Where do we start?

So.....

The first thing to do is.....

Ask.....
Questions to ask concerning Unique Special Provisions

1. Is it covered by 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 Items.
Questions to ask concerning Unique Special Provisions

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

UNIQUE SPECIAL PROVISION PROCESS

Figure 19-3D
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.
5. 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 001.02.

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 Pay Unit Symbol
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.

This USP does not directly revise the Standard Specs,

But it **does** define a unique 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**

**UNDISTISTRIBUTED QUANTITIES**

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

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>303-08210</td>
<td>Comp Ag No. 53, Temp for Driveways</td>
<td>100 TON</td>
</tr>
<tr>
<td>715-05203</td>
<td>Pipe, Type 4, Circular, 4 in</td>
<td>100 LFT</td>
</tr>
<tr>
<td>715-05048</td>
<td>Pipe, Type 4, Circular, 6 in</td>
<td>100 LFT</td>
</tr>
<tr>
<td>715-05049</td>
<td>Pipe, Type 4, Circular, 8 in</td>
<td>100 LFT</td>
</tr>
<tr>
<td>715-05051</td>
<td>Pipe, Type 4, Circular, 10 in</td>
<td>100 LFT</td>
</tr>
<tr>
<td>715-05052</td>
<td>Pipe, Type 4, Circular, 12 in</td>
<td>100 LFT</td>
</tr>
<tr>
<td>715-05438</td>
<td>Pipe, Drain Tile Terminal Section, 4 in</td>
<td>10 LFT</td>
</tr>
<tr>
<td>715-05439</td>
<td>Pipe, Drain Tile Terminal Section, 6 in</td>
<td>10 LFT</td>
</tr>
<tr>
<td>715-05440</td>
<td>Pipe, Drain Tile Terminal Section, 8 in</td>
<td>10 LFT</td>
</tr>
<tr>
<td>715-05442</td>
<td>Pipe, Drain Tile Terminal Section, 10 in</td>
<td>10 LFT</td>
</tr>
<tr>
<td>715-05443</td>
<td>Pipe, Drain Tile Terminal Section, 12 in</td>
<td>10 LFT</td>
</tr>
</tbody>
</table>

The exact location of the undistributed quantity, if required, will be determined by the Engineer during the time of construction.

---

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

- If a new pay item number is required, send APPROVED USP to: CESSUPPORT@INDOT.IN.GOV
Did anyone proof-read this?

Please be specific!

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 2014 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 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 _____,

    .....at no additional cost....., or

    with no additional payment.

And, (parenthetically speaking), do not use parentheses, use a comma, or two.
Proper spec language:

- **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.**
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 saying 9” x 9”, say
  
  **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.
So, when visiting a site, please watch your step.

12. Workers shall avoid walking on freshly placed concrete. Touching the concrete may leave marks, and walking on it may cause the concrete to become disfigured and less strong.

13. Following striking the concrete to the level, utilizing the finishing tools approved by the concrete supplier, assure the concrete has sufficient compaction to prevent it from settling enough to seal the surface.

14. Hand tampers shall be stored immediately adjacent to the repair area. No further work shall be performed on the repair, no further tampering shall be performed until the repair area is ended.

15. The pervious concrete requires no maintenance except for periodic inspection of the surface to ensure its integrity.

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.

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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.**

An **LY** word.

**Was it a good idea?**
Plant, Broadleaf Evergreen, Cone, Broad Upright, size

Plant, Broadleaf Evergreen, Globe, Dwarf, size

Plant, Broadleaf Evergreen, Spreading, Semisporading, size

Plant, Coniferous Evergreen, Cone, Broad Upright, size

Plant, Coniferous Evergreen, Globe, Dwarf, size

Plant, Coniferous Evergreen, Prostrate Broad Spreading, size

Plant, Deciduous Shrub, size

Plant, Deciduous Tree, Multi-Stem, size

Plant, Deciduous Tree, Single Stem, size

Plant, Ground Cover
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 nearly 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
What’s wrong with this picture?

Have you checked that “Buy America” spec?
Is it Necessary?

Anyone caught EXITING thru this door will be asked to LEAVE!
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.
Document Links....

Standards and Specifications

- [http://www.in.gov/dot/div/contracts/standards/](http://www.in.gov/dot/div/contracts/standards/)

Special Provisions


Just go to the INDOT website and click on Doing Business with INDOT
Thank you.....

Questions?

Comments?

Snide Remarks?