials and Testing? (they may have something to say about it) If not the Department, who does the testing?

8. Has it been reviewed by:
**REVIEW OF UNIQUE SPECIAL PROVISIONS**

1. 0 DESIGNER
   - Develops USP for the contract in accordance with IDM Chapter 19

2. 0 DESIGNER
   - Submits draft USP to PM, including explanation & requested pay items

3. 0 PROJ. MGR.
   - With Designer, determines appropriate reviewers for each draft USP

4. 0 PROJ. MGR.
   - Distributes draft USP for review by appropriate parties

10 weeks prior to Stage III Submittal

5. 0 REVIEWERS
   - Review draft USP and return comments to PM

6. 0 PROJ. MGR.
   - Collects review comments and sends to Designer and District Construction

7. 0 DESIGNER
   - Resolves review comments thru PM; requests pay items for USP from Contracts

8. 0 CONTRACTS
   - Creates pay items as required for USP; sends to PM & Designer

9. 0 DESIGNER
   - Submits approved USP along with other contract documents to PM

9.1 PROJ. MGR.
   - Requests final review of USP by District Construction

10. 0 DESIGNER
    - Submits approved USP and estimate with approved pay items to Contracts

13 weeks prior to Stage III

Figure 19-3D

**UNIQUE SPECIAL PROVISION PROCESS**
Two *(not so)* Hidden Truths about Specifications and Special Provisions:

➤ Nobody likes to write them

➤ Nobody likes to read them!

*Well, .............almost nobody.......*
The types of Unique Special Provisions

Restrictive Type USP

STOCKPILED BORROW MATERIAL FOR PROJECT

The Department has stockpiled sufficient borrow material for use in the project in the southwest quadrant of the I-465 interchange with I-70 on the eastside of Indianapolis.

All borrow required for the project shall be taken from this stockpile.

EXPLANATION

1. Provision title is centered and is Courier New font, 10-pt. pitch, all capitals.
2. There are no referenced *Standard Specifications* sections and line numbers.
4. There are no deletions or insertions.

EXAMPLE OF A RESTRICTIVE TYPE UNIQUE SPECIAL PROVISION

Figure 19-3A
The types of Unique Special Provisions

Directly Revises Standard Specs

PERMANENT BUZZ STRIPS

The Standard Specifications are revised as follows:

SECTION 801, BEGIN LINE 636, DELETE AND INSERT AS FOLLOWS:

4. Temporary Permanent Buzz Strips

Temporary Permanent buzz strips shall be a set of transverse markings constructed of removable or durable marking material. Durable marking material shall be used in accordance with 808.07(b).

SECTION 801, BEGIN LINE 1034, DELETE AND INSERT AS FOLLOWS:

Temporary Permanent Buzz Strips

1. Title is centered – Courier New, 10 pt.
2. Referenced Spec section and line numbers – Courier New, 10 pt.
3. Spec text is Times New Roman, 12 pt
4. See Chapter 19 – Figure 19-3B
TEMPORARY TRAFFIC CONTROL ROLLING SLOWDOWN

Description
This work shall consist of placing, maintaining and organizing traffic control devices for a rolling slowdown in accordance with 105.03.

Materials
Materials shall be in accordance with 801.02.

Construction Requirements
The Contractor shall submit for approval a traffic control plan detailing expected delay times, interchange ramp control, and rolling slowdown distance in accordance with Appendix D of the 2013 Interstate Highways Congestion Policy.

Three working days prior to commencing work which necessitates a rolling slowdown of traffic, written notice shall be given to the Department and the Indiana State Police that highway traffic shall be slowed temporarily at a specific location, time, and date to accomplish the specified work. Traffic shall be safely controlled during the rolling slowdown.

Method of Measurement
Temporary traffic control rolling slowdown will be measured by the number of calendar days a rolling slowdown is implemented. Each portion of a day will be measured as a whole day.

Basis of Payment
Temporary traffic control rolling slowdown will be paid for at the contract unit price per calendar day.

Payment will be made under:

Pay Item

Temporary Traffic Control Rolling Slowdown..................DAY

The cost of all labor, equipment and all incidental work shall be included in the cost of the pay item.
About those Pay Items.......

Only items listed in the Standard Specifications are Standard Items.

Each existing pay item shown in the list of pay items is identified by:

- **S** = Standard
- **M** = Maintenance
- **R** = Recurring (tied to one or more Recurring Special Provisions)
- **U** = Unique

This means you need a USP with the **Big 5**.

- Check the examples of USP’s on our website to see if we already have something that you can revise to fit your “unique” project.

- Please also note that adding the word “*modified*” to a standard pay item does not necessarily make it Unique that requires the “Big 5”.

- Can you use the standard spec section the way it is written and show your “modification” on the plans? Could you use a **Restrictive Type USP** to clarify your intentions?
About those Pay Items……..

UNDISTRIBUTED QUANTITIES

The schedule of pay items contains the following undistributed quantities in addition to known plan quantities:

303-08210  Comp Ag No. 53, Temp for Driveways ..........100 TON

The Contractor shall inform, and obtain approval from, the Engineer prior to placement of an undistributed quantity.

Undistributed Quantities is unacceptable as a supplemental description for your unique pay item.

Another question:
Do you really need it?
Could you simply use 104.03, or 109.05?
About those Pay Items........

- Changing the UNITS of a standard pay item may not be necessary. Can you use the standard pay item?

- Changing the name of a standard pay item does not make it unique. Can you use the standard pay item?

- And remember:

  According to In accordance with 105.04, Pay Items govern, over Special Provisions, over the Plans, over the Standard Specifications.
Please send an email to:

CESSUPPORT@INDOT.IN.GOV

If you ..........

- need a **new** pay item number.
  Be sure to include the **APPROVED** USP.

- require any Group Number changes

- have any CES questions or have any problems with CES
### Revised Detailed Cost Estimate

**Category:** 0001  BRIDGE DECK REPLACEMENT

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<th>Line</th>
<th>Item NO.</th>
<th>Description</th>
<th>Estimated Quantity</th>
<th>Item UNIT</th>
<th>Unit Price</th>
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**Adding Items:**

- **808-06702**: Line, Thermoplastic, Broken, White, 5 in, 1149 LFT
- **808-10054**: Line, Multi-Component, Broken, White, 5 in, 97 LFT
As for any CIB Revisions......

Please,

Only send the pages being revised,

NOT the entire CIB.

(please?)
But wait, there’s more ......
About those Pay Items........

The Contractor shall dispose of water removed by dewatering in a manner that avoids endangering public health, property, and portions of work under construction or completed. Disposal of water shall not inconvenience others. Sumps, sedimentation tanks, flow-control devices, and temporary sediment and erosion control shall be provided in accordance with 205 and as required by authorities having jurisdiction. Sediment in filter bags shall be removed once it has accumulated to the design volume and be disposed of in accordance with 202.

Method of Measurement
Dewatering will not be measured, regardless of how many times the system is moved, replaced or relocated. Sediment filter bags will not be measured regardless of the number of times a day a filter bag may become filled and replaced.

Basis of Payment
The cost of dewatering shall be included in the cost of other items.

- By the way........
  Dewatering is INCIDENTAL to, 206, 702, 715, 716, 720, and 734 Standard Pay Items.
Please be specific!

Did anyone proof-read this?

So... what does “incidental” mean to you?

(By the way, this work is “incidental” to a standard 805 pay item)
Who are we writing these for?

- The Contractor
  - to bid the work
  - to perform the work

- Department personnel involved with the contract
  - to enforce those standards.

And since we are writing these special provisions for the contract....

Get to the point
and keep it simple.
Please note:

The Department, as illustrated in the Standard Specifications, is striving towards the use of performance based language, not directive.

Phraseology and terminology used in a Unique Special Provision should be consistent with that used in the *Standard Specifications*.

Please keep in mind that there are no metric equivalents shown in the current Standard Specifications, so please do not show them in your provision.
Please note:

When referencing a Standard Specifications section, do not say, Section 605. Use shall be in accordance with 605.

With that in mind, do not say per, shall conform to, shall comply with, but say shall be in accordance with _____.

Other terms to avoid include:

- and/or. Use either and alone, or or alone. Choose the one most appropriate for your unique situation. (if in doubt, use or)

- as per. Instead, use as stated, as shown, in accordance with.
More terms to avoid:

- as shown in the plans, as detailed on the plans, as indicated in the plans, as shown on the standard drawings, instead, say as shown on the plans.

- at the Contractor's expense, instead, use shall be included in the cost of ____, or at no additional cost, or with no additional payment.

And, (parenthetically speaking), do not use parentheses, use a comma, or two.

I like cooking my family and my pets. Use commas. Don’t be a psycho.
Please be Specologically correct:

- **INDOT.** Instead, use **the Department.**

- **or approved equal.** Do not use this phrase, but define the equal, or say **as approved.**

- **must, should, or is to.** Use **shall, or will.**

Remember: the Engineer **will** the Contractor **shall.**

*(see 104.01)*
Proper spec language:

- permit or permitted, unless you are actually going to require them to obtain a permit.
  Use allow, or allowed.

- Do not use “ “ for inches.
  Use in.

- Do not use ‘ ‘ for feet or foot.
  Use ft (no period after ft)

- For measurements, instead of using 9” x 9”, write

  9 in. by 9 in.

  do the same for ft
Please ALSO note:

- For numbers, use 9 for dimensions, and nine for quantities, and by all means – do *NOT* say nine (9). That is not necessary.

- Also, numbers nine or less are spelled out, numbers 10 or above are written numerically.

- And please, don’t ever, I mean never, use “i.e.” or “etc.”
  (Seriously. Don’t try it. I know people!)

- If at all possible --->avoid using any “-ly” words.
  Seriously.
  Absolutely.
  Usually.
Do you really need to say it at all?
Construction Requirements

The structure base, inlet pipe, and outlet pipe must be set on firm, flat surfaces of compacted soil or fill sand to provide a solid, stable base. Pipes shall be connected and secured using stainless steel clamps. An anti seep collar shall be used on inlet and outlet pipe. The Contractor shall ensure that the structure is level vertically before placing backfill. A survey shall be performed by a professional Land Surveyor to verify the structure base elevation, inlet, and outlet pipe is within +/- 0.5 inch of plans. Hand-tamp backfill soil, do not mechanically compact. Do not use a backhoe or blade to place backfill directly against the water control structure. Inlet and outlet pipes shall be protected by a rodent screen or bar guard. Ensure that no debris is present inside water level control structure. Place boards inside structure to reach specified top board elevation.

How do you “level vertically”? Lay on your side?
“Yep. Looks good! The bubble is off though…….”

Do they mean “plumb”?

Make it a point to read through your USP and imagine how someone else may interpret what you have written.
compaction following installation. Trees shall not be planted in rows, rather installed **haphazardly** to imitate a more natural pattern. Trees shall be planted so the root collar is even with the ground surface. The roots shall be extended downward into a hole or topsoil. Roots shall not be forced into improper planting holes which would restrict their ability to grow and support the seedling to **permit** survival. Failure to comply with these procedures shall require replanting of trees with no additional payment. Outside temperature and storage requirements shall be in accordance with **INDOT design manual standards found in** 622.03. All other provisions of planting, backfilling, and watering shall be in accordance with 622.08.

All trees shall be marked with wire flags **immediately** adjacent to their stems.

**Haphazardly.**

**LY** word.

**Was it a good idea?**
The Contractor shall inspect the underside of the bridge for the presence of bats prior to construction. If any bats are discovered and do not leave after discovery, the Contractor shall contact an animal control, a wildlife conservation agency, or a public health agency for assistance. If help is not available, the Contractor shall follow the steps below.

1. Find a small container like a box or a large can, and a piece of cardboard large enough to cover the opening of the container. Punch small air holes in the cardboard prior to capturing bat and place cardboard over opening of the container.

2. Put on leather work gloves. When the bat lands, approach it slowly and place the container over it. Slide the cardboard under the container to trap the bat inside.

3. If you are certain there has been no contact between the bat and any people or pets, carefully hold the cardboard over the container and take the bat outdoors and release it away from people and pets.

4. If there is any question about contact between the bat and people or pets, save the bat for testing. Tape the cardboard to the container, securing the bat inside and then contact your health department to have the bat tested for rabies.

This work shall be included in the cost of mobilization and demobilization.
A cone seeder or other similar broadcasting equipment may also be used if the seed mix does not contain fluffy seeds in amounts sufficient to prevent free flowing without plugging. Seed shall then be pressed into the surface using a cultipacker or roller.

All seeding equipment shall be calibrated to deliver the seed at the rates and proportions specified in the plans. Equipment shall be operated in such a manner as to ensure complete coverage of the entire area to be seeded, and seed shall be placed no deeper than ¼ in. into the soil.

So….. What ARE “fluffy seeds”? 

Is it this?

Or this?
MAINTAINING TRAFFIC

Worksite Speed Buggies, Message Boards, Speed Limit Signs along with any necessary items required to direct traffic away from the construction area, maintaining traffic in accordance with 801.
RESTROOM

Description
This work shall consist of furnishing and installing an existing prefabricated restroom building in accordance with plans and specifications shown on the plans.

The work shall include, but not be limited to, excavation, backfill, subgrade, slab, structure, and water and sanitary service connections. All electrical service connections shall be coordinated with the electrical contractor.

Materials
The prefabricated building slab shall be water and urine resistant for life. The Contractor shall furnish a test certification of compliance from a national independent testing laboratory to support this absorption resistance requirement. The building slab shall have minimum ultimate compressive strength and absorption resistance equal to the attachmentavel.

A material that is engineered and constructed shall be used to construct the building without creating a sick building or condition. The slab shall be poured on the surface. The concrete slab shall be constructed inside a steel angle curb, reinforced with dual mats (tension and compression), and poured with a concrete formula with admixtures to create a finished slab that is waterproof for life.

For LIFE!!
Are you sure you want to say that?

DO NOT TOUCH - HOT
Are you sure you want to say that?

Pig Cleaning Procedures

3. Once the speed by hydrant o the typical speed of 1 fps. prevent pressure surges when

At the time of acceptance, all pipe shall have and other foreign matter.

Prior to constructing a pipe extension, the existing structure shall be cleaned of all foreign materials. Existing anchors, end sections, or headwalls shall be removed as shown on the plans or as directed. All existing pipes which are damaged by the removal operation shall be replaced. Removed materials shall be disposed of in accordance with 202.

within one minute.
Sometimes, you can’t trust spellcheck......

Construction Requirements

Environmentally sensitive wetlands, streams and open near the vicinity of the construction plans. Deli areas, borrow or waste sit in these areas. Wetlands limits shown in/on the Con erosion and sediment contr:

Lath

The difference ONE letter can make ......
Labeling and Tagging:

The Electrical Contractor shall label all electrical equipment by one of these methods described below:

1. Printed card labels may be used on items of equipment furnished with plastic windows. Labeling of the cards shall be printed using a lettering device such as Leroy Instrument.

2. Directories on the inside of panelboards shall be typewritten and shall show a list of circuits and points, equipment, or areas supplied.

Did they mean NEATLY?

Or is it okay if the Contractor just thought about it?

“Well, we nearly printed those………”

How about we just leave out the LY words?
The importance of Proofreading........
Did they think this through????
What’s wrong with this picture?

Have you checked that “Buy America” spec?
Consider Your Audience
In Summary...........

Please make sure you are referencing the Current version of the Standard Specifications.

Coming Soon!

And please
(did you notice I said please? I’m begging here People!)

If at all possible, write your Unique Special Provisions in such a way that it points the reader back into the Standard Specifications book at every opportunity.

Also, please (there it is again!) look inside the SS Book to see if what you are trying to do is already in there.
Just go to the INDOT website and click on Doing Business with INDOT
Thank you.....

IF YOU HAVE A COMPLAINT

Please PRESS THE RED BUTTON →