

WARNING: ALL INDIVIDUALS INTERESTED IN BIDDING ON THIS PROJECT MUST OBTAIN THE FINAL PLANS AND SPECIFICATIONS FROM THE DEPARTMENT MANAGING THE PROJECT OR AS OTHERWISE STATED IN THE ADVERTISEMENT FOR BIDS FOR THE PROJECT. DO NOT USE THE PLANS AND SPECIFICATIONS POSTED ON THE CLERK OF THE BOARD'S WEBSITE FOR BIDDING ON THIS PROJECT.

**NOTICE TO BIDDERS AND SPECIAL PROVISIONS
FOR CONSTRUCTION ON
STATE HIGHWAY 38 AT STANFIELD CUTOFF
ROUNDBOUT**

For use in connection with the following publications of the State of California,
Department of Transportation:

1. California Department of Transportation (Caltrans) 2023 Standard Specifications, unless specified otherwise in these Special Provisions.
2. Caltrans Standard Plans dated 2023, unless specified otherwise in these Special Provisions.
3. Labor Surcharge and Equipment Rental Rates effective on the date work is accomplished.

**SAN BERNARDINO COUNTY
DEPARTMENT OF PUBLIC WORKS**

-- TRANSPORTATION --



The Notice to Bidders and Special Provisions, prepared for construction on

STATE HIGHWAY 38 AT STANFIELD CUTOFF ROUNDABOUT

have been recommended for approval under the direction of the following:

 6/27/24

Noel Castillo, P.E.
Director of Public Works

Date:



 6/27/2024

Mervat Mikhail, P.E.
Deputy Director of Public Works

Date:



have been prepared by or under the direction of the following Registered Engineers:

 5/12/2024

Matt Atkinson, P.E.
Project Engineer

Date:



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NOT FOR BID

STANDARD PLANS LIST

The standard plan sheets applicable to this Contract include those listed below. When applicable, revised standard plans (RSPs) listed below are included in the project plans.

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NOT FOR BID

ORGANIZATION

Special provisions are under headings that correspond with the main-section headings of the *Standard Specifications*. A main-section heading is a heading shown in the table of contents of the *Standard Specifications*.

Each special provision begins with a revision clause that describes or introduces a revision to the *Standard Specifications*.

Any paragraph added or deleted by a revision clause does not change the paragraph numbering of the *Standard Specifications* for any other reference to a paragraph of the *Standard Specifications*.

DIVISION I GENERAL PROVISIONS

1 GENERAL

Add to section 1-1.01:

Bid Items and Applicable Sections

Item code	Item description	Applicable section
205010A	PERMEABLE CONCRETE PAVERS	20
378001A	HIGH FRICTION SURFACE TREATMENT	37
475011A	PLANTER WALL (ROCK FACE)	47
600028A	REMOVE PLANTER WALL (PORTION)	60
750507A	UNDERSIDEWALK DRAIN	75
770010A	RECTANGULAR RAPID FLASHING BEACON SYSTEM (COUNTY)	77, 86,87
770090A	MODIFYING PARKING LOT LIGHTING (PRIVATE)	77
820841A	REMOVABLE SIGN	82

Add the following paragraph to section 1-1.01, "GENERAL":

The Notice to Bidders is incorporated into these Special Provisions by this reference.

The work embraced herein shall be done in accordance with:

- 1) The Caltrans 2023 Standard Specifications.
- 2) The Caltrans 2023 Standard Plans.
- 3) Project Plans and these Special Provisions.
- 4) The Contract.
- 5) All other documents identified in the Contract.

Both the Standard Specifications and the Standard Plans are published by the State of California, Department of Transportation (Caltrans) and may be reviewed at the following website:
http://www.dot.ca.gov/hq/esc/oe/construction_standards.html.

In case of a conflict between the Standard Specifications and these Special Provisions, the Special Provisions shall take precedence over and be used in lieu of such conflicting portions.

Amendments to the Standard Specifications set forth in these Special Provisions shall be considered as part of the Standard Specifications for the purposes set forth in Section 5-1.02, "Contract Components," of the Standard Specifications. Whenever either the term "Standard Specifications is amended" is used in the Special Provisions, the indented text or table following the term shall be considered an amendment to

the Standard Specifications. In case of conflict between such amendments and the Standard Specifications, the amendments shall take precedence over and be used in lieu of the conflicting portions.

Whenever in these Special Provisions the term section is used in an introductory instruction, it shall be understood to mean and refer to the section of the Standard Specifications unless otherwise specified. The special provision introductory instructions begin with the words "Delete," "Replace," or "Add," and appear as bold text, centered in the page.

Add the following paragraphs to section 1-1.07B, "DEFINITIONS":

Whenever in the Standard Specifications the following terms are used, they shall be understood to mean and refer to the following:

1. Department – San Bernardino County.
2. Office Engineer, Engineer or Director -- The Director of the Department of Public Works acting either directly or through properly authorized agents, engineer, assistants, inspectors and superintendents acting severally within the scope of the particular duties delegated to them.
3. Attorney General -- The San Bernardino County Board of Supervisors.
4. Laboratory -- Any laboratory authorized by the Department of Public Works to test materials and work involved in the contract.
5. Liquidated Damages -- In accordance with Section 8-1.10 of the Standard Specifications, the amount prescribed in Section 8 of the Special Provisions to be paid to the County pursuant to the indicated conditions.
6. Engineer's Estimate -- The lists of estimated quantities of work to be performed as contained in the contract documents.
7. State – San Bernardino County.
8. Awarding Authority - Means the authorized body or officer that awarded the public works contract.
9. Consultant - Means person(s), sole proprietorships, partnerships, associations, joint ventures, corporations, institutions or other entities who provide expert, professional assistance to the County under a contract.
10. Contract - Means an agreement between two parties consisting of an offer and an acceptance resulting from solicitation of bids or proposals, in which each party commits to stipulated prices, terms and conditions, or materials or services.
11. Contractor - Means any person, sole proprietorship, partnership, association, corporation, joint venture, institution or other entity which is a party to a contract.
12. Minority – Means the same as defined in Public Contract Code section 2051(c).
13. Small Business Concern – Means a small business as defined by Section 3 of the Small Business Act and relevant regulations found in Title 13 Part 121 of the CFR.
14. Procurement - Includes the acquisition of material, supplies, goods equipment, systems, construction and services through both formal (including competitive bids) and informal transactions which result in purchase orders and/or contracts.
15. Public Works Contract - Is an agreement to perform the work described in Public Contract Code section 22002.
16. Purchase - Means a method of procurement which results in an order for materials, supplies, goods, equipment, systems or services.
17. Purchase Order - Is defined as a form of contract which is used to order supplies, equipment, goods, systems or services. These are either unilateral, or one signature in nature, subject to performance by a vendor to form a contractual obligation.

18. Purchasing Agent - Means the Director of the Purchasing Department.
19. Bidder/Proposer - Means any person or entity making an offer or proposal to provide goods and/or services to the County.
20. Subcontractor - Means an individual or business firm contracting to perform part or all of another's contract.
21. Bid Item List – Means the schedule of items found in the Proposal pages starting on P-1 of these Special Provisions.
22. Bid book – Means the Proposal pages starting on P-1 of these Special Provisions.
23. Estimated Cost – Is the estimated cost of the project.
24. Holiday – Holidays shown in the following

Holidays	
Holiday	Date observed
Every Sunday	Every Sunday
New Year's Day	January 1st
Birthday of Martin Luther King, Jr.	3rd Monday in January
Washington's Birthday	3rd Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4th
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veterans Day	November 11th
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving Day	Day after Thanksgiving Day
Christmas Day Eve	December 24th
Christmas Day	December 25th
New Year's Day Eve	December 31st

If a holiday falls on a Sunday the next weekday that is not a holiday will be taken as a holiday.

If a holiday falls on a Saturday the previous weekday that is not a holiday will be taken as a holiday.

25. Informal-bid contract – Means a contract that has "Informal Bid Authorized by Public Contract Code section 22032(b)" on the cover of the Notice to Bidders and Special Provisions.
26. Labor Surcharge and Equipment Rental Rates - Means Caltrans publication that lists labor surcharge and equipment rental rates.
27. Offices of Structure Design or OSD means the Engineer.
28. "Labor Compliance Office of the district" or "Labor Compliance Office" means the Department's Contracts Division.
29. Business Day - Day on the calendar except a Saturday, Sunday and a holiday.
30. Working Day – This definition is the same as that provided in the Standard Specifications except for the exclusion in subsection 2.1 of the definition of "working day" found in section 1-1.07B, "Glossary," which is revised to state "Saturday, Sunday and a holiday."

Other terms appearing in the Standard Specifications and these Special Provisions shall have the intent and meaning specified in Section 1, "General," of the Standard Specifications. In the event of a conflict between the above terms and definitions and the terms and definitions identified in the Standard Specifications, the terms and definitions used in these Special Provisions shall control. Pursuant to section 1-1.07, "DEFINITIONS," of the Standard Specifications, unless otherwise noted as a "working

day” or “business day,” “day” in these Special Provisions means “24 consecutive hours running from midnight to midnight; calendar day.”

Delete section 1-1.08, “DISTRICTS.”

Add to section 1-1.09:

This project is in a freeze-thaw area.

Delete section 1-1.11, “WEB SITES, ADDRESSES, AND TELEPHONE NUMBERS.”

Replace section 1-1.12, “MISCELLANY,” with:

1-1.12 MISCELLANY

Make checks and bonds payable to the San Bernardino County.

AA

2 BIDDING

Add the following paragraphs to section 2-1.01, “GENERAL”:

The bidder must comply with the provisions in Section 2, "Bidding" of the Standard Specifications and these Special Provisions for the requirements and conditions which the bidder must observe in the preparation of the proposal form and the submission of the bid.

In addition to the subcontractors required to be listed in conformance with Section 2-1.10, “Subcontractor List,” of the Standard Specifications, each proposal must have listed therein the portion of work that will be done by each subcontractor listed. A sheet for listing the subcontractors is included in the Proposal.

In accordance with Public Contract Code section 7106, a Noncollusion Declaration is included in the Proposal. All bidders must review, sign and submit the Noncollusion Declaration with their bid. **Any bid that fails to include an executed Noncollusion Declaration shall be considered nonresponsive.**

The Proposal, including all required forms, must be signed by the bidder or an authorized representative of bidder. PROPOSALS THAT ARE NOT SIGNED WILL BE DEEMED NONRESPONSIVE AND REJECTED.

Replace the 6th paragraph of section 2-1.04, “Pre-bid Outreach Meeting,” with:

The Department may hold a single pre-bid meeting for more than one contract. Sign the sign-in sheet for the contract you intend to bid on. If you are bidding on multiple contracts, sign each sign-in sheet for each contract you intend to bid on. The sign-in sheets, with the names of all companies in attendance at each pre-bid meeting, will be made available through ePro and/or the Department for all bidders to view.

Replace section 2-1.06A, “General,” with:

2-1.06A General

The Proposal, which includes the Bid Item List, can be found in these Special Provisions and on the San Bernardino County Electronic Procurement Network (<https://epro.sbcounty.gov/epro/>) as described further herein, and shall be used.

Replace section 2-1.06B, "Supplemental Project Information," with:

2-1.06B Supplemental Project Information

The County makes supplemental information available as specified in these Special Provisions.

Add between the 1st and 2nd paragraphs of section 2-1.06B:

The Department makes the following supplemental project information available:

Supplemental Project Information

Means	Description
Included in the <i>Information Handout</i>	(1) Initial Site (ISA) Checklist (September 2022) (2) Geotechnical Design Report, State Highway 38 Stanfield Cutoff Roundabout (November 23, 2022) (3) Materials Report, State Highway 38 Stanfield Cutoff Roundabout (November 23, 2022) (4) Cross Sections (5) Relocate Backflow Preventer Assembly Contact Information (6) Photos of existing Planter Wall
Available as specified in the <i>Standard Specifications</i>	
Included with the project plans	
Available for inspection at the Transportation Laboratory	
Available for inspection at the District Office Telephone no.: _____	
Available for inspection at: _____ _____ Telephone no.: _____	
Available for inspection at: http://www.dot.ca.gov/	

Delete the 3rd, 4th, 5th, 6th, 7th and 8th Paragraph of section 2-1.06, "SUPPLEMENTAL PROJECT INFORMATION"

If supplemental project information is available for inspection, bidders may view it by phoning in a request. The Contracts Division phone number is (909) 387-7920. Make your request at least 7 days before viewing. Include in your request:

1. Project title
2. Work order number
3. Viewing date
4. Contact information, including telephone number

The supplemental information may be available to interested parties at the following address:

San Bernardino County Department of Public Works
 Contracts Division
 825 East 3rd Street, Room 147
 San Bernardino, CA 92415-0835

Replace section 2-1.10, "SUBCONTRACTOR LIST," with:

2-1.10 SUBCONTRACTOR LIST

On the Subcontractor List form, list each subcontractor to perform work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.).

For each subcontractor listed, the Subcontractor List form must show:

1. Business name and the location of its place of business.
2. California contractor license number for a non-federal-aid contract.
3. Department of Industrial Relations public works contractor registration number.
4. The portion of work it will perform. The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in his or her bid.

Delete Section 2-1.12 , “DISADVANTAGED BUSINESS ENTERPRISES”

Delete section 2-1.15, “DISABLED VETERAN BUSINESS ENTERPRISES.”

Delete section 2-1.18, “SMALL BUSINESS AND NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCES.”

Delete section 2-1.27, “CALIFORNIA COMPANIES.”

Delete section 2-1.31, “OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS.”

Add the following paragraphs to section 2-1.33, “BID DOCUMENT COMPLETION AND SUBMITTAL”:

ePRO

Bids must be received by the designated date and time. An electronic bid can be submitted through the San Bernardino County Electronic Procurement Network (ePro) <https://epro.sbcounty.gov/epro/>. Submittals in ePro will be opened from the system's “encrypted lock box” and evaluated as stated in this solicitation. If the bid is submitted through ePro, the bid may also be withdrawn OR retrieved, adjusted, and re-submitted by the bidder at any time prior to the scheduled deadline for submission of the bid. Paper responses will also be accepted at the location identified in the solicitation and can be withdrawn at any time prior to the scheduled deadline for submission of the bid. If the bid is submitted through ePro, the bidder acknowledges that its electronic signature is legally binding. All bidders must register with the ePro system prior to the date and time to receive the bid or they will be disqualified. Late or incomplete bids will be considered non responsive. A “complete” bid is defined as a bidder’s submittal that includes all bid documents (i.e., the bid / proposal, bidder’s security in a separately sealed envelope, and any other bid documents required for the project). System-related issues in ePro shall be directed to Vendor support at ePro.Vendors@buyspeed.com or at (855) 800-5046. For procurement questions involving ePro, please contact the Purchasing Department at (909) 387-2060. **NOTE: If sending the bid or bid bond to the Public Works Department in a mail envelope (i.e. U.S. Postal Office, Federal Express, etc.) please enclose the bid and/or bond inside the mail envelope in a separately sealed envelope bearing the title of the project, the name of the bidder, and marked “Bid Proposal and/or Bid Bond”. All mail, including Priority and Express Mail, sent via the U.S. Postal Service is received by the County’s mail room then distributed to the Public Works Department. This can cause a delay in the receipt of bids. The County is not responsible for any delays caused by mail service to a different County location. It is Bidder’s responsibility to ensure bids and bid bonds are received at the Public Works Department, 825 East 3rd Street, Front Reception Desk, San Bernardino, CA, on or before the time set for opening of bids.**

REQUIRED LISTING OF SUBCONTRACTORS A sheet for listing the subcontractors, as required herein, is included in the Proposal.

Delete section 2-1.33A, "General."

Delete section 2-1.33B, "Bid Form Submittal Schedules."

Replace section 2-1.34, "BIDDER'S SECURITY," with:

2-1.34 PROPOSAL GUARANTY

• All bids/proposals shall be presented either under sealed cover or submitted through the San Bernardino County Electronic Procurement Network (ePro) and accompanied by one of the following forms of bidder's security:

Cash, a cashier's check, a certified check, or a bidder's bond executed by an admitted surety insurer, made payable to the San Bernardino County.

• The security shall be in an amount equal to at least 10 percent of the amount of bid. A bid / proposal will not be considered unless it is accompanied by one of the forms of bidder's security, in accordance with what is stated below.

• The bidder's bond shall conform to the bond form labeled as "Bid Bond" in the "Proposal" section of these Special Provisions, and shall be properly filled out and executed. The "Bid Bond" form provided in the "Proposal" section of these Special Provisions may be used. Upon request, copies of the "Bid Bond" forms may be obtained from the Department.

If the bid is submitted through the ePro, bidder shall scan the bid security (bid bond) and submit the scanned copy with the bid submittal in ePro. **In addition, bidder shall mail or submit in person the original bid security, in a separate sealed envelope labeled "Bid Bond" with the title of the work and the name of the bidder clearly marked on the outside, to: Department of Public Works, 825 E. 3rd Street, Front Reception, San Bernardino, California, 92415-0835. Any mailed or submitted bid security must be received on or before the time set for the opening of the bids.**

Any bid/proposal that fails to include an original paper submission of the bidder's security in a separately sealed mailed or otherwise submitted envelope shall be considered nonresponsive. Bidder's attention is directed to Section 2-1.33, "ePro," of these Special Provisions for further details

Delete the 1st paragraph of section 2-1.40, "BID WITHDRAWAL."

Replace section 2-1.43, "BID OPENING," with:

2-1.43 PUBLIC OPENING OF THE BID

Bids (both paper and ePro) will be opened and read aloud publicly at the place and time set for the opening of bids in the Notice to Bidders or as revised in an Addendum. All bids submitted to the Public Works Department in sealed envelopes will be opened and read. All bids submitted in the ePro system will be opened from the system's "encrypted lock box" and read. The bid summary sheet referencing both paper bids and ePro bids will be available through ePro and/or the Public Works Department for all bidders to view.

Failure of the bidder to fulfill the requirements of the Special Provisions for submittals required to be furnished after bid opening, including but not limited to escrowed bid documents, where applicable, may subject the bidder to a determination of the bidder's responsibility in the event it is the apparent low bidder on future public works contracts.

Replace any references in section 2-1.46, "DEPARTMENT'S DECISION ON BID," to "Department" with "Board of Supervisors (or if informally bid, with the Chief Executive Officer)."

Add the following paragraphs to section 2-1.46, "DEPARTMENT'S DECISION ON BID":

Proposals shall be rejected if they have been transferred to another bidder, or if they show any alteration of form, additions not called for or if they are conditional or incomplete bids. Proposals may be rejected if there are erasures or irregularities of any kind.

Bidders that fail to include an executed Noncollusion Declaration shall be considered nonresponsive.

(2) Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee specified in subparagraph (E) of paragraph (2) of subdivision (a) of Section 1725.5.

(3) The subcontractor is replaced by another registered subcontractor pursuant to Section 4107 of the Public Contract Code.

(d) Failure by a subcontractor to be registered to perform public work as required by subdivision (a) shall be grounds under Section 4107 of the Public Contract Code for the contractor, with the consent of the awarding authority, to substitute a subcontractor who is registered to perform public work pursuant to Section 1725.5 in place of the unregistered subcontractor.

(e) The department shall maintain on its Internet Web site a list of contractors who are currently registered to perform public work pursuant to Section 1725.5.

(f) A contract entered into with any contractor or subcontractor in violation of subdivision (a) shall be subject to cancellation, provided that a contract for public work shall not be unlawful, void, or voidable solely due to the failure of the awarding body, contractor, or any subcontractor to comply with the requirements of Section 1725.5 or this section.

(g) If the Labor Commissioner or his or her designee determines that a contractor or subcontractor engaged in the performance of any public work contract without having been registered in accordance with this section, the contractor or subcontractor shall forfeit, as a civil penalty to the state, one hundred dollars (\$100) for each day of work performed in violation of the registration requirement, not to exceed an aggregate penalty of eight thousand dollars (\$8,000) in addition to any penalty registration fee assessed pursuant to clause (ii) of subparagraph (E) of paragraph (2) of subdivision (a) of Section 1725.5.

(h) (1) In addition to, or in lieu of, any other penalty or sanction authorized pursuant to this chapter, a higher tiered public works contractor or subcontractor who is found to have entered into a subcontract with an unregistered lower tier subcontractor to perform any public work in violation of the requirements of Section 1725.5 or this section shall be subject to forfeiture, as a civil penalty to the state, of one hundred dollars (\$100) for each day the unregistered lower tier subcontractor performs work in violation of the registration requirement, not to exceed an aggregate penalty of ten thousand dollars (\$10,000).

(2) The Labor Commissioner shall use the same standards specified in subparagraph (A) of paragraph (2) of subdivision (a) of Section 1775 when determining the severity of the violation and what penalty to assess, and may waive the penalty for a first time violation that was unintentional and did not hinder the Labor Commissioner's ability to monitor and enforce compliance with the requirements of this chapter.

(3) A higher tiered public works contractor or subcontractor shall not be liable for penalties assessed pursuant to paragraph (1) if the lower tier subcontractor's performance is in violation of the requirements of Section 1725.5 due to the revocation of a previously approved registration.

(4) A subcontractor shall not be liable for any penalties assessed against a higher tiered public works contractor or subcontractor pursuant to paragraph (1). A higher tiered public works contractor or subcontractor may not require a lower tiered subcontractor to indemnify or otherwise be liable for any penalties pursuant to paragraph (1).

(i) The Labor Commissioner or his or her designee shall issue a civil wage and penalty assessment, in accordance with the provisions of Section 1741, upon determination of penalties pursuant to subdivision (g) and subparagraph (B) of paragraph (1) of subdivision (h). Review of a civil wage and penalty assessment issued under this subdivision may be requested in accordance with the provisions of Section 1742. The regulations of the Director of Industrial Relations, which govern proceedings for review of civil wage and penalty assessments and the withholding of contract payments under Article 1 (commencing with Section 1720) and Article 2 (commencing with Section 1770), shall apply.

(j) (1) Where a contractor or subcontractor engages in the performance of any public work contract without having been registered in violation of the requirements of Section 1725.5 or this

section, the Labor Commissioner shall issue and serve a stop order prohibiting the use of the unregistered contractor or the unregistered subcontractor on all public works until the unregistered contractor or unregistered subcontractor is registered. The stop order shall not apply to work by registered contractors or subcontractors on the public work.

(2) A stop order may be personally served upon the contractor or subcontractor by either of the following methods:

(A) Manual delivery of the order to the contractor or subcontractor personally.

(B) Leaving signed copies of the order with the person who is apparently in charge at the site of the public work and by thereafter mailing copies of the order by first class mail, postage prepaid to the contractor or subcontractor at the address on file with either of the following:

(i) The Contractors' State License Board.

(ii) The Secretary of State.

(3) The stop order shall be effective immediately upon service and shall be subject to appeal by the party contracting with the unregistered contractor or subcontractor, by the unregistered contractor or subcontractor, or both. The appeal, hearing, and any further review of the hearing decision shall be governed by the procedures, time limits, and other requirements specified in subdivision (a) of Section 238.1.

(k) Failure of a contractor or subcontractor, owner, director, officer, or managing agent of the contractor or subcontractor to observe a stop order issued and served upon him or her pursuant to subdivision (j) is guilty of a misdemeanor punishable by imprisonment in county jail not exceeding 60 days or by a fine not exceeding ten thousand dollars (\$10,000), or both.

(l) This section shall apply to any bid proposal submitted on or after March 1, 2015, and any contract for public work entered into on or after April 1, 2015. This section shall also apply to the performance of any public work, as defined in this chapter, on or after January 1, 2018, regardless of when the contract for public work was entered.

(m) Penalties received pursuant to this section shall be deposited in the State Public Works Enforcement Fund established by Section 1771.3 and shall be used only for the purposes specified in that section.

(n) This section shall not apply to work performed on a public works project of twenty-five thousand dollars (\$25,000) or less when the project is for construction, alteration, demolition, installation, or repair work or to work performed on a public works project of fifteen thousand dollars (\$15,000) or less when the project is for maintenance work

Replace section 3-1.04, "CONTRACT AWARD," with:

3-1.04 CONTRACT AWARD

The award of the contract, if it be awarded, will be to the lowest responsible bidder whose proposal complies with all the requirements prescribed. The award, if made, will be made within 60 days after the opening of the proposals. This period will be subject to extension for such further period as may be agreed upon in writing between the Department and the bidder concerned.

Bid Protest: Any bidder submitting a bid to the County for this Project may file a protest of the County's proposed award of the contract for this Project, provided that each and all of the following are complied with:

1. The bid protest is in writing.

2. The bid protest is submitted to and received by the Department of Public Works, 825 E. Third Street., Room 147, San Bernardino, CA, 92415 **before 4:00 p.m. of the sixth (6th) business day following the bid opening.** Failure to timely submit a written protest shall constitute grounds for the County's denial of the bid protest without consideration of the grounds stated in the bid protest and a waiver of the right to protest. Untimely protests will not be accepted or considered.

3. The written bid protest shall set forth, in detail, all grounds for the bid protest (including without limitation all facts, supporting documentation, legal authorities and argument in support of the grounds for the bid protest), the form of relief required and the legal basis for such relief. Any grounds not set forth in the bid protest shall be deemed waived. All factual contentions must be supported by competent, admissible and credible evidence. The bid protests shall include the name of the project manager and the name and Work Order number of the bid Project. Any bid protest not conforming to the foregoing shall be rejected as invalid.

If a valid protest is timely filed and complies with the above requirements, the Department shall review and evaluate the bid protest. All bidders, including the protesting bidder, shall have three business days to respond to the Department and to provide any information requested by the Department. The Department shall respond to the protesting bidder and state the Department's findings regarding the bid protest. The Department Director's decision shall be final, unless overturned by the Board of Supervisors.

Replace section 3-1.05, "CONTRACT BONDS (Pub Cont Code §§ 10221 AND 10222)," with:

3-1.05 CONTRACT BONDS

Both the payment bond and the performance bond shall be in a sum equal to the total contract amount. The bond provider must be an admitted surety insurer (Code of Civil Procedure section 995.311) authorized to do business in the State of California.

Delete section 3-1.07, "INSURANCE POLICIES."

Delete section 3-1.08, "SMALL BUSINESS PARTICIPATION REPORT."

Delete section 3-1.11, "PAYEE DATA RECORD."

Delete section 3-1.13, "FORM FHWA-1273."

Replace section 3-1.18, "CONTRACT EXECUTION," with:

3-1.18 CONTRACT EXECUTION

The contract, along with the performance and payment bonds, copies of insurance policies, certificates of insurance, documents to verify any self-insurance coverage, and any other requested documents, shall be filled out appropriately and signed by the successful bidder and returned within 10 days (excluding Saturday, Sunday and holidays) after receiving those documents for execution.

Failure of the lowest responsible bidder, the second lowest responsible bidder, or the third lowest responsible bidder to execute the contract and file acceptable bonds as provided herein shall be just cause for the forfeiture of the proposal guaranty. The successful bidder may file with the County a written notice, signed by the bidder or the bidder's authorized representative, specifying that the bidder will refuse to execute the contract if it is presented. The filing of this notice shall have the same force and effect as the failure of the bidder to execute the contract and furnish acceptable bonds within the time hereinbefore prescribed.

Add section 3-1.20, "DATA UNIVERSAL NUMBERING SYSTEM (D-U-N-S) NUMBER," which reads:

3-1.20 DATA UNIVERSAL NUMBERING SYSTEM (D-U-N-S) NUMBER

The successful bidder must provide the Department a D-U-N-S number.

Complete and sign the Data Universal Numbering System (D-U-N-S) Number form included in the contract documents. This form must be submitted with the executed contract.

If your company does not have a D-U-N-S number, you can obtain one by contacting Dun & Bradstreet at: <http://dnb.com/us/>

If you fail to submit this information with the executed contract, the San Bernardino County will not approve the contract.

Add section 3-1.21, "CONFLICT OF INTEREST," which reads:

3-1.21 CONFLICT OF INTEREST

Contractor shall make all reasonable efforts to ensure that no County officer or employee, whose position in the County enables him/her to influence any award of this contract or any competing offer, shall have any direct or indirect financial interest resulting from the award of this contract or shall have any relationship to the Contractor or officer or employee of the Contractor.

Add section 3-1.22, "FORMER COUNTY OFFICIALS," which reads:

3-1.22 FORMER COUNTY OFFICIALS

Contractor must provide information on former San Bernardino County Administrative officials (as defined below) who are employed by or represent their business. The information provided must include a list of former County Administrative Officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the business. This information should also include the employment and/or representative capacity and the dates these individuals began employment with or representation of their business. For purposes of this section, "County Administrative Official" is defined as a member of the Board of Supervisors or such officer's staff, group head, assistant department or group head, or any employee in the Exempt Group, Management Unit or Safety Management Unit.

Failure to provide this information may result in the proposal being deemed nonresponsive.

Add section 3-1.23, "SAN BERNARDINO COUNTY EQUAL EMPLOYMENT OPPORTUNITY PROGRAM AND TITLE VI ASSURANCES," which reads:

3-1.23 SAN BERNARDINO COUNTY EQUAL EMPLOYMENT OPPORTUNITY PROGRAM AND TITLE VI ASSURANCES

During the term of the Contract, Contractor shall not discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, age, or military and veteran status. Contractor shall comply with Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, 13672, Title VI & VII of the Civil Rights Act of 1964, the California Fair Housing and Employment Act and other applicable Federal, State of California and County laws and regulations and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted.

TITLE VI ASSURANCES

During the performance of this Agreement, the contractor, for itself, its assignees and successors in interest (hereinafter collectively referred to in this section as Contractor) agrees as follows:

- (1) Compliance with Regulations: Contractor shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to in this section as the Regulations), which are herein incorporated by reference and made a part of this agreement.
- (2) Nondiscrimination: Contractor, with regard to the work performed by it during the AGREEMENT, shall not discriminate on the grounds of race, color, sex, national origin, religion, age, or disability in the selection and retention of sub-applicants, including procurements of materials and leases of equipment. Contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the agreement covers a program set forth in Appendix B of the Regulations.
- (3) Solicitations for Sub-agreements, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by Contractor for work to be performed under a Sub-agreement, including procurements of materials or leases of equipment, each potential sub-applicant or supplier shall be notified by Contractor of the Contractor's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- (4) Information and Reports: Contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the California

Department of Transportation or the United States Department of Transportation Federal Highway Administration (FHWA) to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of Contractor is in the exclusive possession of another who fails or refuses to furnish this information, Contractor shall so certify to the California Department of Transportation or the FHWA as appropriate, and shall set forth what efforts Contractor has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of Contractor's noncompliance with the nondiscrimination provisions of this agreement, the California Department of Transportation shall impose such agreement sanctions as it or the FHWA may determine to be appropriate, including, but not limited to: (a) withholding of payments to Contractor under the Agreement within a reasonable period of time, not to exceed 90 days; and/or (b) cancellation, termination or suspension of the Agreement, in whole or in part. (6) Incorporation of Provisions: Contractor shall include the provisions of paragraphs (1) through

(6) in every sub-agreement, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. Contractor shall take such action with respect to any sub-agreement or procurement as the California Department of Transportation or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance, provided, however, that, in the event Contractor becomes involved in, or is threatened with, litigation with a sub-applicant or supplier as a result of such direction, Contractor may request the California Department of Transportation enter into such litigation to protect the interests of the State, and, in addition, Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Add section 3-1.24, "REFERENCE CHECKS," which reads

3-1.24 REFERENCE CHECKS

Reference checks may be performed on the apparent low bidder, and if performed, the apparent low bidder shall be required to submit a list of references upon request.

Add section 3-1.25, "IRAN CONTRACTING ACT OF 2010," which reads:

3-1.25 IRAN CONTRACTING ACT OF 2010 (Public Contract Code section 2200 et seq.) (Applicable only to Contracts of One Million Dollars (\$1,000,000) or More):

In accordance with Public Contract Code section 2204(a), the Contractor certifies that at the time the Contract is signed, the Contractor signing the Contract is not identified on a list created pursuant to subdivision (b) of Public Contract Code section 2203 as a person (as defined in Public Contract Code section 2202(e)) engaging in investment activities in Iran described in subdivision (a) of Public Contract Code section 2202.5, or as a person described in subdivision (b) of Public Contract Code section 2202.5, as applicable.

Add section 3-1.24, "RUSSIAN SANCTION/EXECUTIVE ORDER N-6-22," which reads:

3-1.24 RUSSIAN SANCTION/EXECUTIVE ORDER N-6-22 (Applicable for all Contracts of five million dollars (\$5,000,000) or more utilizing State funding.)

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>), as well as any sanctions imposed under state law (<https://www.dgs.ca.gov/OLS/Ukraine-Russia>). The EO directs state agencies and their contractors (including by agreement or receipt of a grant) to terminate contracts with, and to refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should it be determined that Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this agreement. Contractor shall be provided advance written notice of such termination, allowing Contractor at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the County.

Contractors are cautioned that making a false certification may subject the Contractor to civil penalties, termination of existing contract, and ineligibility to bid on a contract for a period of three (3) years in accordance with Public Contract Code section 2205.

AA

4 SCOPE OF WORK

Add the following paragraph to Section 4-1.03, "WORK DESCRIPTION":

The work, in general, consists of constructing a single-lane roundabout, curb, gutter and sidewalk, bike ramps, curb ramps, asphalt paving; installing MGS; striping and signage and doing other work appurtenant thereto

Replace section 4-1.06A, "General," with:

4-1.06A General

a. Differing Site Conditions

1. During the progress of the work, if subsurface or latent physical conditions are encountered at the site differing materially from those indicated in the contract or if unknown physical conditions of an unusual nature, differing materially from those ordinarily encountered and generally recognized as inherent in the work provided for in the contract, are encountered at the site, the party discovering such conditions shall promptly notify the other party in writing of the specific differing conditions before the site is disturbed and before the affected work is performed.
2. Upon written notification, the engineer will investigate the conditions, and if it is determined that the conditions materially differ and cause an increase or decrease in the cost or time required for the performance of any work under the contract, an adjustment, excluding anticipated profits, will be made and the contract modified in writing accordingly. The engineer will notify the contractor of the determination whether or not an adjustment of the contract is warranted.
3. No contract adjustment which results in a benefit to the contractor will be allowed unless the contractor has provided the required written notice.
4. No contract adjustment will be allowed under this clause for any effects caused on unchanged work.

b. Suspensions of Work Ordered by the Engineer

1. If the performance of all or any portion of the work is suspended or delayed by the Engineer in writing for an unreasonable period of time (not originally anticipated, customary, or inherent to the construction industry) and the contractor believes that additional compensation and/or contract time is due as a result of such suspension or delay, the contractor shall submit to the Engineer in writing a request for adjustment within 7 calendar days of receipt of the notice to resume work. The request shall set forth the reasons and support for such adjustment.
2. Upon receipt, the Engineer will evaluate the contractor's request. If the Engineer agrees that the cost and/or time required for the performance of the contract has increased as a result of such suspension and the suspension was caused by conditions beyond the control of and not the fault of the contractor, its suppliers, or subcontractors at any approved tier, and not caused by weather, the Engineer will make an adjustment (excluding profit) and modify the contract in writing accordingly. The contractor will be notified of the Engineer's determination whether or not an adjustment of the contract is warranted.
3. No contract adjustment will be allowed unless the contractor has submitted the request for adjustment within the time prescribed.
4. No contract adjustment will be allowed under this clause to the extent that performance would have been suspended or delayed by any other cause, or for which an adjustment is provided or excluded under any other term or condition of this contract.

c. Significant Changes in the Character of Work

County does not consent to any requested assignment that would relieve you or your surety of the responsibility to complete the work or any part of the work.

If you assign the right to receive Contract payments, the County accepts the assignment upon the Engineer's receipt of a written request. Assigned payments remain subject to deductions and withholds described in the Contract. The Department may use withheld payments for work completion whether the payments are assigned or not.

Add to section 5-1.13A, "General," the following paragraphs:

Contractor must comply with section 5-1.13, "Subcontracting," of the Standard Specifications, Section 2, "Bidding" of these Special Provisions and Section 3, "Contract Award And Execution, D-U-N-S Number, Equal Employment Opportunity Program, Conflict Of Interest, And Former County Officials" of these Special Provisions.

Each subcontract must comply with the Contract and any lower tier subcontract that may in turn be made must comply with the Contract, including but not limited to Section 7, "Legal Relations and Responsibility to the Public," of these Special Provisions. Noncompliance shall be corrected. Payment for subcontracted work involved will be withheld from progress payments due, or to become due, until correction is made. Failure to comply may result in termination of the contract.

Pursuant to the provisions in Section 1777.1 of the Labor Code, the Labor Commissioner publishes and distributes a list of contractors ineligible to perform work as a subcontractor on a public works project. This list of debarred contractors is available from the Department of Industrial Relations web site at:

http://www.dir.ca.gov/dir/Labor_law/DLSE/Debar.html

Delete section 5-1.13B, "Disadvantaged Business Enterprises"

Delete section 5-1.13C, "Disabled Veteran Business Enterprises"

Delete section 5-1.13D, "Non-Small Businesses"

Notify North Shore Elementary before the start of work for relocate backflow preventer assembly. No work on school property will be allowed while students are in session.

Add to section 5-1.20B(1):

You and your subcontractors must comply with the terms and conditions of the following permits located in the Permits and Agreements (Brown Pages) within these special provisions:

1. Caltrans
2. National Pollutants Discharge and Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities, Order No. WQ 2022-0057-DWQ, NPDES No. CAS000002

Add the following paragraphs to section 5-1.20B(1), “General”:

A copy of the PLACs are included in these Special Provisions.

The contractor shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel (if applicable), or personnel from another state, federal, or local agency upon request.

CDFW personnel may enter the project site at any time to verify compliance with the Agreement (if applicable)

**Replace “Reserved” in section 5-1.20G with:
5-1.20G Cities, Schools, Other Agencies**

At a minimum, you must coordinate the construction activities two (2) weeks in advance prior to construction with cities, agencies, and schools below to minimize conflicts with their schedule:

Entity	Types of Conflict	Hours of Conflict	Contact	Phone No./E-mail/Website
North Shore Elementary School	Work on school property, including access driveway can only be done when school is not in session.	Contact school principal for instructional calendar.	Kevin Phillips, Principal	(909) 866-7501
Big Bear Animal Shelter	Maintain access during closures	10:00 AM - 5:00PM		(909) 866-4943
VCA Lakeside Animal Hospital	Maintain access during closures	8:00 AM - 7:00 PM		(909) 866-2021
Caltrans Fawnskin Maintenance Station	Maintain access during closures, 12-foot minimum driveway required	24/7		(909) 866-4319

You are responsible to verify the schedules of the above mentioned entities to ensure that no conflicts occur with their daily schedules and that the project improvements should either be completed, or the work should be postponed until such a time the work can be completed in its entirety.

Additional contact information of other agencies may be provided to you during the pre-construction meeting.

Delete all of the paragraphs in section 5-1.27E, “Change Order Bills,” with the exception of the 1st paragraph.

Add the following paragraphs to section 5-1.36A, “General”:

Wherever work requires removing materials, the work and the unit price includes hauling and disposing of the materials outside of the project limits unless salvaging or incorporating the materials into the final work is described.

High Risk Facility Notification:

Certain underground facilities exist that may require special precautions be taken by the Contractor to protect the health, safety and welfare of workmen and of the public. Facilities requiring special precautions include, but are not limited to: natural gas in pipelines greater than 6 inches in diameter or pipelines operating at pressures greater than 60 psi (gage); underground electric supply system conductors or cables, either directly buried or in duct or conduit which do not have concentric grounded conductors or other effectively grounded metal shields or sheaths.

Replace 2nd paragraph of section 5-1.36A, "General," with:

Contractor must notify the Engineer and the appropriate regional notification center for operators of subsurface installations at least 2 working days, but not more than 14 days, prior to performing any excavation or other work close to any underground pipeline, conduit, duct, wire or other structure. Regional notification centers include but are not limited to the following:

Underground Service Alert of Southern California (USA) at 811 or 1-800-422-4133

Add the following paragraphs to section 5-1.36C(1), "General":

Attention is directed to Section 5-1.36C, "Non-Highway Facilities," and 15, "Existing Facilities," of the Standard Specifications and these Special Provisions.

The Contractor's attention is directed to the existence of certain underground facilities that may require special precautions be taken by the Contractor to protect the health, safety and welfare of workmen and of the public. Facilities requiring special precautions include, but are not limited to: natural gas in pipelines greater than 6 inches in diameter or pipelines operating at pressures greater than 60 psi (gage); underground electric supply system conductors or cables, either directly buried or in duct or conduit which do not have concentric grounded conductors or other effectively grounded metal shields or sheaths.

The Contractor shall notify the Engineer and the appropriate regional notification center for operators of subsurface installations at least 2 working days, but not more than 14 calendar days, prior to performing any excavation or other work close to any underground pipeline, conduit, duct, wire or other structure. Regional notification centers include but are not limited to the following: Underground Service Alert of Southern California (USA) 1-800-227-2600 Attention is directed to other obstructions as follows: AGENCY CONTACTS The following utility/municipal agencies have facilities within the limits of the subject project:

The contractor shall notify all listed utility companies two weeks prior to start of work.

The contractor is to notify Underground Service Alert at 1-800-227-2600, 48 hours prior to any construction operations in order for utilities to mark and identify locations of existing facilities.

1. During construction operations, all County-owned signs shall be relocated to clear the way for the Contractor's operations. When construction is complete, the County-owned signs shall be installed in final position as designated by the Engineer. (See "Reset Roadside Signs" elsewhere in these Special Provisions).
2. Existing guideposts (paddles) that interfere with construction shall be removed and disposed of.
3. Existing pavement markers, when no longer required for traffic lane delineation as directed by the Engineer, shall be removed and disposed of.
4. Special precaution shall be taken by the Contractor to protect existing utilities that may not be noticeably visible while working in the road shoulder areas.

Full compensation for conforming to the requirements of this section, not otherwise provided for, including furnishing all labor, materials, tools, equipment and incidentals, including utility adjustments to grade, providing utility windows and coordination, and for doing all work involved shall be considered as included in the contract prices paid for the various items of work and no additional compensation will be allowed therefore.

Replace section 5-1.36C(2) with:

5-1.36C(2) Nonhighway Facility Protection

The utilities shown in the following table may interfere with the work and must be exposed or protected in place. Make arrangements with the utility owner (1) to conduct or witness all exposures or (2) to request temporary deactivation of the utility.

Utilities to Be Exposed and/or Protected in Place During Construction

Utility	Location
Overhead Joint Poles (Electric & Telecommunications)	Throughout project limits
Underground Gas	All legs of intersection
Underground Water	Both legs of Stanfield Cut Off and East leg of SR 38
Underground electrical and telecommunications	East and west legs of intersection

Add between the 2nd and 3rd paragraphs of section 5-1.36C(3):

Installation of the utilities shown in the following table requires coordination with your activities. Make the necessary arrangements with the utility company through the Engineer and submit a schedule:

1. Verified by a representative of the utility company
2. Allowing at least the time shown for the utility owner to complete its work

Utility Relocation and Contractor-Arranged Time for the Relocation

Utility	Utility address	Location	Working days
Fire Hydrant (Big Bear Lake Dept of Power & Water)	41972 Garstin Drive Big Bear Lake, Ca 92315	East side, north leg of Stanfield Cutoff	3
Water Valves (Big Bear Lake Dept of Power & Water)	41972 Garstin Drive Big Bear Lake, Ca 92315	East side, south leg of Stanfield Cutoff	3
Water Meter Boxes (Big Bear Lake Dept of Power & Water)	41972 Garstin Drive Big Bear Lake, Ca 92315	East side, south leg of Stanfield Cutoff	3
Gas Valves (Southwest Gas)	140 Business Center Drive Big Bear Lake, Ca 92315	Various locations	3

The utilities shown in the following table will not be rearranged. The utilities may interfere with pile driving, drilling activities, or substructure construction. If you want any of them rearranged or temporarily deactivated, make arrangements with the utility owner.

Utilities Not Rearranged for Pile Driving, Drilling Activities, or Substructure Construction

Utility	Location
Overhead Power & Telecom	All four legs of intersection

Replace the 3rd paragraph of section 5-1.36C(3), “Nonhighway Facility Rearrangement,” with:

Supplemental Work – The rearrangement of utilities is not anticipated work within the scope of the project.

Delete section 5-1.39C (2), “Plant Establishment Period of 3 Years or More.”

Revise the phrase “2. Bar to arbitration (Pub Cont Code § 10240.2)” in the fourth paragraph of section 5-1.43A, “General,” with:

Bar to pursue the claim in a court of law

5-1.43E Dispute Resolution for Claims subject to Public Contract Code sections 9204, 20104, 20104.2, 20104.4 and/or 20104.6.

Claims between the County and the Contractor shall be resolved in accordance with Public Contract Code section 9204 (which is a new law and applies to all public works contracts entered on or after January 1, 2017), as well as Public Contract Code sections 20104, 20104.2, 20104.4 and 20104.6 (if applicable), provided, however, that Public Contract Code section 20104.2(a) shall not supersede the requirements of the Contract Documents with respect to the Contractor's notification to the County of such claim or extend the time for giving of such notice as provided in the Contract Documents. The entire text of Public Contract Code sections 9204, 20104, 20104.2, 20104.4 and 20104.6 is incorporated herein and found at the end of these Special Provisions.

Please note that pursuant to Public Contract Code section 9204(c)(1), a "claim" means the following:

a separate demand by a contractor sent by registered mail or certified mail with return receipt requested, for one or more of the following: (A) A time extension, including, without limitation, for relief from damages or penalties for delay assessed by a public entity under a contract for a public works project. (B) Payment by the public entity of money or damages arising from work done by, or on behalf of, the contractor pursuant to the contract for a public works project and payment for which is not otherwise expressly provided or to which the claimant is not otherwise entitled. (C) Payment of an amount that is disputed by the public entity.

Add section 5-1.43G, "Civil Action," which reads:

5-1.43G Civil Action

Any dispute which cannot be resolved between the Parties by first following the applicable and required potential claims and dispute resolution provisions stated in this section 5-1.43, may then be resolved through litigation in a court of competent jurisdiction of the State of California. **IMPORTANT: BEFORE CONTRACTOR MAY FILE A LAWSUIT AGAINST COUNTY, CONTRACTOR SHALL FIRST COMPLY WITH THE GOVERNMENT CLAIMS ACT, CALIFORNIA GOVERNMENT CODE SECTION 900 ET SEQ., INCLUDING, BUT NOT LIMITED TO, THE REQUIREMENT THAT CONTRACTOR PREPARE AND FILE A TIMELY CLAIM THAT SATISFIES THE GOVERNMENT CLAIMS ACT WITH THE FOLLOWING COUNTY DEPARTMENT:**

San Bernardino County

Risk Management Division

222 W. Hospitality Lane, 3rd Floor San Bernardino, California 92415-0016

A copy of the County's standard claim form may be accessed at the Risk Management Division during normal business hours, or may be downloaded at http://countyline.sbcounty.gov/riskmanagement/content/forms/claim_against_county.pdf.

Venue for any such litigation concerning this Project or Agreement shall be in the Superior Court of California, San Bernardino County, San Bernardino District and Contractor agrees to incorporate this provision into all subcontracts.

Each Party hereby waives any law or rule of court that would allow them to request or demand a change of venue. If any third party brings an action or claim concerning this Contract, the Parties hereto agree to use their best efforts to obtain a change of venue to the Superior Court of California, San Bernardino County, San Bernardino District

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6 CONTROL OF MATERIALS

Add the following paragraph to section 6-1.01, "GENERAL":

Contractor must comply with Section 6, "Control of Materials," of the Standard Specifications and these Special Provisions

Add to the beginning of section 6-1.02:

The Department furnishes you with:

[LED Luminaires](#)

1. Replace section 6-1.03B with:

6-1.03B Submittals

6-1.03B(1) General

Not Used

6-1.03B(2) Work Plan

For local material, such as rock, gravel, earth, structure backfill, pervious backfill, imported borrow, and culvert bedding, obtained from a (1) noncommercial source, or (2) source not regulated under California jurisdiction, submit a local material plan for each material at least 60 days before placing the material. The local material plan must include:

1. Certification signed by you and an engineer who is registered as a civil engineer in the State or a professional geologist licensed as a professional geologist by the State stating:

I am aware local material from a noncommercial source or a source not regulated under CA jurisdiction must be sampled and analyzed for pH and lead and may require sampling and analysis under section 6-1.03B(3) for other constituents of concern based on the land use history. I am aware that local material sources must not contain ADL at concentrations greater than 80 mg/kg total lead or equal to or greater than 5 mg/L soluble lead as determined by the Waste Extraction Test (WET) Procedures, 22 CA Code of Regs § 66261.24(a)(2) App II. I am aware that a maximum quantity of material may be excavated at the site based on the minimum number of samples taken before excavating at the site under section 6-1.03B(3).

2. Land use history of the local material location and surrounding property
3. Sampling protocol
4. Number of samples per volume of local material
5. QA and QC requirements and procedures
6. Qualifications of sampling personnel
7. Stockpile history
8. Name and address of the analytical laboratory that will perform the chemical analyses
9. Analyses that will be performed for lead and pH
10. Other analyses that will be performed for possible hazardous constituents based on:
 - 10.1. Source property history
 - 10.2. Land use adjacent to source property
 - 10.3. Constituents of concern in the ground water basin where the job site is located

The plan must be sealed and signed by an engineer who is registered as a civil engineer in the State or a professional geologist licensed as a professional geologist by the State.

If the plan requires revisions, the Engineer provides comments. Submit a revised plan within 7 days of receiving comments. Allow 7 days for the review.

6-1.03B(3) Analytical Test Results

At least 15 days before placing local material, submit analytical test results for each local material obtained from a noncommercial source or a source not regulated under CA jurisdiction. The analytical test results must include:

1. Certification signed by an engineer who is registered as a civil engineer in the State or a professional geologist licensed as a professional geologist by the State stating:

The analytical testing described in the local material plan has been performed. I performed a statistical analysis of the test results using the US EPA's ProUCL software with the applicable 95 percent upper confidence limit. I certify that the material from the local material source is suitable for unrestricted use at the job site, it has a pH above 5.0, does not contain soluble lead in concentrations equal to or greater than 5mg/l as determined by the Waste Extraction Test (WET) Procedures, 22 CA Code of Regs § 66261.24(a)(2) App II, does not contain lead in concentrations above 80 mg/kg total lead, is free from all other contaminants identified in the local material plan, and will comply with the job site's basin plan and water quality objectives of the RWQCB.

2. Chain of custody of samples
3. Analytical results no older than 1 year
4. Statistical analysis of the data using US EPA's ProUCL software with a 95 percent upper confidence limit
5. Comparison of sample results to hazardous waste concentration thresholds and the RWQCB's basin plan requirements and water quality objectives for the job site location

6-1.03B(4) Sample and Analysis

Sample and analyze local material from a (1) noncommercial source or (2) a source not regulated under CA jurisdiction:

1. Before bringing the local material to the job site
2. As described in the local material plan
3. Under US EPA Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846)

The sample collection must be designed to generate a data set representative of the entire volume of proposed local material.

Before excavating at the (1) noncommercial material source or (2) a source not regulated under CA jurisdiction, collect the minimum number of samples and perform the minimum number of analytical tests for the corresponding maximum volume of local material as shown in the following table:

Minimum Number of Samples and Analytical Tests for Local Material

Maximum volume of imported borrow (cu yd)	Minimum number of samples and analytical tests
< 5,000	8
5,000–10,000	12 for the first 5,000 cu yd plus 1 for each additional 1,000 cu yd or portion thereof
10,000–20,000	17 for the first 10,000 cu yd plus 1 for each additional 2,500 cu yd or portion thereof
20,000–40,000	21 for the first 20,000 cu yd plus 1 for each additional 5,000 cu yd or portion thereof
40,000–80,000	25 for the first 40,000 cu yd plus 1 for each additional 10,000 cu yd or portion thereof
> 80,000	29 for the first 80,000 cu yd plus 1 for each additional 20,000 cu yd or portion thereof

Do not collect composite samples or mix individual samples to form a composite sample.

Analyze the samples using the US EPA's ProUCL software with a 95 percent upper confidence limit. All chemical analysis must be performed by a laboratory certified by the SWRCB's Environmental Laboratory Accreditation Program (ELAP).

The analytical test results must demonstrate that the local material:

1. Is not a hazardous waste
2. Has a pH above 5.0

3. Has an average total lead concentration, based upon the 95 percent upper confidence limit, at or below 80 mg/kg
4. Is free of possible contaminants identified in the local material plan
5. Complies with the RWQCB's basin plan for the job site location
6. Complies with the RWQCB's water quality objectives for the job site location

6-1.03C Local Material Management

Do not place local material until authorized.

If the Engineer determines the appearance, odor, or texture of any delivered local material suggests possible contamination, sample and analyze the material. The sampling and analysis is change order work unless (1) hazardous waste is discovered or (2) the analytical test results indicate the material does not comply with section 6-1.03B(3).

Dispose of noncompliant local material at an appropriately permitted CA Class I, CA Class II or CA Class III facility. You are the generator of noncompliant local materials.

Add the following paragraph to section 6-2.01, "GENERAL":

All materials required to complete the work under this contract shall be furnished by the Contractor. The Department uses a Quality Assurance Program (QAP) to ensure a material is produced to comply with the Contract. Contractor may examine the records and reports of tests the Department performs if they are available at the job site. Schedule work to allow time for QAP.

Replace section 6-2.01C, "Authorized Material Lists," with:

6-2.01C Prequalified And Tested Materials For Traffic Control Devices

Contractor must comply with section 6-1.05, "SPECIFIC BRAND OR TRADE NAME AND SUBSTITUTION," of the Standard Specifications and these Special Provisions.

The Department maintains a trade name list of approved prequalified and tested signing and delineation materials and products. Approval of prequalified and tested products and materials shall not preclude the Engineer from sampling and testing any of the signing and delineation materials or products at any time. Contractor may use a product that is equal to or better than the specified brand or trade name if authorized.

Materials and products will be considered for addition to said approved prequalified and tested list if the manufacturer of the material or product submits to the Traffic Division a sample of the material or product. The sample shall be sufficient to permit performance of all required tests. Approval of such materials or products will be dependent upon a determination as to compliance with the specifications and any test the Department may elect to perform.

Said list of approved prequalified and tested signing and delineation materials and products cover the following traffic control devices:

MATERIAL

Pavement markers, reflective and non-reflective

Temporary pavement markers

Striping and pavement marking tape

Flexible delineators and markers

Channelizers

Sign sheeting materials

Railing and barrier delineators

Traffic cones and reflective cone sleeves

A certificate of Compliance shall be furnished as specified in Section 6-3.05E, "Certificates of Compliance," of the Standard Specifications for signing and delineation products. Said certificate shall also certify that the signing and delineation product conforms to the prequalified testing and approval of the Department of Public Works, Traffic Division and were manufactured in accordance with the approved quality control program.

The Approved Prequalified and Tested Signing and Delineation Materials (also referred to as the "Authorized Materials List" or "Pre-Qualified Products List") are as follows:

PAVEMENT MARKERS, PERMANENT TYPE

Reflective pavement markers:

Apex (4x4)

Ray-O-Lite, Models SS, RS, and AA (4x4)

Stimsonite 88 (4x4)

Reflective pavement markers with abrasion resistant surface:

Stimsonite 911 (4x4)

Stimsonite 944 SB (2x4) - formerly model 947

Stimsonite 948 (2.3x4.7)

Non-reflective pavement markers for use with epoxy or bituminous adhesive:

Apex Universal, Ceramic

Ferro Corporation, Permark (ceramic)

Highway Ceramics Inc., Ceramic Safety

Signs Inc. "Safety Dot" Model SD4 (Polyester)

Traffic Control Signs Co., Titan, TM40WY (Polyester)

Non-reflective pavement markers for use only with bituminous adhesive:

Edco, Models A 1107, AY 1108 (ABS)

Valterra Products - P20-2000W and P20-2001Y (ABS)

PAVEMENT MARKERS, TEMPORARY TYPE

Temporary pavement markers for long-term day/night use (6 months or less):

Astro Optics Model TPM (4x4)

Flex-O-Lite Model RCM (4x4)

Stimsonite 66 (4x4)

Stimsonite 66GB (Grabber Bottom) (4x4)

Swareflex 35573558 (4x4)

Temporary pavement markers for short-term day/night use (14 days or less):

Astro Optics Model TPM (4x4)

Davidson T.O.M. (Flexible)

Flex-O-Lite Model (RCM) (4x4)

Stimsonite Model 66 (4x4)
Stimsonite 66GB (Grabber Bottom) (4x4)
Swareflex Model 30023004 (4x4)
Swareflex Model 35573558 (4x4)
Valterra Products 12801281 Series (Flexible)
3M Scotch-Lane A200 Pavement Marking System

Temporary pavement markers for short-term day/night use (14 days and less) at seal coat locations:

Davidson T.R.P.M. with Reflexite PC-1000 Sheeting
Valterra Products – 128012

STRIPING AND PAVEMENT MARKING MATERIAL, PERMANENT

Permanent traffic striping and pavement marking tape:

Brite-Line Series 1000
Swarco Industries "Director"
3M Stamark Brand Pliant Polymer Grade Series 5730

3M Stamark Brand Bisymmetric 1.75 Grade Series 5750 (For use on low-volume roadways only)

Temporary removable construction grade striping and pavement marking tape:

Advanced Traffic Marking ATM Series 200
3M Stamark Brand, Detour Grade, Series 5710
Swarco Industries "Director 2"

Temporary non-removable construction grade striping tape:

3M Scotch Lane Brand Construction Grade, Series 5160

ROADSIDE DELINEATORS

One-piece drivable flexible type (48")

All West Plastics "Flexi-Guide 400"
Carsonite Curve-Flex CFRM-400
Carsonite Roadmarker CRM-375
FlexStake H-D Polyform, Inc., "Vista-Flex"

Non-drivable flexible type (48") (For special use only)

Carsonite "Impactor" with 18" soil anchor
Carsonite "Survivor" with 18" U-Channel anchor
Safe-Hit with 8" pavement anchor (SH248-GPR and SHAI-08-PI)
Safe-Hit with 15" soil anchor (SHA5-15C-GL)
Safe-Hit with 18" soil anchor (SH248-GPR and SHA#-18C-PL)

Uticom, U-Post, Series 1200 (Formerly Dura-Hit Mod. PC-5049)

Surface mount flexible type (48")

FlexStake Surface Mount H-D

CHANNELIZERS

Surface mount type (36")

Carsonite "Survivor" Model SMD-353

Carsonite "Super Duck" (Flat SDF-436)(Round SDR-336)

Carsonite Super Duck II "The Channelizer"

FlexStake Surface Mount H-D The Line Connection "Dura-Post"

Repo, Models 300 and 400

Safe-Hit Guide Post with glue down base (SH236SMA)

TRAFFIC CONES

Highway Safety Products 28"

Radiator Specialty Company 28"

Roadmarker Company "Stacker" 42"

Bent Manufacturing Co., "T-Top" 42"

TYPE "K" OBJECT MARKER (18")

Carsonite Models SMD 615 and SMD 615-A

Repo, Models 300 and 400

Safe-Hit Model SH718SMA

TYPE "K-4" OBJECT MARKER (24")

Carsonite, Super Duck II

The Line Connection, "Dura-Post"

Repo, Models 300 and 400

Safe-Hit

CONCRETE MEDIAN BARRIER DELINEATOR

Impactable Type

All West Plastics "Flexi-Guide 235"

Duraflex Corp. "Flexi 2020"

Davidson Portable Concrete Barrier Marker (PCBM-12)

Reflexite Barrier Mount Delineator (Mod. 661-662)

Non-impactable Type

Astro-Optics JD Series

Stimsonite 967

BARRIER DELINEATOR (16" GLUE DOWN TYPE)

Safe-Hit

GUARDRAIL DELINEATOR (27" NAIL ON TYPE)

Carsonite Guardrail Delineator Post (CFGR 427)

Safe-Hit 27-inch Guardrail Delineator

All West Plastics "Flexi-Guide" 327

METAL BEAM GUARDRAIL DELINEATOR

Duraflex Corp. "Railrider"

REFLECTIVE SHEETING FOR TEMPORARY CHANNELIZERS, DELINEATORS AND TRAFFIC CONES

3M High Intensity

Reflexite PC 1000 (Metalized Polycarbonate)

Reflexite AP-1000 (Metalized Polyester)

Seibulite ULG (Ultralite Grade)

SIGNING MATERIALS –The following Retro-reflective Sheeting Materials are Acceptable for use on County Maintained Road System Signs:

Regulatory Signs (Exclude STOP signs and Parking Signs):

T6500, ASTM D 4956-01, Type IV.

Stop Signs:

DG3, ASTM D 4956-09, Type XI.

Warning Signs (Exclude School Signs):

T6501, ASTM D 4956-01, Type IV.

School Warning Signs:

FYG, ASTM D 4956-01, Type IX, SP - 41

Guide Signs:

T6501, ASTM D 4956-01, Type IV. Construction Signs: FDG, ASTM D 4956-01, Type IX.

Signs Utilizing Super Engineering Grade (e.g. No Parking Sign):

ASTM D 4956-01, Type II

Signs Utilizing Engineering Grade:

ASTM D 4956-01, Type I

SIGNING MATERIALS LEGEND:

ASTM = American Standard for Testing Materials

DG = Diamond Grade

LDP = Long Distance Performance

FDG = Fluorescent Diamond Grade

FYG = Fluorescent Yellow Green

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7 LEGAL RELATIONS AND RESPONSIBILITY TO THE PUBLIC

Add the following paragraphs to section 7-1.02I(2), "Nondiscrimination":

Contractor must comply with section 7-1.02I (2), "Nondiscrimination" of the Standard Specifications, and to the "Standard California Nondiscrimination Construction Contract Specifications" set forth therein.

During the term of the Contract, Contractor and its subcontractors shall not discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, age, or military and veteran status. Contractor shall comply with Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, 13672, Title VI & VII of the Civil Rights Act of 1964, the California Fair Housing and Employment Act and other applicable Federal, State of California and County laws and regulations and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted. Contractor shall include the nondiscrimination and compliance provisions of this paragraph in all subcontracts to perform work under the contract.

Replace the 2nd and 3rd paragraphs of section 7-1.02K(2), "Wages," with:

Pursuant to section 1773 of the Labor Code, the general prevailing rates of wages in the San Bernardino County have been determined and are listed in the State of California Department of Industrial Relations Director's General Prevailing Wage Determinations

<https://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>).

In addition, these wages are set forth in the General Prevailing Wage Rates included in these Special Provisions. The Contractor and subcontractors shall not pay less than the prevailing wage. Copies of the prevailing wage rates are also on file at the San Bernardino County Department of Public Works Contracts Division office (address identified above) and shall be made available to any interested party on request. A copy of the determination of the Director of prevailing rate of per diem wages shall be posted at each job site. More specifically, the Contractor shall post the general prevailing wage rates at a prominent place at the job site (Labor Code section 1773.2).

Future effective general prevailing wage rates, which have been predetermined and are on file with the California Department of Industrial Relations are referenced but not printed in the general prevailing wage rates.

The Federal minimum wages for this project as predetermined by the United States Secretary of Labor are set forth in the Federal Minimum Wages included in these Special Provisions and also available on the internet at: <https://www.wdol.gov/>.

Addenda to modify the Federal minimum wage rates, if necessary, will be issued to holders of the Special Provisions for the project.

Attention is directed to the prevailing wage requirements in the Special Provisions. The contractor and subcontractors shall pay not less than the federal minimum wages or the general prevailing wage rates. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate, which most closely approximates the duties of the employees in question.

LABOR CODE REQUIREMENTS REGARDING REGISTRATION AS CONTRACTOR OR SUBCONTRACTOR REQUIRED PRIOR TO BID PROPOSAL SUBMISSION: Contractor shall comply with Labor Code section 1771.1, including, but not limited to, the following requirements: (1) no contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 (with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)); (2) no contractor or subcontractor may be awarded a contract for public work or perform work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5; (3) this Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations; (4) Contractor shall post job site notices regarding compliance monitoring and enforcement by the Department of Industrial Relations; and (5) Contractor must submit certified payroll at least monthly to the Labor Commissioner in a format prescribed by the Labor Commissioner.

As provided in Labor Code section 1771.1:

- (a) A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.
- (b) Notice of the requirement described in subdivision (a) shall be included in all bid invitations and public works contracts, and a bid shall not be accepted nor any contract or subcontract entered into without proof of the contractor or subcontractor's current registration to perform public work pursuant to Section 1725.5.
- (c) An inadvertent error in listing a subcontractor who is not registered pursuant to Section 1725.5 in a bid proposal shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive, provided that any of the following apply:
 - (1) The subcontractor is registered prior to the bid opening
 - (2) Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee specified in subparagraph (E) of paragraph (2) of subdivision (a) of Section 1725.5.
 - (3) The subcontractor is replaced by another registered subcontractor pursuant to Section 4107 of the Public Contract Code.
- (d) Failure by a subcontractor to be registered to perform public work as required by subdivision (a) shall be grounds under Section 4107 of the Public Contract Code for the contractor, with the consent of the awarding authority, to substitute a subcontractor who is registered to perform public work pursuant to Section 1725.5 in place of the unregistered subcontractor.
- (e) The department shall maintain on its Internet Web site a list of contractors who are currently registered to perform public work pursuant to Section 1725.5.
- (f) A contract entered into with any contractor or subcontractor in violation of subdivision (a) shall be subject to cancellation, provided that a contract for public work shall not be unlawful, void, or voidable solely due to the failure of the awarding body, contractor, or any subcontractor to comply with the requirements of Section 1725.5 or this section.
- (g) If the Labor Commissioner or his or her designee determines that a contractor or subcontractor engaged in the performance of any public work contract without having been registered in accordance with this section, the contractor or subcontractor shall forfeit, as a civil penalty to the state, one hundred dollars (\$100) for each day of work performed in violation of the registration requirement, not to exceed an aggregate penalty of eight thousand dollars (\$8,000) in addition to any penalty registration fee assessed pursuant to clause (ii) of subparagraph (E) of paragraph (2) of subdivision (a) of Section 1725.5.

(h) (1) In addition to, or in lieu of, any other penalty or sanction authorized pursuant to this chapter, a higher tiered public works contractor or subcontractor who is found to have entered into a subcontract with an unregistered lower tier subcontractor to perform any public work in violation of the requirements of Section 1725.5 or this section shall be subject to forfeiture, as a civil penalty to the state, of one hundred dollars (\$100) for each day the unregistered lower tier subcontractor performs work in violation of the registration requirement, not to exceed an aggregate penalty of ten thousand dollars (\$10,000).

(2) The Labor Commissioner shall use the same standards specified in subparagraph (A) of paragraph (2) of subdivision (a) of Section 1775 when determining the severity of the violation and what penalty to assess, and may waive the penalty for a first time violation that was unintentional and did not hinder the Labor Commissioner's ability to monitor and enforce compliance with the requirements of this chapter.

(3) A higher tiered public works contractor or subcontractor shall not be liable for penalties assessed pursuant to paragraph (1) if the lower tier subcontractor's performance is in violation of the requirements of Section 1725.5 due to the revocation of a previously approved registration.

(4) A subcontractor shall not be liable for any penalties assessed against a higher tiered public works contractor or subcontractor pursuant to paragraph (1). A higher tiered public works contractor or subcontractor may not require a lower tiered subcontractor to indemnify or otherwise be liable for any penalties pursuant to paragraph (1).

(i) The Labor Commissioner or his or her designee shall issue a civil wage and penalty assessment, in accordance with the provisions of Section 1741, upon determination of penalties pursuant to subdivision (g) and subparagraph (B) of paragraph (1) of subdivision (h). Review of a civil wage and penalty assessment issued under this subdivision may be requested in accordance with the provisions of Section 1742. The regulations of the Director of Industrial Relations, which govern proceedings for review of civil wage and penalty assessments and the withholding of contract payments under Article 1 (commencing with Section 1720) and Article 2 (commencing with Section 1770), shall apply.

(j) (1) Where a contractor or subcontractor engages in the performance of any public work contract without having been registered in violation of the requirements of Section 1725.5 or this section, the Labor Commissioner shall issue and serve a stop order prohibiting the use of the unregistered contractor or the unregistered subcontractor on all public works until the unregistered contractor or unregistered subcontractor is registered. The stop order shall not apply to work by registered contractors or subcontractors on the public work.

(2) A stop order may be personally served upon the contractor or subcontractor by either of the following methods:

(A) Manual delivery of the order to the contractor or subcontractor personally.

(B) Leaving signed copies of the order with the person who is apparently in charge at the site of the public work and by thereafter mailing copies of the order by first class mail, postage prepaid to the contractor or subcontractor at the address on file with either of the following:

(i) The Contractors' State License Board.

(ii) The Secretary of State.

(3) The stop order shall be effective immediately upon service and shall be subject to appeal by the party contracting with the unregistered contractor or subcontractor, by the unregistered contractor or subcontractor, or both. The appeal, hearing, and any further review of the hearing decision shall be governed by the procedures, time limits, and other requirements specified in subdivision (a) of Section 238.1.

(k) Failure of a contractor or subcontractor, owner, director, officer, or managing agent of the contractor or subcontractor to observe a stop order issued and served upon him or her pursuant to subdivision (j) is guilty of a misdemeanor punishable by imprisonment in county jail not exceeding 60 days or by a fine not exceeding ten thousand dollars (\$10,000), or both.

(l) This section shall apply to any bid proposal submitted on or after March 1, 2015, and any contract for public work entered into on or after April 1, 2015. This section shall also apply to the performance of any public work, as defined in this chapter, on or after January 1, 2018, regardless of when the contract for public work was entered.

(m) Penalties received pursuant to this section shall be deposited in the State Public Works Enforcement Fund established by Section 1771.3 and shall be used only for the purposes specified in that section.

(n) This section shall not apply to work performed on a public works project of twenty-five thousand dollars (\$25,000) or less when the project is for construction, alteration, demolition, installation, or repair work or to work performed on a public works project of fifteen thousand dollars (\$15,000) or less when the project is for maintenance work.

LABOR CODE REQUIREMENTS FOR ENTITIES HAULING OR DELIVERING READY-MIXED CONCRETE: Adherence to the prevailing wage requirements found in Labor Code section 1720.9 for the hauling and delivery of ready-mixed concrete is required. This includes, but is not limited to, a requirement for the person or entity that delivers ready-mixed concrete to register with the Department of Industrial Relations (DIR) as specified in Labor Code section 1725.5. For more information, please see the DIR website: <http://www.dir.ca.gov/>.

Replace the paragraphs in section 7-1.02K (3), "Certified Payroll Records (Labor Code § 1776)," with the following:

Keep accurate payroll records.

Submit a copy of your certified payroll records, weekly, including those of subcontractors. Include:

1. Each employee's:
 - 1.1. Full name
 - 1.2. Address
 - 1.3. Social security number
 - 1.4. Work classification
 - 1.5. Straight time and overtime hours worked each day and week
 - 1.6. Actual wages paid for each day to each:
 - 1.6.1. Journeyman
 - 1.6.2. Apprentice
 - 1.6.3. Worker
 - 1.6.4. Other employee you employ for the work
 - 1.7. Pay rate
 - 1.8. Itemized deductions made
 - 1.9. Check number issued
2. Apprentices and the apprentice-to-journeyman ratio

Each certified payroll record must include a Statement of Compliance form signed under penalty of perjury that declares:

1. Information contained in the payroll record is true, correct, and complete
2. Employer has complied with the requirements of sections 1771, 1811, and 1815 for any work performed by his or her employees on the public works project

3. Wage rates paid are at least those required by the Contract.

The Department allows the use of a form with identical wording as the Statement of Compliance form provided by the Department.

Submitted certified payrolls for hauling and delivering ready-mixed concrete must be accompanied by a written time record. The time record must include:

1. Truck driver's full name and address
2. Name and address of the factory or batching plant
3. Time the concrete was loaded at the factory or batching plant
4. Time the truck returned to the factory or batching plant
5. Truck driver's signature certifying under penalty of perjury that the information contained in this written time record is true and correct

Make certified payroll records available for inspection at all reasonable hours at your main office on the following basis:

1. Upon the employee's request or upon request of the employee's authorized representative, make available for inspection a certified copy of the employee's payroll record.
2. Refer the public's requests for certified payroll records to the Department. Upon the public's request, the Department makes available for inspection or furnishes copies of your certified payroll records. Do not give the public access to the records at your main office.

Make all payroll records available for inspection and copying or furnish a copy upon request of a representative of the:

1. Department
2. Division of Labor Standards Enforcement of the Department of Industrial Relations
3. Division of Apprenticeship Standards of the Department of Industrial Relations

Furnish the Department the location of the records. Include the street address, city, and county. Furnish the Department a notification of a location and address change within 5 business days of the change.

Comply with a request for the records within 10 days after you receive a written request. If you do not comply within this period, the Department withholds from progress payments a \$100 penalty for each day or part of a day for each worker until you comply. You are not assessed this penalty for a subcontractor's failure to comply with Labor Code § 1776.

The Department withholds from progress payments for delinquent or inadequate records (Labor Code § 1771.5). If you have not submitted an adequate record by the month's 15th day for the period ending on or before the 1st of that month, the Department withholds up to 10 percent of the monthly progress estimate, exclusive of mobilization. The Department does not withhold more than \$10,000 or less than \$1,000.

Certified payroll records are required to be submitted weekly to the Engineer during the term of construction.

Contractor and subcontractors must furnish electronic certified payroll records directly to the Labor Commissioner (aka Division of Labor Standards Enforcement) pursuant to Labor Code section 1771.1 identified herein.

Add to section 7-1.02K(6)(b):

Comply with Section 6707 of the Labor Code; Section 832 of the Civil Code; Article 6, Subchapter 4, Chapter 4, Title 8 of the California Code Regulations {Construction Safety Orders}.

Unless otherwise certified in writing by a registered civil or structural engineer, all soil type, except bedrock, for the purposes of designing trench/excavation safety measures must be considered to be Type

C. You are solely responsible for damages resulting from its failure to prevent collapse or failure of excavations under all load conditions encountered during construction.

The stability of temporary excavations is a function of several factors, including the total time the excavation is exposed, moisture condition, soil type and consistency, and your operations. You are responsible for excavation safety. As a guideline, temporary construction excavations greater than 3 feet but less 10 feet deep should be planned with slopes no steeper than 1.5H : 1V (Horizontal to Vertical). For steeper temporary construction slopes or deeper excavations, you must submit a shoring plan designed and stamped by a California licensed Professional Civil or Structural Engineer.

Your attention is directed to Section 4-1.05, the provisions in this section pertaining to "Increases" will not apply to increases in trench/excavation safety measures due to changes in the types of soil or other conditions upon which are based designs of such measures, except as provided in Section 4-1.05B.

Unless otherwise specified, you must obtain, at no additional cost to the Department, such licenses, permits, or approvals as may be required from adjacent property owners, and/or owners of easement rights overlying your work site(s), relating to trench/excavation safety and protection of said owner's property, equipment, or existing facilities from damage arising from caving ground in vicinity of your excavation(s).

Requirements in Section 7-1.02K(6) to submit a Trench Excavation Safety Plan 5 days (or 3 weeks for an engineered plan) before you intend to begin excavation must be considered to be amended to comply with any conditions for necessary permits, licenses, or approvals that exceed said requirements, at no additional cost to the Department.

Reflectors must be affixed to shoring on all sides facing traffic.

Open trenches or holes will be inspected a minimum of three times per day immediately before backfilling.

Replace items 1, 3 and 4 in the list in the 22nd paragraph of section 7-1.04, "PUBLIC SAFETY," with:

1. Excavations: Where the near edge of the excavation is within 15 feet from the edge of an open traffic lane except:
 - a. Trenches less than 1-foot wide for irrigation pipe or electrical conduit, or excavations less than 1-foot in diameter;
 - b. Excavations parallel to the lane for the purpose of pavement widening or reconstruction; and/or
 - c. Excavations within temporary traffic control zones that do not extend beyond a single daylight period, for these zones alternative barrier systems should be considered.
3. Storage areas: When material or equipment is stored within 12 feet of the edge of an open traffic lane and the storage is not otherwise prohibited by the Contract
4. Height differentials: When construction operations create a height differential greater than 1 foot within 15 feet of the edge of traffic lane

Replace Section 7-1.02K(6)(j)(iii) with:

7-1.02K(6)(j)(iii) Unregulated Earth Material Containing Lead

Section 7-1.02K(6)(j)(iii) includes specifications for handling, removing, and disposing of unregulated earth material containing lead. Management of this material exposes workers to health hazards that must be addressed in your lead compliance plan. This material contains average lead concentrations below 80 mg/kg total lead and below 5 mg/L soluble lead and is not regulated by DTSC as a hazardous substance or a hazardous waste. This material does not require disposal at a permitted landfill or solid waste disposal facility. The RWQCB has jurisdiction over reuse of this material at locations outside the job site limits.

Unregulated earth material exists throughout the job site.

Lead is typically found within the top 2 feet of material within the highway. Reuse all of the excavated material on the right-of-way. Handle the material under all applicable laws, rules, and regulations, including those of the following agencies:

1. Cal/OSHA
2. CA RWQCB, Region [Santa Ana,8](#)

Add to section 7-1.02M(2):

7-1.02M(2)(a) Fire Plan

You must cooperate with local fire prevention authorities in eliminating hazardous fire conditions and must implement the following fire plan under the direction of the Engineer:

A. You must be responsible for:

- a) obtaining the phone number of the nearest fire suppression agency and providing this phone number to the Engineer as a first order of work, if the phone number is other than 911
- b) immediately reporting to said agency all fires occurring within the limits of the project
- c) preventing all project personnel from setting open fires not a part of the work, unless a permit is obtained from the U.S. Forest Service and California Department of Forestry prior to the actual burning
- d) preventing the escape of fires caused directly or indirectly as a result of project operations and extinguishing all said fires
- e) Attention is directed to the following information:

Big Bear Fire Department	Big Bear Fire Department
Big Bear Fire Station 282	Big Bear Fire Station 281
301 West Big Bear Blvd	41090 Big Bear Blvd
Big Bear Lake, California 92315	Big Bear Lake, California 92315
Phone: (909) 866-7566	Phone: (909) 866-7566

B. Except for motor trucks, truck tractors, buses and passenger vehicles, you must equip all hydrocarbon fueled engines, both stationary and mobile, including motorcycles, with spark arresters that meet U.S. Forest Service Standards as specified in the Forest Service Spark Arrester Guide and must maintain said arresters in good operating condition. Spark arresters are not required by the State Department of Forestry or the U.S. Forest Service on equipment powered by properly maintained exhaust-driven turbo-charged engines, or when equipped with scrubbers with properly maintained water levels.

The Forest Service Spark Arrester Guide is available at all Forest Service offices.

- C. All toilets must have a metal receptacle, at least 6 inches in diameter by 8 inches deep, half-filled with sand for ashes and discarded smokes, and within easy reach of anyone utilizing the facility.
- D. All equipment service areas, parking areas and gas and oil storage areas must be located so that there is no flammable material within a radius of at least 50 feet of said area. Small mobile or stationary engine sites must be cleared of flammable material for a radius of at least 15 feet from such engine. A permit is required from the County Fire Warden for the temporary storage of flammable liquids above ground.

- E. You must furnish each piece of equipment with the following:
- a) one shovel and one fully charged fire extinguisher UL rated at 2A 10 BC or more on each truck, personnel vehicle tractor, grader or other heavy equipment,
 - b) one shovel and one back-pack 5-gallon water-filled tank with pump for each welder,
 - c) one shovel or one chemical pressurized fire extinguisher, fully charged, for each gasoline-powered tool, including but not limited to chain saws, soil augers, rock drills, etc. The required fire tools must, at no time, be farther than 25 feet from the point of operation of said power tool. Fire extinguishers must be of the type and size required by the California Public Resource Code, Section 4431 and the California Administrative Code, Title 14, Section 1234,
 - d) all shovels must be size "0" or larger and must be not less than 46 inches in length.
- F. You must furnish a pickup truck and driver that will be available for the sole purpose of fire control during all working hours and as specified herein.
- a) The truck must be equipped with 10 shovels, 5 axes, 2 backpack 5-gallon water-filled tanks with pumps, other fire tools substituted on a one-to-one basis at the option of you if approved by the Engineer.
 - b) The truck must be equipped with a 100-gallon tank of water with a gasoline motor powered pump and 100 feet of 3/4" hose on a reel.
 - c) In addition to being available at the site of the work, the truck and operator must patrol the area of construction for not less than 1/2 hour after the shutdown of the work.
- G. You must be aware of the Fire Index and conform to the following:

The Wild Land Fire Danger Rating System established by the United States Forest Service and the State of California Department of Forestry is designed to estimate the relative effect of weather on the several aspects of fire behavior, such as spread, intensity, and ignition.

The combination of these effects make up the Fire Index, the severity of which is as follows:

LOW MEDIUM HIGH VERY HIGH EXTREME

The daily Fire Index may be obtained from the U.S. Forest Service and the Department of Forestry. When the Fire Index is "Very High" or "Extreme", the Engineer will notify you for dissemination and action in the area affected.

When the Fire Index reaches "**Very High**", the following type of work must be curtailed or discontinued:

- a) All falling of dead trees or snags must be discontinued.
- b) No open burning will be permitted; all fires must be extinguished.
- c) All welding must be discontinued except in an enclosed building or within an area cleared of all flammable material.
- d) All blasting must be discontinued.
- e) Smoking will be permitted only in automobiles and cabs of trucks equipped with an ashtray or in cleared areas immediately surrounded by a firebreak, unless prohibited by other authority.
- f) Vehicular travel will be restricted to cleared areas except in case of emergency.

When the fire reaches “**Extreme,**” the following precautions must be taken in addition to those listed above:

- a) Any work of a nature which could start a fire must require that properly equipped fire guard(s) be assigned to such an operation for the duration of the work.
- b) Smoking will be permitted only in automobiles and truck cabs equipped with an ashtray, unless prohibited by other authority.

If the project is shut down or partially shut down on account of hazardous fire conditions, working days during such period will be determined in the same manner as provided in Section 8-1.06, “Time of Completion,” of the Standard Specifications for shutdowns due to weather.

If field and weather conditions become such that the determination of the Fire Index is suspended, the provisions under Items “F” and “G” of this section will not be enforced for the period of the suspension of the determination of the Fire Index. The Engineer will notify you of the dates of the suspension and resumption of the determination of the Fire Index.

Prior to tree removal, welding, any open flame activity, flammable liquids storage, or blasting operations, you are required to obtain permits from the local U.S. Forest Service Ranger Station and the California Department of Forestry Station in Yucaipa. You must comply with all provisions of the permits.

Add the following sentences to the 17th paragraph of section 7-1.04, “PUBLIC SAFETY”:

Do not move or temporarily suspend anything over pedestrians unless the pedestrians are protected. The Contractor must furnish, erect and maintain those fences, Type K temporary railing, barricades, lights, signs and other devices and take such other protective measures that are necessary to prevent accidents or damage or injury to the public, especially pedestrians who travel through the work zone area. Where no other means of pedestrian passage through construction area is available, the Contractor must provide detours for pedestrian travel. A drawing of the proposed pedestrian detour with all signage, barricades, fencing, delineators, etc. as necessary for safe pedestrian travel through or around the work zone area must be submitted to the Engineer as part of the Traffic Control Plan as specified in the Traffic Control System section of these Special Provisions.

Add to 23rd paragraph of section 7-1.04:

The lane closure provisions of this section do not apply if the work area is protected by permanent, temporary railing, or barrier. When traffic cones or delineators are used to delineate a temporary edge of traffic lane, the line of cones or delineators must be considered to be the edge of traffic lane, however, you must not reduce the width of an existing lane to less than 11 feet without written approval from the Engineer

When work is not in progress on trench or other excavation that requires closure of an adjacent lane, the traffic cones or portable delineators used for the lane closure must be placed adjacent to the edge of the traveled way. The spacing of the cones or delineators must be the same as specified for the lane closure.

Add to section 7-1.04:

When applicable, the California MUTCD latest edition Figure 6H-28 “Sidewalk Detour or Diversion” Typical Application 28 and Figure 6H-29 “Crosswalk Closures and Pedestrian Detours” Typical Application 29 may be used and referenced as part of the project’s Traffic Control Plan.

If above referenced CA MUTCD typical applications are deviated from due to project field conditions, or as required by the engineer, you must prepare a pedestrian traffic control plan and submit to the Engineer for review and approval. The pedestrian traffic control plan must detail any pedestrian detour with all signage, barricades, fencing, delineators, etc. as necessary for safe pedestrian travel through or around the work zone area in conformance with the California Manual on Uniform Traffic Control Devices (CA

MUTCD) – Part 6 (latest edition) - Temporary Traffic Control sections 6D.01 “Pedestrian Considerations” and section 6D.02 “Accessibility Considerations” and section 12-4.04, “Temporary Pedestrian Access Routes” of the Standard Specifications and these special provisions. Refer to additional Traffic Control Plan requirements as specified in the section 12 of these Special Provisions. Nothing in these Special Provisions is to be construed as to reduce the minimum standards in the CA MUTCD.

Add the following sentences to the 25th paragraph of section 7-1.04, “PUBLIC SAFETY”:

Type K temporary railing must conform to the provisions in Section 12-3.08, “Type K Temporary Railing,” of the Standard Specifications. Type K temporary railing, conforming to the details shown on Standard Plans T3A and T3B or approved equal by the Engineer may be used.

The locations of Type K temporary railing shall be shown on Traffic Control Plans for review and approval by the Engineer. The Contractor must comply with the Traffic Control System section elsewhere in these Special Provisions.

Contractor may propose to the Engineer an alternative to the use of Type K temporary railing and/or crash cushions in areas where the use of these devices is anticipated to be for a relatively short period of time but no more than five working days. Approval of the Engineer for the use of the proposed alternatives shall not relieve the contractor from being solely responsible for any damages resulting from the use of these alternatives in accordance with section 7-1.05A “General” of these Special Provisions.

Reflectors on Type K temporary railing must conform to the provisions in “Prequalified and Tested Materials for Traffic Control Devices” of these Special Provisions. Temporary crash cushion modules must conform to the specifications in section 12-3.15, “TEMPORARY CRASH CUSHION MODULE” of the Standard Specifications.

Add the following paragraph between the 26th and 27th paragraphs of section 7-1.04, “PUBLIC SAFETY”:

Open trenches left open overnight must be protected by Type K temporary railing or other approved temporary traffic barrier as determined by the Engineer.

Replace section 7-1.06 with:

7-1.06 INSURANCE

Additional Insured – All policies, except for the Workers’ Compensation, Errors and Omissions and Professional Liability policies, shall contain endorsements naming the **San Bernardino County** (a separate, legal public entity), and the **San Bernardino County Flood Control District** (a separate, legal public entity), collectively referred to in this section as the **County**, and all of their officers, employees, agents and volunteers as additional insureds with respect to liabilities arising out of the performance of services hereunder. Additionally, all policies, except for the Workers’ Compensation, Errors and Omissions and Professional Liability policies, shall contain endorsements naming the San Bernardino County and Caltrans, and all of their officers, employees, agents and volunteers as additional insureds with respect to liabilities arising out of the performance of services hereunder.

The additional insured endorsements shall not limit the scope of coverage for the County as well as any other entities named herein to vicarious liability but shall allow coverage for the County as well as any other entities named herein to the full extent provided by the policy. Such additional insured coverage shall be at least as broad as Additional Insured (Form B) endorsement form ISO, CG 201011 85.

Waiver of Subrogation Rights – The Contractor shall require the carriers of required coverages to waive all rights of subrogation against the County, its officers, employees, agents, volunteers, contractors and subcontractors, as well as any other entities named herein. All general or auto liability insurance coverage provided shall not prohibit the Contractor and Contractor’s employees or agents from waiving the right of

subrogation prior to a loss or claim. The Contractor hereby waives all rights of subrogation against the County as well as any other entities named herein.

Policies Primary and Non-Contributory – All policies required herein are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by the County or any other entities named herein.

Severability of Interests – The Contractor agrees to ensure that coverage provided to meet these requirements is applicable separately to each insured and there will be no cross liability exclusions that preclude coverage for suits between the Contractor and the County or between the County and any other insured or additional insured under the policy

Proof of Coverage – The Contractor shall furnish Certificates of Insurance to the County Department administering the contract evidencing the insurance coverage at the time the contract is executed, additional endorsements, as required shall be provided prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to the Department, and Contractor shall maintain such insurance from the time Contractor commences performance of services hereunder until the completion of such services. Within fifteen (15) days of the commencement of this contract, the Contractor shall furnish a copy of the Declarations page for all applicable policies and will provide complete certified copies of the policies and endorsements immediately upon request.

Acceptability of Insurance Carrier – Unless otherwise approved by Risk Management, insurance shall be written by insurers authorized to do business in the State of California and must have a minimum Best's Insurance Guide rating of "A-" and minimum Financial Size Category of "VII" according to A. M. Best Company, Inc., website <http://www.ambest.com/>. Deductibles and Self-Insured Retention – Any and all deductibles or self-insured retentions in excess of \$10,000 shall be declared to and approved by Risk Management.

Failure to Procure Coverage – In the event that any policy of insurance required under this contract does not comply with the requirements, is not procured or is canceled and not replaced, the County has the right but not the obligation or duty to cancel the contract or obtain insurance if it deems necessary and any premiums paid by the County will be promptly reimbursed by the Contractor or County payments to the Contractor will be reduced to pay for County purchased insurance.

Insurance Review – Insurance requirements are subject to periodic review by the County. The Director of Risk Management or designee is authorized, but not required, to reduce, waive or suspend any insurance requirements, whenever Risk Management determines that any of the required insurance is not available, is unreasonably priced, or is not needed to protect the interests of the County. In addition, if the Department of Risk Management determines that heretofore unreasonably priced or unavailable types of insurance coverage or coverage limits become reasonably priced or available, the Director of Risk Management or designee is authorized, but not required, to change the above insurance requirements to require additional types of insurance coverage or higher coverage limits, provided that any such change is reasonable in light of past claims against the County, inflation, or any other item reasonably related to the County's risk.

Any change requiring additional types of insurance coverage or higher coverage limits must be made by amendment to this contract. Contractor agrees to execute any such amendment within thirty (30) days of receipt.

Any failure, actual or alleged, on the part of the County to monitor or enforce compliance with any of the insurance and indemnification requirements will not be deemed as a waiver of any rights on the part of the County.

The Contractor agrees to provide insurance set forth in accordance with the requirements herein. If the Contractor uses existing coverage to comply with these requirements and that coverage does not meet the specified requirements, the Contractor agrees to amend, supplement or endorse the existing coverage to do so.

Without in anyway affecting the indemnity herein provided and in addition thereto, the Contractor shall secure and maintain throughout the contract term the following types of insurance with limits as shown

Workers' Compensation/Employers Liability – A program of Workers' Compensation insurance or a state-approved self-insurance program in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability with \$250,000 limits covering all persons including volunteers providing services on behalf of the Contractor and all risks to such persons under this contract.

If Contractor has no employees, it may certify or warrant to the County that it does not currently have any employees or individuals who are defined as "employees" under the Labor Code and the requirement for Workers' Compensation coverage will be waived by the County's Director of Risk Management.

With respect to Contractors that are non-profit corporations organized under California or Federal Law, volunteers for such entities are required to be covered by Workers' Compensation insurance.

Commercial/General Liability Insurance – The Contractor shall carry General Liability Insurance covering all operations performed by or on behalf of the Contractor providing coverage for bodily injury and property damage with minimum combined single limits, per occurrence, as follows:

CONTRACT AMOUNT	MINIMUM COVERAGE
Less than \$1,000,000	\$1,000,000
\$1,000,000 to \$3,000,000	\$3,000,000
\$3,000,000 to \$5,000,000	\$5,000,000
Over \$5,000,000	\$10,000,000

The policy coverage shall include:

- (a) Premises operations and mobile equipment.
- (b) Products and completed operations.
- (c) Broad form property damage (including completed operations).
- (d) Explosion, collapse and underground hazards.
- (e) Personal injury.
- (f) Contractual liability.
- (g) Two million dollars (\$2,000,000) general aggregate limit.

Automobile Liability Insurance – Primary insurance coverage shall be written on ISO Business Auto coverage form for all owned, hired and non-owned automobiles or symbol 1 (any auto). The policy shall have minimum combined single limit for bodily injury and property damage, per occurrence, as follows:

CONTRACT AMOUNT	MINIMUM COVERAGE
Less than \$1,000,000	\$1,000,000
\$1,000,000 to \$3,000,000	\$3,000,000
\$3,000,000 to \$5,000,000	\$5,000,000
Over \$5,000,000	\$10,000,000

After contract award, and prior to construction, a pre-construction conference / meeting will be held at a time and location determined by the Engineer, for the purpose of discussing with the Contractor the scope of work, contract drawings, specifications, existing conditions, materials to be ordered, equipment to be used, utilities, submittals, and all essential matters pertaining to the prosecution of and the satisfactory completion of the project as required. The Contractor's representative at this conference shall include all major superintendents for the work and may include subcontractors.

Replace 8-1.04A, "General," with:

8-1.04A General

After contract award, and prior to the pre-construction conference, the Engineer will issue a Notice to Proceed with Submittals to the Contractor, and the Contractor shall then begin submitting all required submittals necessary to begin work, as listed below. Failure to provide the required submittals within the time frame specified in the Notice to Proceed with Submittals may subject the Contractor to being charged working days for each and every day after the submittal due date.

Prior to construction, the following submittals are required:

1. Approved baseline progress schedule – to be provided at least **5 working days** prior to construction
2. Approved Statement of Compliance with Sections 1509 and 1510 of the CalOSHA Construction Safety Orders
3. Approved Fire Safety Plan
4. Approved Notice to Residents, in English and Spanish
5. Approved Notice of Materials to be Used
6. Approved Subcontracting Request
7. Approved Staging Area
8. Approved Storm Water Pollution Prevention Plan (SWPPP)
9. All required environmental submittals
10. Approved Traffic Control Plan.
11. Valid proof of approved permits, including Encroachment permit from the City, if applicable
12. List of personnel assigned to the project
13. Emergency contact list
14. Quality Control Plan
15. List of Equipment to be Used, which will include a description of each piece of equipment, the name and model number of each piece of equipment, and a unique ID number for each piece of equipment, which will be stenciled on each piece of equipment.
16. Any other pre-construction submittals deemed necessary by the Engineer.

Replace 8-1.04B, "Standard Start," with:

8-1.04B Standard Start

After the pre-construction conference and prior to construction, the Engineer will issue the Notice to Proceed with Construction to the Contractor. The Contractor shall begin construction work within 15 days (excluding Saturdays, Sundays, and holidays) after Engineer's issuance of the Notice to Proceed with Construction. Issuance of the Notice to Proceed with Construction is at the sole discretion of the County. The First Working Day Designated will be the date of the Notice to Proceed with Construction or the date

9 PAYMENT

Replace Section 9-1.02D with:

9-1.02D RESERVED

Delete the 11th, 12th, 13th, and 14th paragraphs in section 9-1.03.

Replace the 16th paragraph in section 9-1.03 with

Pay subcontractors within 7 days of receipt of each progress payment under Business and Professions Code section 7108.5.

Replace section 9-1.07 with

9-1.07 RESERVED

Add the following paragraphs to section 9-1.16A

The Contractor shall accept all payments from the Department via electronic funds transfer (EFT) directly deposited into the Contractor's designated checking or other banking account. Contractor shall promptly comply with directions and accurately complete forms provided by the Department required to process EFT payments.

The provisions of Public Contract Code section 20104.50, cited immediately below, dealing with the modification, performance, and payment of public works contracts are incorporated herein.

20104.50.

- (a)(1) It is the intent of the Legislature in enacting this section to require all local governments to pay their contractors on time so that these contractors can meet their own obligations. In requiring prompt payment by all local governments, the Legislature hereby finds and declares that the prompt payment of outstanding receipts is not merely a municipal affair, but is, instead, a matter of statewide concern. (2) It is the intent of the Legislature in enacting this article to fully occupy the field of public policy relating to the prompt payment of local governments' outstanding receipts. The Legislature finds and declares that all government officials, including those in local government, must set a standard of prompt payment that any business in the private sector which may contract for services should look towards for guidance.
- (b) Any local agency which fails to make any progress payment within 30 days after receipt of an undisputed and properly submitted payment request from a contractor on a construction contract shall pay interest to the contractor equivalent to the legal rate set forth in subdivision (a) of Section 685.010 of the Code of Civil Procedure.
- (c) Upon receipt of a payment request, each local agency shall act in accordance with both of the following:
- (1) Each payment request shall be reviewed by the local agency as soon as practicable after receipt for the purpose of determining that the payment request is a proper payment request.
 - (2) Any payment request determined not to be a proper payment request suitable for payment shall be returned to the contractor as soon as practicable, but not later than seven days, after receipt. A request returned pursuant to this

paragraph shall be accompanied by a document setting forth in writing the reasons why the payment request is not proper.

- (d) The number of days available to a local agency to make a payment without incurring interest pursuant to this section shall be reduced by the number of days by which a local agency exceeds the seven-day return requirement set forth in paragraph (2) of subdivision (c).
- (e) For purposes of this article:
 - (1) A “local agency” includes, but is not limited to, a city, including a charter city, a county, and a city and county, and is any public entity subject to this part.
 - (2) A “progress payment” includes all payments due contractors, except that portion of the final payment designated by the contract as retention earnings.
 - (3) A payment request shall be considered properly executed if funds are available for payment of the payment request, and payment is not delayed due to an audit inquiry by the financial officer of the local agency.
- (f) Each local agency shall require that this article, or a summary thereof, be set forth in the terms of any contract subject to this article.

Replace the 5th item in following paragraph 1 of section 9-1.16C with

- 5. Stored within the Department and you submit evidence that the stored material is subject to the Department’s control.

Add the following paragraph to section 9-1.16C.

Payment for Materials on Hand, meeting the criteria in this section will be at the sole discretion of the Engineer.

Delete the 2nd paragraph in section 9-1.16D(1).

Replace the third paragraph in section 9-1.16E(1) with

Withholds are not retentions under Public Contract Code § 7107 and do not accrue interest.

Replace section 9-1.16F with

The Department and Contractor acknowledge and agree that Public Contract Code section 7201 applies to all contracts entered into on or after January 1, 2012, between a public entity and an original contractor, between an original contractor and a subcontractor, and between all subcontractors thereunder relating to the construction of any public work of improvement. Pursuant to Public Contract Code section 7201 the Department will retain **5%** of the payments made to Contractor and total retention proceeds withheld by the Department shall not exceed **5%** of the contract price. However, this limitation does not apply to amounts retained by Department in the event of a good faith dispute or as required by law. Contractor shall also comply with Public Contract Code section 7201 in its retention of payments/contract amount to subcontractors.

The retention will be held for 35 days following the recordation of the Notice of Completion, at which time the Department will direct the County Auditor will be directed to release the withheld funds.

Contractor may upon written request, and at its expense deposit substitute securities found in Government Code section 16430 as authorized by the Public Contract Code section 22300 in lieu of retention monies withheld to ensure performance.

Replace 9-1.17D(1) with

After acceptance by the Director, then Engineer will make a proposed final estimate in writing of the total amount payable to the Contractor, including therein an itemization of said amount, segregated as to contract item quantities, extra work and any other basis for payments, and shall also show therein all deductions made or to be made for prior payments and amounts to be kept or retained under the provisions of the contract. All prior estimates and payments shall be subject to correction in the proposed final estimate. The Contractor shall submit written approval of the proposed final estimate, or a written statement of claims as provided below.

On the Contractor's approval, or if he files no claim, the Engineer will issue a final estimate in writing in accordance with the proposed final estimate submitted to the Contractor and within 30 days thereafter the Department will pay the entire sum so found to be due. Such final estimate and payment thereon shall be conclusive and binding against both parties to the contract on all questions relating to the amount of work done and the compensation payable therefor, except as otherwise provided in Sections 9-1.03C, "Records," and 9-1.09, "Clerical Errors."

If the Contractor files a claim(s), the Engineer will issue a semifinal estimate in accordance with the proposed final estimate submitted to the Contractor and within 30 days thereafter the Department will pay the sum so found to be due. Such semifinal estimate and any payment thereon shall be conclusive and binding against both parties to the contract on all questions relating to the amount of work done and the compensation payable therefor, except insofar as affected by the claim(s) filed within the time and in the manner required hereunder and except as otherwise provided in Sections 9-1.03C, "Records," and 9-1.09, "Clerical Errors."

For additional claims procedures and rights under the Public Contract Code, please see 5-1.43E, "Dispute Resolution for Claims subject to Public Contract Code sections 9204, 20104, 20104.2, 20104.4 and/or 20104.6," of these Special Provisions.

The Contractor shall keep full and complete records of the costs and additional time incurred for any work for which a claim for additional compensation is made. The Engineer or any designated claim investigator or auditor shall have access to those records and any other records as may be required by the Engineer to determine the facts or contentions involved in the claims. Failure to permit access to such records shall be sufficient cause for denying the claims.

Any claim for overhead type expenses or costs shall be supported by an audit report of an independent Certified Public Accountant. Any such overhead claim shall also be subject to audit by the Department at its discretion.

Any costs or expenses incurred by the Department in reviewing or auditing any claims that are not supported by the Contractor's cost accounting or other records shall be deemed to be damages incurred by the Department within the meaning of the California False Claims Act.

**Replace section 9-1.17D(2)(a) with
9-1.17D(2)(a) RESERVED**

**Replace the 6th paragraph in section 9-1.17D(3) with
Failure to comply with the claim procedures is a bar to pursue the claim in a court of law.**

**Replace section 9-1.22 with
9-1.22 CIVIL ACTION**

See Section 5-1.43G, "Civil Action" of these Special Provisions.

NOT FOR BID

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DIVISION II GENERAL CONSTRUCTION

10 GENERAL

Replace “Reserved” in section 10-1.02A with:

First Order of Work: You must obtain encroachment permit(s) from the [California Department of Transportation and San Bernardino County](#). Once the permits have been obtained, you must then set up portable changeable message signs (PCMS) at the locations shown in the plans or as designated by the Engineer. You must install signs two (2) weeks before the start of construction or as directed by the Engineer.

Second Order of Work: - You must contact the County Surveyors to request survey for horizontal and vertical control staking of the centerline of the roadway at least two (2) weeks before the start of construction.

The purpose for the survey request is for the County Surveyor to provide enough survey data for you to reconstruct the roadway in its current location. The survey data will be provided as follows:

1. Survey stakes will be provided at 50' maximum increments along tangent segments and at 12.5' to 25' maximum increments along horizontal curves, and 25' maximum increments along grade breaks.
2. Additional stakes may be provided at existing edge of pavement returns and other areas as requested by you, subject to the approval of the Engineer.
3. Stakes and marks set by the Engineer must be carefully preserved by you. In case the stakes and marks are destroyed or damaged, the stakes and marks will be replaced at the Engineer's earliest convenience. You will be charged for the cost of necessary replacement or restoration of stakes and marks which in the judgment of the Engineer were carelessly or willfully destroyed or damaged by your operations. This charge will be deducted from any moneys due or to become due you.

Third Order of Work: - You must submit a Traffic Control Plan detailing the proposed construction phase staging, lane shift plan, and traffic control during the pre-construction meeting for review and approval by the Engineer.

Fourth Order of Work: – Before the start of construction, you must coordinate with the Engineer and Environmental Management Division (EMD) for the approval of construction staging area per section 14. If approved staging area is outside of existing road right-of-way, you must be required to submit construction staging agreement with property owner to the Engineer.

Add to the end of section 10-1.02A:

Install Snow Pole Markers prior to stopping work activities for the winter season.

Replace “Reserved” in section 10-1.05 with:

10-1.05 STAGED CONSTRUCTION

Staged construction will be required for the construction of the roundabout unless otherwise approved by the Engineer. Staging must follow details in the plans and these special provisions.

Stage 1. Construct temporary pavement as shown on the plans. You must maintain traffic on the south side of highway 38 (over the tops of existing asphalt paving). The traveled way must be a minimum of two 11-foot asphalt concrete paved lanes for through vehicles, one for each direction of travel, for use by public traffic at all times.

Stage 2. Construct west quadrant of intersection including curb gutter and sidewalk. Maintain traffic on the north side of construction along temporary pavement placed in previous phase. Maintain a minimum

of two 11-foot wide lanes. There must be one lane for each direction of travel, for use by public traffic at all times.

Stage 3. Construct southeast quadrant of intersection including curb gutter and sidewalk. Maintain traffic on the north side of construction along temporary pavement placed in previous phase. Maintain a minimum of two 11-foot wide lanes. There must be one lane for each direction of travel, for use by public traffic at all times. You must remove and dispose of the temporary asphalt concrete road when no longer needed.

Stage 4. Construct north quadrant of intersection including curb gutter and sidewalk. Maintain traffic on the south side of construction along newly constructed intersection. Maintain a minimum of two 11-foot wide lanes. There must be one lane for each direction of travel, for use by public traffic at all times.

Stage 5. Construct splitter island, center island, and truck apron. Maintain traffic through newly constructed intersection. Maintain a minimum of two 11-foot wide lanes. There must be one lane for each direction of travel, for use by public traffic at all times.

Stage 6. Place final pavement overlay and final pavement delineation. Final stage to be completed under one-way reversing traffic control with flaggers.

Temporary asphalt concrete paved road (lane shift)

- I. Earthwork for temporary asphalt concrete paved road must conform to the provisions in section 19 except that payment for such earthwork will be considered as included in the payment for traffic control system.
- II. Soil must not be sterilized in areas to be surfaced with asphalt concrete.
- III. Asphalt concrete must conform to section 39 except that payment for tack coat(s) applied to all edges and between layers of asphalt concrete paving for the temporary asphalt concrete paved lane shift will be considered as included in the payment for traffic control system. Payment for quantities of asphalt concrete with/without RAP will be considered as included in the payment for traffic control system.
- IV. You must maintain the temporary asphalt concrete paved road in a satisfactory condition for use by public traffic as long as the road is needed.

Add to the end of section 10-5:

This work consists of all operations necessary to control fugitive dust arising from construction operations, and due to any disturbance of natural ground covers resulting therefrom, in compliance with governing EPA and NPDES requirements.

You must furnish adequate dust control measures during normal non-work hours (e.g., nights, weekends, or holidays) encompassed within working days authorized in the contract and executed contract change orders. Additional dust control required during suspensions of work directed by the Engineer, for reasons stated in section 8-1.06 for which the Engineer authorizes extension of "Time of Completion" will be paid for as extra work as provided in Section 4-1.05.

You are responsible for meeting and complying with all of the requirements of the (Mojave or South Coast wherever the project applies) Air Quality Management District's (AQMD) "Rule 403, Fugitive Dust" including, but not limited to, those requirements pertaining to a Large Operation. In addition to providing all required personnel and signage, you are required to provide all mandatory forms, correspondence and recordkeeping information directly to AQMD and provide copies of said items to the Engineer or his authorized representative in a timely manner. You must also submit your proposed program and sign detail to meet the requirements of AQMD "Rule 403, Fugitive Dust" to the Engineer before the start of construction.

Should the County be fined due to your failure to complying with Rule 403 requirements, the amount of any such fines will be withheld from payments due you.

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12 TEMPORARY TRAFFIC CONTROL

Add to section 12-1.01:

It is recognized that some conditions may prevail under which you and other agencies may share in responsibilities for the public safety being affected by the work under this contract. It is, however, agreed among the parties that necessary renewal, connection to, and replacement of effective traffic controls normally applied to the pavement must fall within your sole liability.

Replace section 12-1.04 with:

The cost of furnishing all flaggers, including transporting flaggers to provide for passage of public traffic through the work under the provisions in sections 7-1.03 and 7-1.04, and elsewhere in these Special Provisions, will be borne solely by you.

If determined by the Engineer that additional flaggers are required during construction activities, you must provide flaggers at no additional cost to the County.

Replace section 12-3.01D with:

The payment for all temporary traffic control devices, necessary for traffic control plan, listed in section 12-3 is considered included in the payment for traffic control system, unless stated otherwise.

Delete the 3rd paragraph of section 12-3.11B(2)

Replace section 12-3.11C(2) with:

Install stationary-mounted signs as described as described in County Standard Plans 303(a) and 303(b) except:

1. Back braces and blocks for sign panels are not required for signs 48 inches or smaller in width and diamond-shaped signs 48 by 48 inches or smaller.
2. Bottom of the sign panel must be at least 7 feet above the edge of the traveled way.
3. You may install a construction area sign on an above-ground, temporary platform sign support or other support if authorized.

The Engineer determines the post size and number of posts if the type of sign installation is not shown.

Excavate each post hole by hand methods without the use of power equipment. You may use power equipment where you determine that subsurface utilities are not present in the area of the proposed post hole if authorized. Anchor sleeves must be driven into the ground to the depth shown on the aforementioned Std. Dwg. Driving equipment that damages the anchor sleeves must not be used.

The post-hole diameter must be at least 4 inches greater than the longest cross-sectional dimension of the post if it is backfilled with commercial-quality concrete.

Replace section 12-3.20 with:

12-3.20 TEMPORARY BARRIER SYSTEMS

12-3.20A General

12-3.20A(1) Summary

Section 12-3.20 includes specifications for placing, maintaining, repairing, and removing temporary barrier systems.

Temporary barrier system consists of:

1. New or undamaged used interconnected barrier segments
2. Segment connection hardware
3. Stakes and anchor bolts

12-3.20A(2) Definitions

clear area width: Minimum width throughout the length of the barrier system that must be maintained clear of obstructions, objects, and work resources during non-working hours. The width is measured perpendicular from the non-traffic side toe.

set back distance: Space measured between the closest toe of temporary barrier and the edge of traveled way for each direction of traffic.

12-3.20A(3) Submittals

Submit as informational submittal for each type of temporary barrier system:

1. Certificate of compliance.
2. Manufacturer's installation instructions except for Type K temporary railing and temporary concrete barrier with cross bolt.
3. Manufacturer's QC test results and daily production log, through the Data Interchange for Materials Engineering (DIME) website. QC test results must include the concrete mix design number, barrier stamped ID, and must be submitted within 3 business days of QC test completion.

Submit test reports for cross bolts that certify compliance with the applicable ASTM requirements. The test reports must be from a laboratory that is accredited to International Standards Organization/International Electrotechnical Commission 17025 by the American Association for Laboratory Accreditation (A2LA) or the ANSI-ASQ National Accreditation Board.

Submit a signed manufacturer's replacement evaluation report within 10 days of damage to a temporary steel barrier system.

12-3.20A(4) Quality Assurance

12-3.20A(4)(a) General

Temporary barrier systems must comply with MASH Test Level 3 except for Type K temporary railing.

Except for Type K temporary railing and temporary concrete barrier with cross bolt, temporary barrier systems must:

1. Be on the Authorized Materials List for highway safety features
2. Comply with the manufacturer's drawings shown on the Department's Division of Safety Programs website and the manufacturer's installation instructions

If a discrepancy exists, governing ranking in descending order is:

1. These specifications
2. Manufacturer's drawings
3. Manufacturer's installation instructions

QC sampling, testing, and inspection personnel must have an ACI Concrete Field-Testing Technician, Grade I certification.

Temporary concrete barrier segments must:

1. Comply with the requirements for tier 3 precast concrete in section 90-4
2. Be fabricated at a plant on the Authorized Facility Audit List

Concrete must be sampled and tested at the minimum frequencies shown in the following table.

Concrete QC Tests

Quality characteristic	Test method	Minimum testing frequency
Compressive strength	ASTM C172/C172M, ASTM C31/C31M, and ASTM C39/C39M	Once per 300 cu yd of concrete cast, or every day of casting, whichever is more frequent
Slump	ASTM C143/C143M	
Temperature at time of mixing	ASTM C1064/C1064M	
Density	ASTM C138	Once per 600 cu yd of concrete cast or every 7 days of batching, whichever is more frequent
Air content	ASTM C231/C231M or ASTM C173/C173M	If concrete is air entrained, once for each set of cylinders, and when conditions warrant

A daily production log of PC activities must be maintained under section 90-4.01C(4).

12-3.20A(4)(b) Quality Control

Replace damaged temporary concrete barrier segments with exposed reinforcing steel or concrete spalls 1-1/2 inches in depth and 4 inches in width or greater.

Replace damaged temporary steel barrier segments with permanent bends, tearing, or buckling as described in the signed manufacturer's replacement evaluation report.

Realign temporary barrier system within 2 days of impact or displacement when displaced more than 3 inches except when the temporary barrier system is displaced into a traveled lane realign immediately.

12-3.20B Materials

12-3.20B(1) General

Temporary barrier segment must:

1. Be a minimum 31-1/2 inches in height
2. Have at least two lifting holes
3. Be designed to be used with temporary traffic screen when required

Temporary barrier segment may have your name or logo on each barrier segment. The name or logo must be no more than 4 inches in height and must be located no more than 12 inches above the bottom of the barrier segment.

12-3.20B(2) Temporary Concrete Barriers

12-3.20B(2)(a) General

Temporary concrete barrier segment must:

1. Be precast concrete with a minimum 4,000-psi compressive strength.
2. Have reinforcement steel that complies with section 52.
3. Have a finished surface that complies with section 51-1.03F(2).
4. Include the manufacturer's name, lot number, and month and year of manufacture stamped on the top of each barrier segment except for Type K temporary railing. The stamped information must be:
 - 4.1. No more than 6 inches in height.
 - 4.2. No more than 12 inches in length.
 - 4.3. From 3/16 to 1/4 inch in depth.
 - 4.4. Centered on the top width of the barrier segment.

Segment connection hardware must be one of the following:

1. Steel bar loops and connecting pins
2. "J" hook steel plates
3. Cross bolts

Steel bar loops must comply with ASTM A36/A36M.

Connecting pins must comply with ASTM A307. A round bar of the same diameter may be substituted for the connecting pins. The round bar must:

1. Comply with ASTM A36/A36M
2. Have a minimum length of 26 inches
3. Have a 3-inch-diameter, 3/8-inch-thick plate welded on the upper end using a 3/16-inch fillet weld

"J" hook steel plates must be a minimum 18 inches in height.

Cross bolt hardware includes:

1. Cross bolts
2. Nuts complying with ASTM A563
3. Hardened washer complying with ASTM F436, Type 1
4. Plate washer complying with ASTM A36/A36M and galvanized post fabrication under section 75-1.02B

Cross bolts must:

1. Be a 7/8-inch bolt or threaded rod and comply with one of the following:
 - 1.1. HS threaded rod ASTM 193, Grade B7
 - 1.2. HS threaded rod ASTM A449, Type 1
 - 1.3. HS nonheaded anchor bolt ASTM F1554, Grade 105, Class 2A
2. Have a permanent grade symbol and manufacturer's identifier

Epoxy adhesive must have a minimum 1650 psi bond strength, except for temporary barrier with "J" Hooks.

12-3.20B(2)(b) Temporary Concrete Barrier with "J" Hooks

The steel stakes must be 1-1/2 inches in diameter and 48 inches long.

Anchor hardware must include:

1. Anchor bolt insert 1-inch diameter, 6-inch long
2. Hex head bolt 1-inch diameter with a minimum length of 11 inches plus thickness of asphalt overlay
3. Plate washer 3/8-inch by 3-inch by 3-inch
4. Retainer ring

12-3.20B(2)(c) Temporary Concrete Barrier with Cross Bolt

Reinforcement steel must comply with ASTM A615/ASTM A706, Grade 60.

Reinforcement steel must be galvanized under section 52-3, when shown.

Combinations of reinforcing steel and welded wire reinforcement are authorized. Welded wire reinforcement must comply with ASTM A1064.

Temporary barrier segments must comply with the tolerances shown in the following table:

Precast Barrier Tolerance

Dimension	Tolerance
Length	±1 in
Insert Placement	±1/2 in
Horizontal Alignment	±1/8 in per 10 feet of length
Deviation of Ends	
Horizontal Skew	±1/4 in
Vertical Batter	±1/8 in per foot of depth

Stakes must:

1. Comply with ASTM A36/A36M-14 or ASTM A529-14 Grade 50
2. Be 1-1/2-inch-diameter-by-48-inch-long
3. Have a plate 1/2-by-3-1/2-by-3-1/2-inch welded 2 inches down from the upper end using a 1/4-inch fillet weld under AWS D1.1 or D1.4

Anchor bolts must:

1. Be a threaded rod, 1-1/8-inch-diameter-by-10-1/2-inch-long
2. Comply with ASTM 307
3. Include a nut complying with ASTM A563
4. Include a plate washer:
 - 4.1. 1/2-by-3-1/2-by-3-1/2-inch with a 1-1/4-inch diameter hole in the center
 - 4.2. Complying with ASTM A36/A36M
 - 4.3. Galvanized post fabrication under section 75-1.02B

12-3.20B(2)(d) Type K Temporary Railing

Anchor bolts must:

1. Be a threaded rod, 1-inch-diameter-by-15-1/2-inch-long
2. Comply with ASTM 307
3. Include a nut complying with ASTM A563
4. Include a plate washer:
 - 4.1. 3/8-by-2-1/2-by-3-inch with a 1-1/8-inch diameter hole in the center
 - 4.2. Complying with ASTM A36/A36M
 - 4.3. Galvanized post fabrication under section 75-1.02B

12-3.20B(2)(e)–12-3.20B(2)(g) Reserved

12-3.20B(3) Temporary Steel Barriers

Temporary steel barriers segment must:

1. Be galvanized steel.
2. Have a joint connection.
3. Include permanent identification information with no more than 6 inches in height and 12 inches in length and centered on the top width of the segment. The identification information must include:
 - 3.1. Manufacturer's name.
 - 3.2. Serial number.
 - 3.3. Lot number.
 - 3.4. Month and year of manufacture.

12-3.20B(4)–12-3.20B(9) Reserved

12-3.20B(10) Temporary Terminal Sections

Reserved

12-3.20C Construction

12-3.20C(1) General

Clean temporary barrier segments at time of installation and at least every 6 months thereafter.

Install the temporary barrier system based on the requirements shown in the following table:

Minimum Clear Area Width

Barrier	Configuration	Height differentials 3 feet or less (ft)	Height differentials greater than 3 ft up to 8 feet (ft)	Edge of deck or height differentials greater than 8 feet (ft)	Fixed objects, falsework members, or temporary supports ^a (ft)
12'-6" temporary concrete barrier with "J" hooks	Freestanding	3	4	8	7
	3 stakes per segment traffic side	1	1	2	3
	2 anchor bolts per segment traffic side	1	1	2	3
20-foot temporary concrete barrier with "J" hooks	Freestanding	3	4	8	7
	4 stakes per segment traffic side	1	1	2	3
	3 anchor bolts per segment traffic side	1	1	2	3
50-foot temporary steel barrier	Staked or anchored at both ends only	6	7	9	10
	Staked or anchored every 250 feet	5	6	8	9
	Staked or anchored every 33 feet	1	1	3	4
10-foot, 20-foot & 30-foot temporary concrete barrier with cross bolts	Freestanding	1	2	5	5
20-foot Type K temporary railing	Freestanding	2	3	8	7
	2 stakes or 2 anchor bolts per segment traffic side	1	1	3	4
	4 stakes or 4 anchor bolts per segment	N/A	N/A	3	3

^aThe minimum clear area width to a falsework or temporary support footing can be 2 feet less than the clear area width shown. Measure clear area width to the footing edge closest to traffic.

Stake temporary barrier systems when placed on an asphalt concrete surface.

Anchor temporary barrier systems when placed on a concrete surface. For bridge decks, confirm the anchor will not penetrate closer than 1-1/2 inches from the bottom of the deck before placement. When temporary barrier is not shown, request the Engineer to verify the bridge deck thickness.

Stake or anchor a minimum 20 feet of temporary concrete barrier at each end of the temporary barrier system. For:

1. Temporary concrete barrier with "J" hooks, place a minimum of 6 stakes or anchors at each end, 3 on each side.

2. Temporary concrete barrier with cross bolts, place a minimum of 6 stakes or anchors at each end, 3 on each side.
3. Type K temporary railing, place 4 stakes or anchors at each end, 2 on each side.

For installations on concrete surfaces, drill holes and bond threaded rods or dowels under section 51-1.03E(5). Do not drill the top of supporting beams or girders, bridge expansion joints, or drains.

Install stakes and anchor bolts so the heads do not project above the top of the temporary barrier pocket profile.

For the approach zone before the protected area, place a minimum:

1. 60 feet temporary barrier on facilities with a posted speed of 45 mph or less
2. 100 feet temporary barrier on facilities with a posted speed greater than 45 mph

Offset the approach end of a temporary barrier system a minimum of 15 feet from the edge of an open traffic lane, use the offset rate shown in the following table:

Posted speed (mph)	Rate ^a
0 to 45	10:1
46 to 60	15:1
61 to 70	20:1

^aRate is longitudinally to transversely with respect to the edge of the traveled way

If a 15-foot minimum offset cannot be achieved, offset the temporary barrier the maximum distance available and install an array of temporary crash cushion modules or an authorized temporary crash cushion system at the barrier approach end.

Install a reflector on the top or face of barrier segments placed within 10 feet of a traffic lane. Space reflectors at approximately 20-foot intervals. Apply adhesive for mounting the reflector under the reflector manufacturer's instructions.

Install a Type P marker panel complying with section 82 at:

1. Each end of a temporary barrier system placed adjacent to a two-lane, two-way highway
2. The end facing traffic for a temporary barrier system installed adjacent to a one-way roadbed
3. The end of the skew nearest the traveled way when a temporary barrier system is placed on a skew

Maintain a minimum height of 31-1/2 inches above surface for temporary barrier. For paving activities adjacent to temporary barrier, do not pave within 2 feet of the barrier segments unless authorized. For paving under the temporary barrier, remove and reset the barrier.

Remove temporary barrier systems when no longer required for the work. Remove stakes and anchor bolts so that minimal damage is done to surface.

After removing the temporary barrier systems:

1. Restore the area to its previous condition or construct it to its planned condition if temporary excavation or embankment was used to accommodate the temporary barrier.
2. Remove all threaded rods or dowels to a depth of at least 1 inch below the top of a concrete surface. Fill the resulting holes with mortar under section 51-1 except cure the mortar by the water method or by the curing compound method using curing compound no. 6.
3. Repair a damaged asphalt surface by providing a clean, smooth edge around the damaged area. Repair any heaving caused by stake removal to provide a uniform surface. Remove loose debris and use compressed air to clean out the stake hole. Comply with manufacturer's requirements except fill the stake hole with grout to existing pavement elevation under section 51-1.

If the Engineer orders a lateral move of a temporary barrier system and repositioning is not shown, the lateral move is change order work except for work area access, clear area width compliance, or because of your means and methods to perform the work.

12-3.20C(2) Temporary Concrete Barriers

12-3.20C(2)(a) General

Before placing temporary concrete barrier on the job site and after each described relocation, paint the exposed surfaces of the segments with white paint complying with specifications for acrylic emulsion paint for exterior masonry.

Place and maintain the abutting ends of segments in alignment without substantial offset from each other.

Install temporary barrier systems with the last segment extending a minimum of 60 feet past the length of the protected area.

12-3.20C(2)(b) Temporary Concrete Barrier with "J" Hooks

Install a minimum 200 feet of temporary concrete barrier with "J" hooks.

Place the temporary barrier system on a concrete or asphalt concrete surface. The asphalt concrete surface must have a minimum 2 inches of asphalt concrete over 6 inches of compacted subbase.

Install two parallel temporary barrier systems, one for each direction of travel, when placed between two-way traffic. Maintain the minimum clear area as shown in the table titled "Minimum Clear Area Width" between the two systems. Maintain a minimum 1-foot set back distance.

12-3.20C(2)(c) Temporary Concrete Barrier with Cross Bolts

Install a minimum 210 feet of temporary concrete barrier with cross bolts.

Place the temporary barrier system on a concrete or asphalt concrete surface.

Do not stake or anchor down temporary barrier system, except for 20 feet at end of the barrier system.

Intermix segments of different lengths within a temporary barrier system when necessary.

For a temporary barrier system placed on a curved layout, maintain the minimum curve radius shown in the following table:

Segment length (ft)	Curve radius (ft)
10	125
20	265
30	400

Maintain a minimum 1-foot set back distance when placed between two-way traffic.

12-3.20C(2)(d) Type K Temporary Railing

Do not install Type K temporary railing on projects advertised after December 31, 2026.

Install a minimum 160 feet of Type K temporary railing.

Excavate and backfill under section 19-3.

Do not compact earth fill placed behind Type K temporary railing in a curved layout.

Place temporary barrier system on a firm, stable surface. Grade the area to provide a uniform bearing surface throughout the entire length of the system.

Anchor or stake down the first and last segment and every other segment with four stakes as shown when placed between two-way traffic. Maintain a minimum 1-foot set back distance.

12-3.20C(2)(e)–12-3.20C(2)(g) Reserved

12-3.20C(3) Temporary Steel Barriers

12-3.20C(3)(a) General

Install temporary barrier system under manufacturer's instructions.

12-3.20C(3)(b) 50-Foot Temporary Steel Barriers

Use 50-foot temporary steel barriers with or without rubber pads.

Install a minimum 250 feet of 50-foot temporary steel barrier. The last segment must extend a minimum 25 feet past the length of the protected area.

Place the temporary barrier system on a concrete or asphalt concrete surface. Do not place the system on a dirt surface.

Anchor or stake down the first and last segment of the temporary barrier system.

Maintain a minimum radius of 800 feet for segments placed on a curved layout. For tighter curves down to a 250-foot radius, contact the manufacturer before installation and provide manufacturer's written recommendation for the installation.

Maintain a minimum 2-foot set back distance on both sides of a temporary barrier system used with traffic on both sides of the barrier.

12-3.20C(3)(c)–12-3.20C(3)(h) Reserved

12-3.20C(4)–12-3.20C(9) Reserved

12-3.20C(10) Temporary Terminal Sections

Reserved

12-3.20D Payment

The payment quantity for types of temporary barrier systems is the length measured along the top of the barrier segments.

Add between the 6th and 7th paragraphs in section 12-3.20C(1):

Reflectors on temporary [barrier system](#) must conform to the provisions in "Approved Traffic Products" found in the green pages of these special provisions.

Replace section 12-3.22 with:

12-3.22 TEMPORARY CRASH CUSHION MODULES

12-3.22A General

Section 12-3.22 includes specifications for placing sand-filled temporary crash cushion modules in groupings or arrays.

12-3.22B Materials

Each sand-filled temporary crash cushion module must:

1. Be on the Authorized Material List for highway safety features
2. Be colored standard yellow with black lids
3. Be free from structural flaws and objectionable surface defects

Sand for filling modules must be:

1. Be commercial-quality, washed concrete sand
2. Contain no more than 7 percent water under California Test 226
3. Be cleaned when placed in the modules

12-3.22C Construction

When activities expose traffic to a fixed obstacle, protect the traffic from the obstacle with a temporary crash cushion. The crash cushion must be in place before opening to traffic the lanes adjacent to the obstacle.

Use the same type of crash cushion module for a single grouping or array. Do not use sand-filled temporary crash cushion module for a permanent installation.

Install temporary crash cushion under the manufacturer's instructions before:

1. Starting the activity requiring the crash cushion.
2. Opening to traffic the lanes adjacent to the protected obstacle.

Fill each sand-filled module with sand to capacity in pounds, under the manufacturer's instructions.

Securely fasten the top edge of a seal to the wall of the sand-filled module with a continuous strip of heavy-duty tape, when a seal is required.

Temporary crash cushion arrays must not encroach on the traveled way.

Maintain sand-filled temporary crash cushions in place at each location, including when work is not in progress. You may remove the crash cushions during the work shift for access to the work area if the exposed fixed obstacle is 15 feet or more from the nearest lane carrying traffic. Reset the crash cushion before the end of the work shift.

Repair damaged sand-filled temporary crash cushion modules immediately. Remove and replace any module damaged beyond repair. Repair and replacement of temporary crash cushion modules damaged by traffic are change order work.

You may place sand-filled temporary crash cushion modules on movable pallets or frames complying with the dimensions shown. The pallets or frames must provide a full-bearing base beneath the modules. Do not move the modules and supporting pallets or frames by sliding or skidding along the pavement or bridge deck.

Attach a Type R or Type P marker panel to the front of the temporary crash cushion if the closest point of the crash cushion array is within 12 feet of the traveled way. Firmly fasten the marker panel to the crash cushion with commercial quality hardware or by other authorized methods. Attach the Type R marker panel such that the top of the panel is 1 inch below the module lid. Attach the Type P marker panel such that the bottom of the panel rests upon the roadway surface or pallet surface when used.

A lateral move of a temporary crash cushion module is change order work if ordered and the repositioning is not shown.

Remove sand-filled temporary crash cushion modules, including sand, pallets or frames, and marker panels, at Contract acceptance.

12-3.22D Payment

The payment quantity for temporary crash cushion module does not include:

1. Modules placed for public safety
2. Modules placed in excess of the number described

Replace section 12-3.32A(1) with:

Section 12-3.32A includes specifications for placing, maintaining, relocating as necessary, and removing portable changeable message signs.

Add to the beginning of section 12-3.32C:

You must coordinate the placement of the PCMSs and the information shown on the signs with the Engineer.

The PCMSs must be maintained and relocated if necessary as determined by the Engineer during construction. Recommended locations for the message boards are:

1. Big Bear Blvd at Stanfield Cutoff
2. SH 38 at Greenway Drive
3. SH 38 AT Woodland Rd

For 5 days starting on the day of signal activation, place 1 PCMS in each direction of travel and display the following message in all caps: *Construction Ahead -- Prepare To Stop*.

Add to section 12-3.32C:

Location of the temporary traffic controls, regulatory, warning and guide signs have a higher priority than the PCMS. The PCMS must be placed where they can be easily identified with the corresponding project. If the placement of PCMS conflicts with the newly installed higher priority signs, such as the temporary traffic control devices or other priority devices, the PCMS must be relocated by you at no extra cost to the County.

Due to public safety concerns, the PCMS must not be allowed at the following locations:

- a) On the front, back, adjacent to or around any traffic control device, including traffic signs, traffic control device posts or structures.
- b) At key decision points where a driver's attention is more appropriately focused on traffic control devices, roadway geometry, or traffic conditions. These locations include but are not limited to, stop or yield signs, and areas of limited sight distances.

Add to the beginning of section 12-3.32C:

Place PCMSs at the locations shown and in advance of the 1st warning sign. **Replace *Not Used* in section 12-3.32D with:**

Payment for all components of the advance warning signs, including permits, will be considered as included in the payment for traffic control system.

The payment quantity for portable changeable message signs is per each as shown on the bid list.

Add to section 12-4.01A:

You must coordinate with local residents and businesses to provide ingress and egress for properties adjacent to the project for the convenience of local residents and businesses in carrying out their personal and business activities. Convenient access for mail, other delivery services, and trash services must be included in the definition of "personal and business activities."

[You must maintain access to Caltrans maintenance yard and local businesses during their hours of operation.](#)

You must prepare a "Notice to Residents," and distribute copies of said notice to properties that are adjacent to and / or are directly impacted by the project, as determined by the Engineer. The notice must use the "Notice to Residents" template attached in the List of Standard and Special Drawings (Green Pages). The notice must be placed on the door of said properties a minimum of seven (7) days before you begin the related work. The notice must be in both English and Spanish (back side).

It is your responsibility to have roads clear of interfering vehicles prior to the start of work and during work. You are responsible for notifying affected residents and businesses of the work schedule. Such notification would include placing notices (as stated above), making verbal contact, and furnishing and placing temporary "No Parking" signs 48 hours before the start of work, as well as notifying the California Highway Patrol 24 hours prior to such posting, such that interfering vehicles or objects may be towed or otherwise removed, if necessary. With regards to towing, the applicable County Code Sections are **52.0118, 52.0132, and 53.081**.

Delete the definition of *designated* holidays in section 12-4.02A(2)

Add to section 12-4.02A(3)(a):

You must submit a Traffic Control Plan for the entire project limits, including intersections, detailing the proposed construction staging and traffic control for approval by the Engineer at least two weeks (10 working days) before the start of construction. The Traffic Control Plan must not include any intersection

closures or detours unless a plan for such is included in these special provisions. The Traffic Control Plan must comply with the California Manual on Uniform Traffic Control Devices (CA MUTCD) – Part 6 (latest edition) - Temporary Traffic Control. Nothing in these Special Provisions is to be construed as to reduce the minimum standards in the CA MUTCD.

When applicable, the Caltrans “Temporary Traffic Control Systems” Standard Plans as included in the green sheets may be used and referenced as part of the project’s Traffic Control Plan. A flashing arrow sign will be required on all lane closures and, if determined by the Engineer, will be required on shoulder closures as well.

When applicable, the Traffic Control Plan for shoulder closures may be as shown on the “Shoulder Closure” detail of the latest version of Caltrans Standard Plan T10. The spacing dimensions on the “Shoulder Closure” detail may be modified as determined by the Engineer. The traffic control plan for nighttime shoulder closures must also include flashing beacons.

Add to the end of section 12-4.02C(1):

In order to minimize impacts to school traffic, the Contractor is advised that working hours may need to be adjusted. Any work activities on school property must be completed while school is not in session. The Contractor shall coordinate operating hours for construction activities jointly with the Engineer and North Shore Elementary School and Bear Valley Unified School District. The point of contact for the schools can be found in Section 5 in these Special Provisions.

Keep the full width of the traveled way open to traffic when no active construction activities are occurring in the traveled way or within 6 feet of the traveled way.

For each 10-minute interval or fraction thereof past the time specified to open the closure, the amount for liquidated damages per interval shown in the table below is deducted. Liquidated damages are limited to 5 percent of the total bid per occurrence. Liquidated damages are not assessed if the Engineer orders the closure to remain in place beyond the scheduled pickup time.

Type of facility	Route	Direction or segment	Period	Liquidated damages/interval
Mainline	38	EB & WB	1st half hour	\$1,000/10 minutes
			2nd half hour	\$1,000/10 minutes
			2nd hour and beyond	\$1,000/10 minutes
County Street	Stanfield Cutoff	SB & NB	1st half hour	\$1,000/10 minutes
			2nd half hour	\$1,000/10 minutes
			2nd hour and beyond	\$1,000/10 minutes

Replace section 12-4.02C(3)(e) with:

12-4.02C(3)(e) Closure Restrictions for Special Events and Venues

From 3 hours before to 2 hours after special events or events at the venues shown in the table titled "Special Events and Venues," [that are scheduled for one day events](#) do not perform work that encroaches onto the [roadway](#), connector or ramps: [impacted by the events unless otherwise permitted by the District Traffic Manager.](#)

[From 24 hours before to 24 hours after special events or events at the venues shown in the table titled "Special Events and Venues," that are scheduled for more than one day, do not perform work that encroaches onto the roadway, connector or ramps impacted by the events unless otherwise permitted by the District Traffic Manager.](#)

The special events and venues that could impact closures, [as determined by the Resident Engineer](#), are [listed](#) in the table: [titled "Special Events and Venues" below](#):

NOT FOR BID

Special Events and Venues						
<u>Venue/ Special Events</u>	<u>Affected Routes</u>	<u>Route Impact</u>	<u>Route/s Limits</u>	<u>Usual Month of event (See website for the exact date)</u>	<u>Website</u>	<u>Contact #</u>
<u>Glen Helen Amphitheater (Glen Helen)</u>	<u>215</u> <u>15</u>	<u>***</u> <u>--</u>	<u>University Pkwy to I-15/215 Connector I-60 to Devore Road</u>	<u>Various events May- Oct yearly See web site</u>	<u>www.livenation.com</u>	<u>(909) 880-3090</u>
<u>Glen Helen Speedway</u>	<u>215</u> <u>15</u>	<u>***</u> <u>**</u> <u>--</u>	<u>University Pkwy to I-15/215 Connector I-60 to Devore Road</u>		<u>www.glenhelen.com</u>	<u>(909) 880-3090</u>
<u>Redland Bicycle Classic</u>	<u>38</u>	<u>***</u> <u>--</u>	<u>SR-38 from Fawnskin to Stanfield Cut-off</u>	<u>April</u>	<u>http://www.redlandsclassic.com/</u>	<u>(909) 798-0865</u>
<u>Amgen Tour of California</u>	<u>18</u> <u>38</u>	<u>**</u> <u>--</u>	<u>Big Bear Lake</u>	<u>May</u>	<u>www.amgentourofcalifornia.com</u>	<u>ATOCGeneralInfo @amgentourofcalifornia.com</u>
<u>Auto Club Speedway (California)</u>	<u>10</u> <u>15</u> <u>210</u> <u>66</u> <u>60</u>	<u>***</u> <u>***</u> <u>***</u> <u>***</u> <u>***</u>	<u>LA I-57 to SBD I-215 I-15/215 to SR-91 Haven to I-215 Haven to Cherry I-15 to County Line</u>	<u>Various events Thru the year See web site</u>	<u>www.autoclubspeedway.com</u>	<u>(909) 429-5000</u>
<u>Temecula Balloon and Wine Festival</u>	<u>15</u>	<u>**</u> <u>--</u>	<u>SR-79 (Winchester Rd) and Rancho California</u>	<u>May</u>	<u>www.tvbwf.com</u>	<u>(951) 676-6713</u>
<u>Career Builder Challenge</u>	<u>10</u>	<u>**</u> <u>--</u>	<u>Palm Springs off ramp at SR-111</u>	<u>January</u>	<u>http://www.careerbuilderchallenge.com/</u>	<u>(888) 672-4673</u>
<u>ANA Inspiration</u>	<u>10</u>	<u>**</u> <u>--</u>	<u>Palm Springs off ramp at SR-111</u>	<u>March/ April</u>	<u>http://www.anainspiration.com/</u>	<u>info@ANAINSPARATION.COM</u>
<u>Festival of Lights (Downtown Riverside)</u>	<u>91</u>	<u>**</u> <u>--</u>	<u>I-15 to I-215/SR-60 split</u>	<u>November</u>	<u>http://www.riversidedowntown.org/</u>	<u>(951) 683-7100</u>
<u>March Air Show March Air Reserve Base</u>	<u>215</u>	<u>***</u> <u>--</u>	<u>Cactus to Ramona Express Way</u>	<u>April</u>	<u>http://www.marchfieldairfest.com</u>	<u>(951) 655-1110</u>
<u>UCR Graduation</u>	<u>60</u> <u>215</u>	<u>***</u> <u>***</u>	<u>I-215/SR-60/SR-91 split to Central Ave</u>	<u>June</u>	<u>www.commencement.ucr.edu</u>	<u>(951) 787-3144</u>
<u>Laughlin River Run</u>	<u>40</u>	<u>***</u> <u>--</u>	<u>I-40/ From I-15 to Arizona State Line</u>	<u>April</u>	<u>http://www.laughlinriverrun.com</u>	<u>(949) 502-3434</u>
<u>Thunder & Lightning Powwow</u>	<u>10</u>	<u>***</u> <u>--</u>	<u>I-10/ Morongo Valley</u>	<u>September</u>	<u>http://www.morongocasinoresort.com/pow2.cfm</u>	<u>(800) 252-4499 ext.#: 23800</u>
<u>Coachella Valley Music and Arts Festival</u>	<u>10</u> <u>111</u>	<u>***</u> <u>***</u> <u>--</u>	<u>I-10/San Bernardino to Coachella 60/Moreno Valley to 111/Whitewater to Coachella</u>	<u>April</u>	<u>www.coachella.com</u>	<u>info@coachella.com</u>
<u>Stagecoach Music Festival</u>	<u>10</u> <u>60</u> <u>111</u>	<u>***</u> <u>***</u> <u>--</u>	<u>I-10/San Bernardino to Coachella 60/Moreno Valley to 111/Whitewater to Coachella</u>	<u>April</u>	<u>http://www.stagecoachfestival.com/</u>	<u>info@stagecoachfestival.com</u>
<u>King of Hammers</u>	<u>247</u>	<u>***</u> <u>--</u>	<u>sbd18 to 62</u>	<u>Around Feb. (for the date go online/call)</u>	<u>http://www.griffinrad.com/kingofthehammers/ https://ultra4racing.com/race/17</u>	<u>1-800-722-3723 or Dave Cole 909 273 0216</u>
<u>Redlands University Graduation</u>	<u>10</u>	<u>***</u> <u>--</u>	<u>I-10 Redlands</u>	<u>April</u>	<u>http://www.redlands.edu/</u>	<u>(909) 793-2121</u>
<u>High School Graduation</u>	<u>10</u>	<u>***</u> <u>--</u>	<u>I-10 Redlands</u>	<u>June</u>	<u>http://rhs.redlandsusd.net/</u>	<u>(909) 307-5300</u>

Lake Elsinore Storm Baseball game	15	**	I-15 Lake Elsinore	April through September (various days and times)	http://www.mlb.com/lake-elsinore	(951) 245-4487
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** Designates Moderate Impact (20 minute delay or less)

*** Designates High Impact (30 minute delay or less)

Note 1: The dates of events change yearly. Contact information and websites are provided to verify exact dates.

Note 2: Other special events do exist that impact our freeway and highway system. Close coordination with the local agencies and other impacted entities must be carried out before conducting work that requires full or partial closures.

Replace section 12-4.02C(3)(f) with:

12-4.02C(3)(f) Closure Restrictions for Designated Holidays and Special Days

Closure restrictions for designated holidays and special days are shown in the following table:

Lane Closure Restrictions For Designated Holidays And Special Days											
Thu	Fri	Sat	Sun	Mon	Tues	Wed	Thu	Fri	Sat	Sun	Mon
x	H XX	XX	XX								
	SD XX										
x	XX	H XX	XX								
		SD XX									
	x	XX	H XX	XX							
			SD XX								
	x	XX	XX	H XX	XXX						
	x	XX	XX	SD XX	XXX						
				x	H XX						
				x	SD XX						
					x	H XX					
						SD XX					
						x	H XX	XX	XX	XX	
							SD XX				

Legend:

	Refer to lane requirement charts.
x	The full width of the traveled way must be open for use by traffic after 0600 .
xx	The full width of the traveled way must be open for use by traffic.
xxx	The full width of the traveled way must be open for use by traffic until 1800 .
H	Designated holiday
SD	Special day

NOT FOR BID

Replace section 12-4.02C(3)(k) with:

Comply with the requirements for the conventional highway lane closure shown in the following chart:

Chart No. K1 Conventional Highway Lane Requirements																									
County: San Bernardino							Route/Direction: 38/EB&WB							Post Mile: 51.4/52.4											
Closure limits:																									
Hour	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Mon–Thu	N	N	N	N	N	N				R	R	R	R	R	R	R				N	N	N	N	N	N
Fri	N	N	N	N	N	N				R	R	R	R	R	R	R				N	N	N	N	N	N
Sat	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Sun	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Legend:																									
<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">R</div> <div>Provide at least 1 through traffic lane not less than 10 feet in width for use by both directions of travel. (Reversing Control)</div> </div>																									
<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">N</div> <div>No work is allowed.</div> </div>																									
<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; width: 20px; height: 10px;"></div> <div>Work is allowed within the highway where a shoulder or lane closure is not required.</div> </div>																									
REMARKS:																									

Replace section 12-4.02C(3)(m) with:

Comply with the requirements for a city street lane closure shown in the following chart:

Chart No. M1 City Street Lane Requirements and Hours of Work																									
Location: <u>HWY 38</u>							Direction: <u>NB&SB</u>																		
Closure limits: <u>Stanfield Cutoff</u>																									
Hour	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Mon–Thu	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Fri	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Sat	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Sun	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Legend:																									
<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">N</div> <div>No work is allowed.</div> </div>																									
<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">R</div> <div>Provide at least 1 through traffic lane not less than 10 feet in width for use by both directions of travel. (Reversing Control)</div> </div>																									
REMARKS: The number of through traffic lanes in each direction of travel is <u>1</u> .																									

Add to the end of section 12-4.02C(7)(b):

Not more than 1 stationary closures are allowed in each direction of travel at one time.

For a stationary one-way-reversing traffic-control lane closure, you may stop traffic in 1 direction for periods not to exceed 10 minutes. After each stoppage, all accumulated traffic for that direction must pass through the work zone before another stoppage is made.

Transport bicyclists through the one-way-reversing traffic-control work zone.

You may use a pilot car to control traffic. If a pilot car is used to control traffic, the cones shown along the centerline are not required. Pilot cars must have cellular or radio contact with other pilot cars and personnel in the work zone. The maximum speed of the pilot cars conveying or controlling traffic through the traffic control zone is 25 mph. Pilot cars must only use traffic lanes open to traffic.

Add between the 3rd and 4th paragraphs section 12-6.03C:

Channelizers used for temporary edge line delineation must be surface mounted type and shall be orange in color. Channelizers must be, at your opinion, one of the surface mount types (36") listed in "[Approved Traffic Products](#)" found in the green pages of these special provisions.

Add to the end of section 12-6.03C:

Temporary edge line delineation must be removed when no longer required for the direction of public traffic, as determined by the Engineer.

Replace section 12-6.04 with:

Payment for furnishing, placing, maintaining and removing the temporary pavement delineation, including striping, markings, reflective raised pavement markers, and "no passing" zone signage, will be considered as included in payment for traffic control system.

13 WATER POLLUTION CONTROL

Add to section 13-1.01A:

It is your responsibility to protect the project against the intrusion of water, including groundwater, mud and other deleterious matter.

You are required to schedule the work so that any storm or other waters encountered may proceed without obstruction. The threat of substantial flood runoff in the project area is during the period from approximately October 18 to April 15. The potential for severe flooding is reduced, but not eliminated during the period from approximately April 15 to October 18. In submitting a bid, you acknowledge such risks and assume all responsibility therefore, except as otherwise provided in Section 5-1.39.

Add between the 4th and 5th paragraphs of section 13-2.01C:

The following RWQCBs will review the authorized WPCP:

1. [Santa Ana](#)

Add to the end of section 13-3.01A:

This project's risk level is 2.

Add to the list in the 3rd paragraph of section 13-3.01C(2)(a):

Add between the 4th and 5th paragraphs of section 13-3.01C(2)(a):

The following RWQCBs will review the authorized SWPPP:

1. [Santa Ana](#)

Add to the list in the 2nd paragraph of section 13-3.01C(2)(b)(v):

4. TMDL related pollutants

14 ENVIRONMENTAL STEWARDSHIP

All work, including equipment staging, must remain on disturbed areas. No new work outside disturbed areas or existing rights-of-way can be performed without further environmental evaluations. Standards best management practices must be implemented during construction activities, especially those pertaining to dust control, erosion control, and stormwater pollution prevention. Please contact EMD, at (909) 387-7897, with any questions.

If human remains are encountered during construction, then the San Bernardino County Coroner's Office MUST be contacted in accordance with state law within 24 hours of the find, and all work must be halted until a clearance is given by that office and any other involved agencies. The Coroner's Office may be contacted at Tel: 909-387-2978.

Add to the end of section 14-1.02:

An ESA exists on this project.

Before starting job site activities, install [Temporary High-Visibility Fence](#) to protect the ESA and mark its boundaries.

Install signs 100 feet apart along the length and at the ends of the [Temporary High-Visibility Fence](#) identifying the area as an ESA. Place the top of each sign flush with the top of the [Temporary High-Visibility Fence](#).

The signs must:

1. Be weatherproof and fade-proof
2. Be from 8-1/2 to 11 inches high and from 11 to 14 inches wide
3. Have the following message in black letters: [Environmentally Sensitive Area. All Entry Prohibited](#)

The message must be legible from a distance of 20 feet by persons with 20/20 vision or vision corrected to 20/20.

The signs may be made of laminated printed paper attached to an inflexible weatherproof backer board.

Attach the signs to the [Temporary High-Visibility Fence](#) with tie wire or locking plastic fasteners.

Maintain the signs until Contract acceptance.

Limited access to the ESA is allowed for [No One](#). . Any other access to the ESA is prohibited.

More than one ESA exists on the job site. Use the management measures for the corresponding ESA shown in the following table:

ESA Management		
Identification	Location	Management measures
ESA-1	Right of Way Boundary NW Quadrant	No ESA Entrance Is Permitted An AMA Exists, Ground disturbing activities require Monitoring per 14-2.03B

ESA signs must:

1. Be weatherproof and fade-proof
2. Be from 8-1/2 to 11 inches high and from 11 to 14 inches wide
3. Have a message that is legible from a distance of 20 feet by persons with 20/20 vision or vision corrected to 20/20
4. Be attached to the ESA barrier with tie wire or locking plastic fasteners

The signs may be made of laminated printed paper attached to an inflexible weatherproof backer board.

Access to an ESA other than that described is prohibited.

Add to the 1st paragraph of section 14-6.03A:

This project is within or near habitat for the regulated species shown in the following table:

Regulated Species
Migratory Passerine Birds
Bald Eagle

Use the protocols for the corresponding regulated species shown in the following table:

Regulated species name	Protocol
Migratory Passerine Birds	<p>A qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests.</p> <p>If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.</p>
Bald Eagle	<p>Prior to any tree removal within the project site, a qualified raptor biologist will survey the trees within and adjacent (within 500 feet)</p>

[All project personnel will be provided a Worker Environmental Awareness Program \(WEAP\) specific to the project. The WEAP will include an overview of all special-status species with a potential to be present in the Project site, including bald eagle. It will also provide a background on applicable laws and regulations that provide protection for bald eagle. Project personnel will be instructed to report any bald eagle observations to the biological monitor and to maintain a log of all observations within the project site. A list of all project personnel that have attended the WEAP will be maintained on site.](#)

Monitor regulated species according to the schedule shown in the following table:

Monitoring type	Schedule
A qualified biological monitor, with raptor experience, will be present throughout the duration of tree and vegetation removal. The biological monitor will halt construction activities, if a bald eagle is present in any trees within the project site. The bald eagle will be allowed to leave the project site on its own and no eagles will be forced to leave the area or will be disturbed. The biological monitor will make the determination when it is safe for work to resume.	Daily during tree and vegetation removal
If an active nest is found, the nests and buffer zones shall be field checked weekly by a qualified biological monitor.	Weekly

the list in the 6th paragraph of section 14-6.03B:

[3. If an active nest is found, the Contractor Supplies Biologist will set appropriate no work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance.](#)

Replace the list in the 2nd paragraph of section 14-6.03D(1) with:

- [1. Prior to any tree removal, will conduct tree surveys for any bald eagles with 500 feet of the project.](#)
- [2. Monitor for bald eagle presence during the removal of tree and vegetation.](#)
- [3. Conduct pre-construction Nesting Bird Surveys.](#)
- [4. Prepare, submit, and sign notifications and reports](#)

Add to section 14-6.03D(1):

A Contractor-supplied biologist who performs specialized activities must have demonstrated field experience working with the regulated species or performing the specialized task. The biologist must have experience that complies with the requirements shown in the following table:

Specialized activity/species	Requirements
Tree and vegetation removal monitoring/Bald Eagles	Qualified Raptor Biologist
Nesting Bird Surveys	Qualified Avian Biologist

Submit monitoring reports according to the following schedule:

Monitoring type	Report schedule
Nest Monitoring (in the event nests are located)	Weekly monitoring

Submit a biological resource incident report within [24](#) hours of the incident.

The incident report must include:

1. Description of any take of regulated species or any violation of a biological resource PLAC
2. Species name and number taken
3. Details of required notifications with contact information
4. Corrective actions proposed or taken
5. Disposition of taken species

The annual monitoring report must include:

1. Start and end dates of construction
2. Project impacts on the regulated species
3. Species protection measures and implementation details
4. Incidental take details, including species name, number taken, people contacted, contact information, and disposition of taken species
5. Assessment of the effectiveness of the species protection measures in mitigating project impacts
6. Recommendations for improving species protection measures

Submit a final monitoring report no later than [20](#) days after completion of the project. If the report requires revisions, the Department provides comments. Submit a revised report within 7 days of receiving comments. The final monitoring report must be a cumulative report including:

1. Start and end dates of construction
2. Project impacts on the regulated species
3. Species protection measures and implementation details
4. Incidental take details, including species name, number taken, people contacted, contact information, and disposition of taken species
5. Assessment of the effectiveness of the species protection measures in mitigating project impacts
6. Recommendations for improving species protection measures

Add after the 2nd paragraph of section 14-11.12A:

This project includes removal of [Yellow Thermoplastic Traffic Stripe and Yellow Thermoplastic Pavement Marking](#) that will produce hazardous waste residue.

Add after the 1st paragraph of 14-11.12E:

After the Engineer accepts the analytical test results, dispose of yellow thermoplastic and yellow paint hazardous waste residue at a Class 1 disposal facility located in California [30](#) days after accumulating 220 lb of residue.

If less than 220 lb of hazardous waste residue and dust is generated in total, dispose of it within [30](#) days after the start of accumulation of the residue.

Replace section 14-11.14 with:

14-11.14 TREATED WOOD WASTE

14-11.14A General

Section 14-11.14 applies if treated wood waste is shown on the Bid Item List.

Section 14-11.14 includes specifications for handling, storing, transporting, and disposing of treated wood waste. Manage treated wood waste under Health & Safety Code §25230 et seq.

Wood removed from [roadside signs](#) is treated wood waste.

14-11.14B Submittals

Within 5 business days of disposing of treated wood waste, submit as an informational submittal a copy of each completed shipping record and weight receipt.

14-11.14C Training

Provide training to personnel who handle or may come in contact with treated wood waste. Training must include:

1. Requirements of [Title 8](#) CA Code of Regs
2. Procedures for identifying and segregating treated wood waste
3. Safe handling practices
4. Requirements of Health & Safety Code §25230 et seq
5. Proper disposal methods

Maintain training records for 3 years after contract acceptance.

14-11.14D Storage of Treated Wood Waste

Store treated wood waste at the jobsite until transport to the CA permitted disposal site.

Until disposal, store treated wood waste using the following methods:

1. Raise the waste on blocks above a foreseeable run-on elevation and protect it from precipitation for no more than 90 days.
2. Place the waste on a containment surface or pad protected from run-on and precipitation for no more than 180 days.
3. Place the waste in water-resistant containers designed for shipping or solid waste collection for no more than 1 year.
4. Place the waste in a storage building as defined in Health & Safety Code §25230 et seq.

Prevent unauthorized access to treated wood waste using a secure enclosure such as a locked chain-link-fenced area or a lockable shipping container located within the job site.

Resize and segregate treated wood waste at a location where debris including sawdust and chips can be contained. Collect and manage the debris as treated wood waste.

Identify treated wood waste and accumulation areas using water-resistant labels that comply with Health & Safety Code §25230 et seq. Labels must include:

1. The words *TREATED WOOD WASTE Do not burn or scavenge*
2. The words *Caltrans District* and the district number
3. The words *Construction Contract* and the contract number
4. District office address
5. Engineer's name, address, and telephone number
6. Contractor's contact name, address, and telephone number
7. Date placed in storage

14-11.14E Transport and Disposal of Treated Wood Waste

Dispose of treated wood waste within:

1. 90 days of generation if stored on blocks

- 2. 180 days of generation if stored on a containment surface or pad
- 3. 1 year of generation if stored in a water-resistant container or within 90 days after the container is full, whichever is shorter
- 4. 1 year of generation if stored in a storage building as defined in Health & Safety Code §25230 et seq

Before transporting treated wood waste, obtain agreement from the receiving facility that it will accept the waste. Protect shipments of the waste from loss and exposure to precipitation. For projects generating 10,000 lb or more of treated wood waste, request a generator's EPA Identification Number from the Engineer at least 5 business days before the 1st shipment. Each shipment must be accompanied by a shipping record such as a bill of lading or invoice that includes:

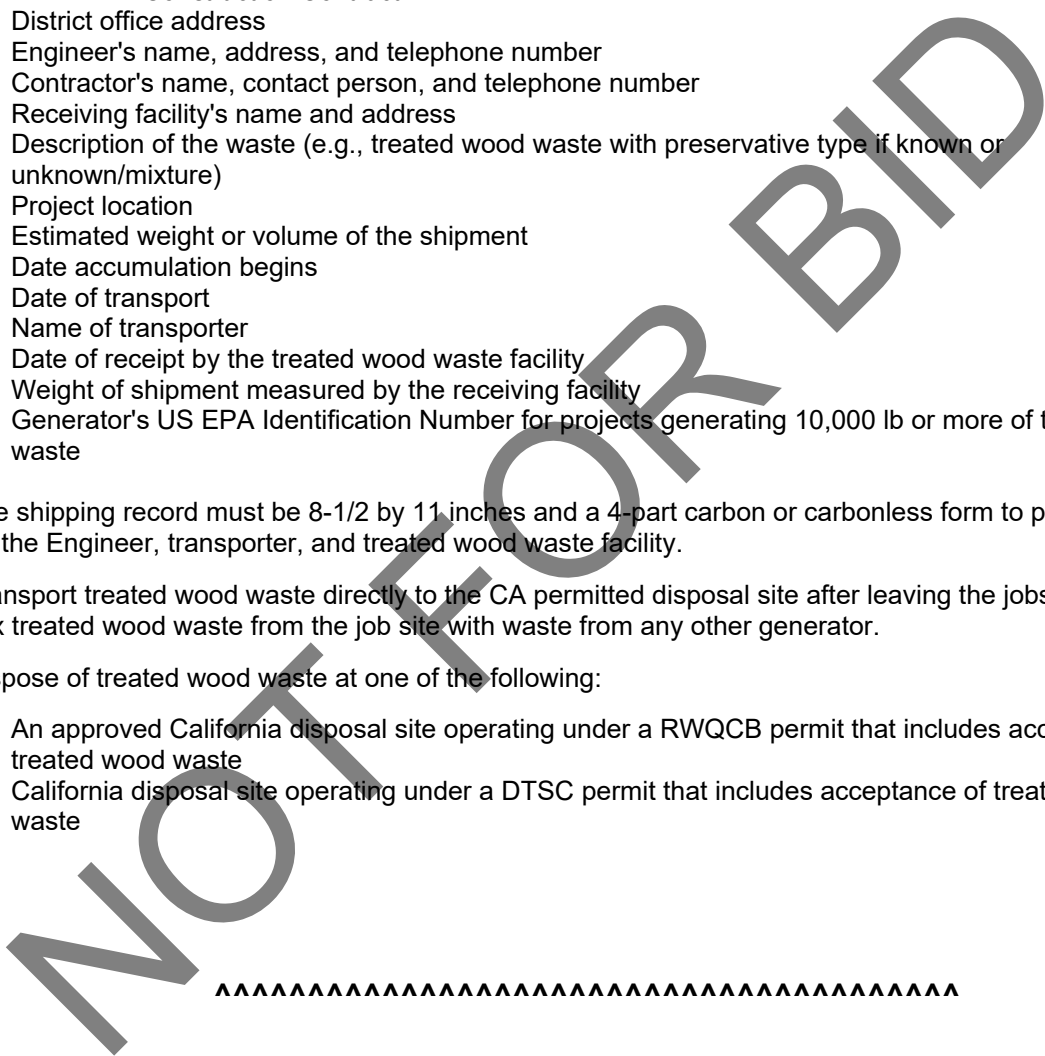
- 1. The words *Caltrans District* and the district number
- 2. The words *Construction Contract* and the contract number
- 3. District office address
- 4. Engineer's name, address, and telephone number
- 5. Contractor's name, contact person, and telephone number
- 6. Receiving facility's name and address
- 7. Description of the waste (e.g., treated wood waste with preservative type if known or unknown/mixture)
- 8. Project location
- 9. Estimated weight or volume of the shipment
- 10. Date accumulation begins
- 11. Date of transport
- 12. Name of transporter
- 13. Date of receipt by the treated wood waste facility
- 14. Weight of shipment measured by the receiving facility
- 15. Generator's US EPA Identification Number for projects generating 10,000 lb or more of treated wood waste

The shipping record must be 8-1/2 by 11 inches and a 4-part carbon or carbonless form to provide copies for the Engineer, transporter, and treated wood waste facility.

Transport treated wood waste directly to the CA permitted disposal site after leaving the jobsite. Do not mix treated wood waste from the job site with waste from any other generator.

Dispose of treated wood waste at one of the following:

- 1. An approved California disposal site operating under a RWQCB permit that includes acceptance of treated wood waste
- 2. California disposal site operating under a DTSC permit that includes acceptance of treated wood waste



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15 EXISTING FACILITIES

^^

16 TEMPORARY FACILITIES

AA

15 EXISTING FACILITIES

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16 TEMPORARY FACILITIES

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DIVISION III EARTHWORK AND LANDSCAPE

17 GENERAL

Add to section 17-2.03C:

Any tree removal work must be done by a licensed Timber Operator (Type A or B) who must file or have on file a fire resources inventory or Fire Plan with the California Department of Forestry and Fire Protection. A Timber Operator's license is not required if proof is furnished that the trees will be disposed of at a sanitary landfill site or given away. For specific information and additional information, contact the Department of Forestry and Fire Protection 25 Mulberry Street, Riverside, CA 92501, Phone # (909) 782-4140.

Add to section 17-2.03C:

You must remove tree roots within six (6) feet of the stump except within one (1) foot from the edge of curb or sidewalk.

The stump and roots must be removed in such a way to prevent damage to underground facilities. Any damages, repair or replacement thereof must be borne exclusively by you at no cost to the Department. The voids left by removal of trees, stumps, and roots must be backfilled with material free from any deleterious material and compacted to 95% of maximum density.

Replace "Not Used" in section 17-2.04 with:

Payment for removing trees, multi-trees, stumps and downed stump/trees is considered as included in the payment for clearing and grubbing.

No additional payment will be made should there be any other trees, multi-trees, tree stump or downed stump/trees found within the project limits and not shown on the plan which is necessary to be removed and disposed of outside the highway right of way to clear construction as directed by the Engineer.

Complying with all the requirements of the California Department of the Forestry, County and Local Fire agencies, and County and Local forestry management agencies is considered as included in the payment for clearing and grubbing.

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18 DUST PALLIATIVES

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19 EARTHWORK

Add to section 19-1.01:

Difficult excavation may be encountered due to rock. You may use hydraulic splitters, pneumatic hammers, or other authorized excavation techniques to fracture rock and construct stable final grade. Blasting is not allowed. Geotechnical borings are not indicative of the whole area.

Add to section 19-3.03B(1):

In making excavations for the project, you must be fully responsible for designing, providing, installing and removing adequate sheet piling, shoring, bracing, lagging, cribbing and piling as may be necessary to prevent slides or cave-ins, and to fully protect from damage all existing improvements of any kind, either on public or private property. All of the foregoing must be at your expense.

Add to section 19-3.04:

Attention is directed to the cross-sections prepared for this project. It is recognized that there are varying methods of construction and that the specific results of site analysis for shoring and protection requirements will impact the total volume of excavation necessary to complete the project. Construction slopes shown on the cross-sections must be considered within the following constraints:

The angles of construction slopes shown are for estimation purposes and actual slopes are to be verified in your design of shoring and trench protection. COMPUTATION OF VOLUMES FOR PAYMENT OF EARTHWORK - Where surfaces of existing ground constitute boundaries for calculation of earthwork quantities for payment, these surfaces will be established by the Engineer from survey data obtained sufficiently close in time to the start of construction to eliminate the probability of major discrepancies.

Surfaces established by these surveys must be the basis for calculation of earthwork quantities for payment.

Add to section 19-5.03B:

In the event excavations become flooded, remove at least the bottom eight inches of soil and replace with or recompact to 95% relative compaction.

Add to section 19-6.02A:

Overexcavated materials can be reused within four feet of the grading plane if the R-value is greater than 50 and Plasticity Index is less than 12%. Otherwise, overexcavated materials cannot be used within four feet of the grading plane.

In locations where structural pavement sections will be constructed atop imported fill, the material placed within four feet of the grading plane should have a minimum R-Value of 50 and a Plasticity Index less than 12%.

During earthwork if the R-value of exposed subgrade soils comes into question, the exposed soils should be sampled and tested to verify that the soils possess the minimum required R-value. If subgrade soils are found to be unsuitable for flexible pavement structural sections, it is recommended to be overexcavated up to four feet below grading plane and replaced with compacted import fill. Compaction of the subgrade should conform to the requirements described in Section 19-5.03.

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20 LANDSCAPE

Replace the 1st through 5th paragraphs of section 20-1.02C with:

Do not use pesticides.

Replace the 3rd paragraph of section 20-1.02C with:

Do not use rodenticides.

Replace section 20-5.05E with:

20-5.05E Permeable Pavers

20-5.03E(1) General

20-5.03E(1)(a) Summary

Section 20-5.05E includes specifications for placing permeable pavers.

20-5.03E(1)(b) Definitions

precast: Commercial quality product.

20-5.03E(1)(c) Submittals

At least 20 business days prior to delivery of materials to job site submit:

1. At least six permeable pavers in color, thickness, finish, and size as shown that indicates the range of color and texture variation expected in finished installation.
2. Product data including the manufacturer's product data sheet and installation instructions.
3. Certificate of compliance for permeable pavers and sand.

20-5.03E(1)(d) Quality Assurance

Permeable pavers must be precast and manufactured by a company that specializes in premier architectural products for a minimum of 20 years.

Provide a 1 sq yd test panel of permeable pavers in color and pattern as shown. The authorized test panel will be the standard of comparison for determining the acceptability of work.

20-5.03E(2) Materials

Permeable pavers must have spacers or void spaces not greater than 1/4 inch.

Permeable pavers must comply with ASTM C936 and the following:

<u>Quality characteristic</u>	<u>Test method</u>	<u>Requirement</u>
<u>Minimum Compressive Strength (psi)</u>	<u>ASTM C140</u>	<u>8,000</u>
<u>Average Absorption (%)</u>	<u>ASTM C140^a</u>	<u>5 - 7</u>
<u>Freeze / Thaw Resistance -50 cycles (% loss dry mass)</u>	<u>ASTM C67</u>	<u>1</u>
<u>Abrasion Resistance (inch³/inch²)</u>	<u>ASTM C418</u>	<u>0.92/7.75</u>
<u>Dimensional Tolerance</u>	<u>Length/ Width (inch)</u>	<u>±0.063</u>
	<u>Thickness (inch)</u>	<u>±0.125</u>

Sand must comply with section 90-1.02C(3).

20-5.03E(3) Construction

Earthwork for permeable pavers must comply with section 19.

Horizontal gaps greater than 3/8 inch must be filled with cut permeable pavers. Cuts must be made vertically plumb to finish surface of permeable paver.

Sweep in dry sand between permeable pavers and vibrate until joints are full. Remove excess sand on surface.

The finished surface must not deviate in elevation by 3/8 inch in 10 feet.

20-5.03E(4) Payment

Not Used

Replace section 20-5.06 with:

20-5.06 DECORATIVE BOULDERS

20-5.06A General

20-5.06A(1) Summary

Section 20-5.06 includes specifications for placing decorative boulders.

20-5.06A(2) Definitions

Not Used

20-5.06A(3) Submittals

At least 30 days before delivery to the job site, submit the name, address, and telephone number of the boulder source. Submit digital photographs of the front, back, and side of each boulder.

20-5.06A(4) Quality Assurance

Not Used

20-5.06B Materials

Notify the Engineer at least 5 business days before delivery of the boulders to the job site.

Boulders must:

1. Be clean
2. [Conform to the details and sizes shown on the plans](#)
4. [Be obtained within project right of way. If boulders cannot be obtained within project right of way, boulders obtained from other source must be of similar color and appearance to boulders within project right of way.](#)
5. Be the color [Mojave](#)
6. Not have blast holes

Boulders must comply with the minimum requirements shown in the following table for each axis measurement:

Diameter Requirements	
Diameter (feet)	Quantity
8 to 9	1
5 to 6	4
2 to 3	9

Boulders may show surface chipping or scaring if the boulder is placed such that the chipped or scarred areas are not visible.

Anti-graffiti coating must comply with section 78-4.06.

20-5.06C Construction

Mark proposed locations for placement of boulders. Final location and orientation of the boulder must be authorized at least 5 business days prior to installation. Apply anti-graffiti coating to all exposed surfaces

of the boulder. Place surplus excavated material throughout the job site under section 19-2.03B. Compact subgrade under the boulder to not less than 90 percent relative compaction.

Place boulder as shown or so that approximately 1/3 of the boulder height is buried below the finished grade. Backfill and tamp remaining soil voids around the boulder until finished grade is level with the surrounding area. If backfill area has settled, refill with additional soil and tamp.

20-5.06D Payment

Not Used

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21 EROSION CONTROL

Replace section 21-3 with:

21-3 PERMANENT EROSION CONTROL ESTABLISHMENT WORK

21-3.01 GENERAL

21-3.01A Summary

Section 21-3 includes specifications for performing permanent erosion control establishment work.

Permanent erosion control establishment work consists of weekly inspections of the project site for deficiencies in erosion control features.

The permanent erosion control establishment period starts after permanent erosion control work has been completed.

The Engineer notifies you when the permanent erosion control establishment period starts and furnishes weekly statements regarding the number of working days credited to the permanent erosion control establishment period after the notification.

At the start of the permanent erosion control establishment period you may request relief from maintenance and protection for work items that are not associated with water pollution control and permanent erosion control establishment work.

Working days on which no work is required during the permanent erosion control establishment period are credited as permanent erosion control establishment working days, regardless of whether or not you performed permanent erosion control establishment work.

Working days on which you fail to adequately perform permanent erosion control establishment work as required are not credited as permanent erosion control establishment working days.

Working days that occur after you fail to meet a due date for a Permanent Erosion Control Establishment (PECE) Report submittal will not be credited as permanent erosion control establishment working days.

21-3.01B Definitions

Not Used

21-3.01C Submittals

Submit a Permanent Erosion Control Establishment (PECE) Report form as an informational submittal within 24 hours of completing a weekly inspection and within 24 hours of each qualifying rain event. The WPC manager is responsible for the preparation and submittal of the PECE report. The report must identify any deficiencies that require repair, adjustment, or reapplication of materials, including:

1. Slides
2. Slipouts
3. Surface erosion
4. Damage to:
 - 4.1. Erosion control devices
 - 4.2. Water pollution control devices

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37 SEAL COATS

Replace section 37-7 with:

37-7 HIGH FRICTION SURFACE TREATMENT

37-7.01 GENERAL

37-7.01A Summary

Section 37-7 includes specifications for applying high friction surface treatment (HFST) on asphalt concrete or concrete surfaces.

Applying HFST consists of spreading resin binder and calcined bauxite aggregate on asphalt concrete or concrete surfaces.

37-7.01B Definitions

resin binder: Modified epoxy or polyester resin binder used to bond a surface-applied aggregate to an asphalt concrete, concrete, or steel surface.

prime coat: Resin used to promote adhesion with an existing surface and is compatible with the resin binder.

37-7.01C Submittals

37-7.01C(1) General

Submit your QC tests as an informational submittal. The QC tests must be submitted electronically through the Data Interchange for Materials Engineering website within 3 business days of completion of each QC test.

At least 15 days before use, submit the following for resin binder and calcined bauxite aggregate to METS:

1. Certificate of compliance
2. Certified test results
3. Test samples

Submit a SDS for the resin binder and its components.

37-7.01C(2) Quality Control Plan

Submit a QC plan. Allow 5 business days for review before the preconstruction meeting.

The QC plan must include:

1. Schedule for both trial and production HFST work
2. Surface preparation methods for areas where HFST is to be placed
3. Method of protecting areas and exposed facilities not to receive HFST
4. Method of protecting and reestablishing existing longitudinal and transverse joints and working cracks in concrete pavements and structures
5. Type of resin binder to be used, resin binder manufacturer's recommended mixing and placement instructions, including mixing ratios and temperatures
6. Resin binder manufacturer's estimated cure times for resin binder to be used
7. Disposal methods for excess HFST and containers for HFST components
8. Contingency plan that describes corrective actions you will take in the event of equipment failure or material issues during HFST placement
9. Manufacturer's recommended storage, shelf life, and handling of HFST components
10. Name of the certified independent testing laboratory performing QC testing

37-7.01C(3) Quality Control Test Results

Submit QC test results for tests performed under section 37-7.01D(3)(b) within 24 hours of test completion.

37-7.01D Quality Assurance

37-7.01D(1) General

Not Used

37-7.01D(2) Preconstruction Meeting

Schedule a preconstruction meeting with the Engineer at a mutually agreed time and place. Make arrangements for the meeting facility. Attendance at the preconstruction meeting is mandatory for:

1. QC manager
2. Project superintendent
3. HFST project foreman
4. Traffic control foreman
5. Resin supplier technical representative

Be prepared to discuss:

1. Quality assurance:
 - 1.1. QC plan
 - 1.2. Quality control
 - 1.3. Acceptance criteria
2. Placement of materials:
 - 2.1. Trial HFST requirements
 - 2.2. Application rates
 - 2.3. Resin binder mixing methods and equipment
 - 2.4. HFST application methods and equipment
3. Contingency plan
4. Issues specific to the project, including:
 - 4.1. Weather
 - 4.2. Alignment and geometrics
 - 4.3. Traffic control issues

37-7.01D(3) Quality Control

37-7.01D(3)(a) General

Perform QC testing for trial HFST and production work. QC testing, except for coefficient of friction, must be performed by independent laboratories.

37-7.01D(3)(b) Testing Frequency and Locations

Test the HFST under the test methods and at the locations and frequencies shown in the following table:

HFST Sampling Locations and Testing Frequencies

Quality characteristic	Test method	Sampling location	Minimum testing frequency
Resin binder spread rate	Calculated based on materials used	Point of application	1 per day of production
Bond strength at 24 hours	ASTM C1583	Point of application	1 per day of production
Coefficient of friction before opening to traffic	ASTM E1911	Alternate between wheel paths	Minimum of 1 every 500 linear ft ^a
Coefficient of friction 7–15 days after opening to traffic	ASTM E1911	Alternate between wheel paths	Minimum of 1 every 500 ft ^a
Aggregate moisture content	California Test 226	Point of application or stockpile	1 per shift

^aFor application lengths <500 ft, test at a minimum of 2 locations.

37-7.01D(4) Department Acceptance

The Department accepts HFST based on:

1. Visual inspection for the following:

- 1.1. Uniform surface texture
- 1.2. Raveling, which consists of the separation of the aggregate from the resin binder
- 1.3. Streaking, which consists of alternating longitudinal bands of resin binder without uniform calcined bauxite aggregate retention, approximately parallel with the lane line
- 1.4. Flushing, which consists of resin binder without or fully embedded calcined bauxite aggregate
2. Compliance with the requirements shown in the following tables:

Calcined Bauxite Aggregate Requirements for Acceptance

Quality characteristic	Test method	Requirement
Los Angeles rattler loss at 100 revolutions (max, %)	California Test 211 Table 1, Grading D	10
Aggregate moisture content (max, %)	California Test 226	0.2
Sand equivalent (min)	California Test 217	95
Gradation (% passing by weight) Sieve size:	California Test 202	
No. 4 (min)		100
No. 6 (min)		95
No. 16 (max)		5

Resin Binder Requirements for Acceptance

Quality characteristic	Test method	Requirement
Viscosity (centipoise) ^a no. 2 spindle, 10 RPM	ASTM D2196	1,000–3,000
Cure rate (max, hr) 0.05-inch-thick specimen	ASTM D1640	3
Gel time (minutes)	ASTM C881	10–30
Elongation at break point (min, %) Type I specimen	ASTM D638	30
Ultimate tensile strength (min, psi) Type I specimen	ASTM D638	2,650

^aMix components for resin binder and measure viscosity 3 ± 0.25 min after the start of mixing.

HFST Requirements for Acceptance

Quality characteristic	Test method	Requirement
Bond strength (min, psi)	ASTM C1583	250 psi or 100% substrate failure
Coefficient of friction at 60 km/h prior to opening to traffic	ASTM E1911	0.75 ^a
Coefficient of friction at 60 km/h, 7–15 days after opening to traffic	ASTM E1911	0.75 ^a

^a Report coefficient of friction values at 20 km/h, 40 km/h, and 80 km/h.

Replace areas of non-uniform texture, undulations, raveling, streaking, or flushing greater than 0.25 sq ft.

Perform coefficient of friction testing in the presence of the Engineer. Notify the Engineer at least 48 hours before coefficient of friction testing.

37-7.01D(5) Trial Application

Unless otherwise authorized, complete a trial application of HFST at an authorized location before starting HFST production work. Notify the Engineer at least 15 days before constructing the trial overlay. The resin binder manufacturer's representative must be present during the trial application.

Remove pavement markers, pavement markings, and traffic stripes within the area to receive HFST for the lane and length involved before placing the resin binder.

The trial HFST application must:

1. Be at least 12 feet wide and 20 feet long.

2. Be constructed using the same method and equipment as the production work. Construct an additional trial for each method proposed for the production work.
3. Replicate field conditions, including ambient and surface temperatures anticipated for production work.
4. Demonstrate surface preparation requirements as outlined in the QC plan.
5. Determine the initial set time for the resin binder.

After applying the trial HFST, document:

1. Settings on the applicator equipment
2. Initial quantities of resin and aggregate topping
3. Unused quantities of resin binder and aggregate remaining in the applicator equipment
4. Total deck surface treated with HFST

Test the coefficient of friction of the trial HFST under ASTM E1911 at 20, 40, 60, and 80 km/h. If the coefficient of friction of the HFST at 60 km/h is less than 0.75, correct or replace the trial HFST until the coefficient of friction is equal to or greater than 0.75.

37-7.02 MATERIALS

37-7.02A General

Not Used

37-7.02B Prime Coat

Prime coat must be high-molecular-weight methacrylate resin complying with section 60-3.03B except:

1. Methacrylate resin must be free of wax
2. Tack-free time requirements do not apply
3. Friction testing is not required for the resin prime coat

37-7.02C Resin Binder

Resin binder must comply with the requirements shown in the following table:

Resin Binder Requirements

Quality characteristic	Test method	Requirement
Viscosity ^a (centipoise) no. 2 spindle, 10 RPM	ASTM D2196	1,000–3,000
Cure rate (max, hrs) Specimen, 0.05-inch thick, Method A, Dry-Through Time	ASTM D1640	3
Gel time (minutes)	ASTM C881	10–30
Elongation at break point (min, %) Type I specimen at 25 ± 1 °C	ASTM D638	30
Tensile strength (min, psi) Type I specimen at 25 ± 1 °C	ASTM D638	2,650
Compressive strength (min, psi at 3 hrs)	ASTM C579	1,000
Water absorption (max, %)	ASTM D570	1.0
Durometer hardness (Shore D)	ASTM D2240	65–75
Styrene content ^b (% by weight)	ASTM D2369	30–40

^aMix components for resin binder and measure viscosity 3 ± 0.25 minutes after the start of mixing.

^bFor polyester resin binder only. Perform test before adding catalyst.

The polyester resin must:

1. Be an unsaturated isophthalic polyester-styrene copolymer-unsaturated polyester thermosetting resin
2. Contain not less than 1 percent by weight gamma-methacryloxypropyltrimethoxysilane, an organosilane ester silane coupler
3. Be used with a promoter compatible with suitable methyl ethyl ketone peroxide and cumene hydroperoxide initiators

The epoxy-based resin binder must be multi-component.

37-7.02D Calcined Bauxite Aggregate

Calcined bauxite aggregate must (1) be clean, dry, and free from clay and any other deleterious matter and (2) meet the requirements shown in the following table:

Calcined Bauxite Aggregate Requirements		
Quality characteristic	Test method	Requirement
Los Angeles rattler loss at 100 revolutions (max, %)	California Test 211 Table 1, Grading D	10
Polish stone value (min)	ASTM D3319	38
Aggregate acid insolubility	ASTM D3042	90
Soundness (max, %)	California Test 214	10
Aluminum oxide content (min, %)	ASTM C25	87
Aggregate moisture content (max, %)	California Test 226	0.2
Sand equivalent (min)	California Test 217	95
Gradation (% passing by weight) Sieve size:	California Test 202	
No. 4		100
No. 6		95
No. 16		5

37-7.03 CONSTRUCTION

37-7.03A General

Do not begin HFST production work until authorized after successful completion of the trial HFST.

37-7.03B Surface Preparation

37-7.03B(1) General

Protect utilities, utility covers, drainage structures, curbs, and other structures within or adjacent to treatment location from HFST materials.

Remove pavement markers, pavement markings, and traffic strips to a maximum depth of 0.01 foot from the area receiving HFST prior to resin binder application.

Clean and dry the surfaces to receive HFST from dust, oil, debris, organic matter, or any material that may interfere with the bond between resin binder and existing surfaces.

37-7.03B(2) Asphalt Surfaces

Perform the following before applying resin binder:

1. Sweep the surface
2. Blow the surface clean with pressurized air using a minimum 150 cfm compressor fitted with an air lance
3. Clean cracks greater than 0.25-inch wide with pressurized air and pretreat with mixed resin binder

37-7.03B(3) Concrete Surfaces

Perform the following activities in the order listed before applying resin binder:

1. Abrasive blast the surface with steel shot
2. Sweep the surface clean
3. Blow the surface clean with pressurized air
4. Pretreat and seal cracks under section 41-3

Make sure steel shot used for abrasive blast complies with SSPC-AB3 and recycled steel shot complies with SSPC-AB2. After abrasive blasting, the prepared surface must comply with ASTM D7682, Method A, meeting an International Concrete Repair Institute Concrete Surface Profile visual comparator value of 5-7. The surface must be dry when abrasive blasting is performed. All laitance, contaminants, paint, markers, and foreign material must be removed from the surface.

If the concrete surface becomes contaminated before placing the HFST treatment, abrasive blast, clean the contaminated area and sweep and blow the surface clean.

37-7.03C Mixing and Application

37-7.03C(1) General

Utilize the following method to apply the resin binder and calcined bauxite aggregate under manufacturer's recommendations:

1. Automated continuous application

Apply mixed resin binder under resin binder manufacturer's recommendations.

Apply resin binder on clean and dry surfaces. Asphalt surfaces or concrete surfaces must be at least 30 days old before applying HFST.

For concrete surfaces, if polyester resin binder is the resin binder being used, comply with section 60-3.04B(3)(b) for the application of a prime coat of methacrylate resin before placing polyester resin binder. Aggregate requirements in section 60-3.04 for polyester concrete overlay do not apply. Use the spread rate as recommended by the manufacturer.

Apply polyester resin binder when the surface temperature is from 50 to 100 degrees F. Apply epoxy-based resin binder when the surface temperature is at least 50 degrees F.

Apply resin binder at a minimum rate of 0.32 gal/sq yd to one lane width at a time.

Do not allow the mixed resin binder to do any of the following that may impair retention and bonding of aggregate:

1. Separate
2. Cure
3. Dry
4. Be exposed
5. Harden

Spread calcined bauxite at a minimum rate of 13 lb/sq yd within 5 minutes of applying the resin binder.

Cure HFST for a minimum period recommended by the resin binder supplier. During curing period, do not allow vehicles, construction equipment, or foot traffic on the HFST.

HFST that has not completely cured after the minimum period recommended by the resin binder supplier is considered nonperforming and must be removed before opening to traffic and replaced.

The surface texture of HFST must be uniform in appearance. Any areas free of HFST must be covered by HFST and cured before opening the area to traffic.

37-7.03C(2) Automated Continuous Application

Perform automated continuous application using an applicator vehicle with the following capabilities:

1. Equipped to heat resin binder material
2. Continuously mixes, meters, and monitors HFST components during application activities
3. Equipped with a built-in data management unit producing real time data showing:
 - 3.1. Volume of resin binder applied
 - 3.2. Resin binder spread rate in gal/sq yd
 - 3.3. Weight of aggregate applied across the application width
4. Uses continuous pumping and portioning devices that blend the binder within a controlled system using positive displacement geared pumps
5. Mixes the binder with a tolerance of ± 2 percent by volume
6. Has a non-atomizing laminar extruded application bar tied to the forward motion of the application vehicle through an automated self-contained vehicle drive
7. Can apply resin binder and aggregate at the minimum spread rate
8. Applies resin binder and aggregate in a continuous pass as 1 layer to a width of up to 12 feet

Add to section 39-2.01C(3)(b):

Soil must be sterilized in areas to be surfaced with asphalt concrete over compacted native ground.

Pesticides used for soil sterilization must conform to section 20-1.02C.

Prior to sterilizing, the soil must be prepared in accordance with Section 19-1.03C.

The soil must be sterilized with one of the following pesticides, or approved equal, applied at the maximum label rate unless otherwise directed by the Engineer:

1. Trifluralin emulsifiable concentrate
2. Dichlobenil
3. Or approved equal

Pesticides must be mixed according to the manufacturer's recommendations and must be applied by a device approved by the Engineer. Pesticides must not be applied more than 8 hours prior to placing asphalt concrete surfacing. Pesticides must not be applied more than 12 inches beyond the areas to be surfaced.

Replace section 39-2.01C(3)(c) with:

39-2.01C(3)(c) Prime Coat

Apply a slow-setting asphaltic emulsion as a prime coat to AB areas designated by the Engineer and at a spread rate from 0.15 to 0.35 gal/sq yd. Do not apply more prime coat than can be absorbed completely by the AB in 24 hours.

You may modify the prime coat application rates if authorized.

Close areas receiving prime coat to traffic. Do not allow tracking the prime coat onto pavement surfaces beyond the job site.

Replace the 2nd paragraph of section 39-2.01D with:

Payment for prime coat and tack coat is considered included in the payment for hot mix asphalt types shown in the bid item list.

Delete the row for *For RAP Substitution equal to or less than 15%* in the table in item 3 in the list in the paragraph of section 39-2.02A(4)(e).

Replace the row for *For RAP Substitution greater than 15%* in the table in item 3 in the list in the paragraph of section 39-2.02A(4)(e) with:

For RAP Substitution greater than 15% Moisture susceptibility (max, psi, dry strength)	AASHTO T 283	300 ^h
---	--------------	------------------

Replace footnote h for the table in item 3 in the list in the paragraph of section 39-2.02A(4)(e) with:

^hNot required for the following areas in District 8:

1. Riverside County: Route 10, post mile 56.95 to 156.49; Route 111, post mile 0.00 to 28.53
2. San Bernardino County: Route 15, post mile 29.00 to 186.24; Route 40; Route 58; Route 138, post mile 0.00 to 15.20; Route 395

Replace the row for *Moisture susceptibility (min, psi, wet strength)* in the table in item 3 in the list in the paragraph of section 39-2.02A(4)(e) with:

Moisture susceptibility (min, tensile strength ratio)	AASHTO T 283 ⁱ	70
---	---------------------------	----

Delete the row for *For RAP substitution equal to or less than 15%* in the table in the 1st paragraph of section 39-2.02B(2).

Replace the row for *For RAP substitution greater than 15%* in the table in the 1st paragraph of section 39-2.02B(2) with:

For RAP Substitution greater than 15% moisture susceptibility (max, psi, dry strength)	AASHTO T 283 ^c	300 ^e
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Replace footnote e for the table in the 1st paragraph of section 39-2.02B(2) with:

^eNot required for the following areas in District 8:

1. Riverside County: Route 10, post mile 56.95 to 156.49; Route 111, post mile 0.00 to 28.53
2. San Bernardino County: Route 15, post mile 29.00 to 186.24; Route 40; Route 58; Route 138, post mile 0.00 to 15.20; Route 395

Replace the row for *Moisture susceptibility, wet strength* in the table in the 1st paragraph of section 39-2.02B(2) with:

Moisture susceptibility (min, tensile strength ratio)	AASHTO T 283 ^{c,d}	70
---	-----------------------------	----

Replace *Reserved* in section 39-2.02B(3) with:

The grade of asphalt binder for Type A HMA must be [PG 64-16](#).

For Type A HMA using RAP substitution of greater than 15 percent of the aggregate blend, the virgin binder grade must comply with the PG binder grade specified above with 6 degrees C reduction in the upper and lower temperature classification.

For Type A HMA using RAP substitution of 15 percent or less of the aggregate blend, the grade of the virgin binder must comply with the PG binder grade specified above.

Replace section 39-2.07B(3) with:

39-2.07B(3) Asphalt Binder

The grade of asphalt binder for minor HMA must be [PG 64-16](#).

For minor HMA using RAP substitution of greater than 15 percent of the aggregate blend, the grade of the virgin binder must comply with the binder grade specified above with a 6-degree reduction in the upper and lower temperature classification.

For minor HMA using RAP substitution of 15 percent or less of the aggregate blend, the grade of the virgin binder must comply with the binder grade specified above.

Replace “Reserved” in section 39-3.03C with:

Before removing the dike, the outside edge of the asphalt concrete to remain in place must be cut to a neat line. The cut must be a minimum depth of 0.17-foot.

The dike must be removed in such a manner so that the surfacing which is to remain in place is not damaged.

You must dispose of the removed asphalt concrete dike.

Add to section 39-3.04C(1):

Cold planing machines must be capable of producing a planed surface with no grooves greater than 3/8-inch in width and 3/16-inch in depth, and must be operated at a speed and in a manner to produce such a surface. The noise level produced by the combined planing operation must not exceed 86 dBA at a distance of 50 feet at right angles to the direction of travel.

Where utility access fixtures exist within the area to be planed, these must be protected from damage. At manhole locations a rectangular pattern of planer cuts must be performed (prior to through planing) to a depth of not less than 0.10-foot and no closer than 1 foot from the outside of the manhole frame. These must be extended far enough to allow meeting the minimum specified depth of cut with the through planing operation. At your option and sole expense, you may arrange with the utility owners to lower manhole frames and covers to clear planing operations. You must lower valve covers, as needed, to clear planing operations.

Planed widths of pavement must be continuous except for intersections at cross streets where the planing must be carried around the corners and through the conform lines.

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62 STORMWATER TREATMENT

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63 RESERVED

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64 PLASTIC PIPE

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65 CONCRETE PIPE

Add to section 65-2.01C:

Submit a certificate of compliance for wet-cast pipe and test reports for measured air entrainment.

Add to section 65-2.02A:

Wet-cast pipe must be made from concrete placed and consolidated by conventional equipment using concrete with a slump of 2 inches or more. Wet-cast pipe must contain 5.5 ± 1.5 percent air by volume determined under ASTM C231.

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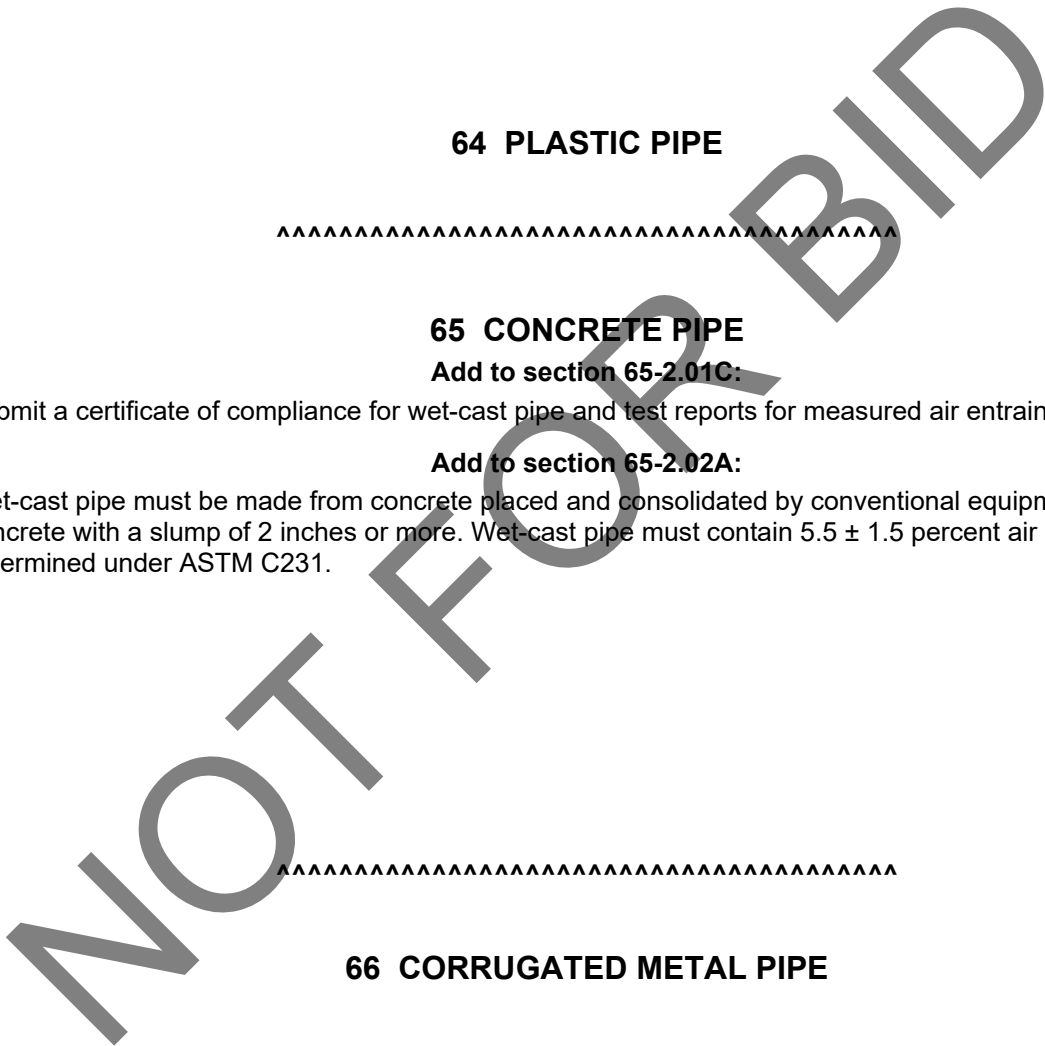
66 CORRUGATED METAL PIPE

AA

67 STRUCTURAL PLATE CULVERTS

AA

68 SUBSURFACE DRAINS



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69 OVERSIDE DRAINS

AA

70 MISCELLANEOUS DRAINAGE FACILITIES

AA

71 EXISTING DRAINAGE FACILITIES

Add to section 71-2.03:

You must dispose of all removed drainage facilities, not reused on the project, including pipe culverts.

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DIVISION VIII MISCELLANEOUS CONSTRUCTION

72 SLOPE PROTECTION

AA

73 CONCRETE CURBS AND SIDEWALKS

Add to section 73-1.02A:

Concrete must be minor concrete complying with section 90-2 and may contain returned plastic concrete complying with section 90-9.

Replace the 1st paragraph of section 73-1.03B with:

Relative compaction of not less than 95 percent must be obtained for a minimum depth of 6-inches below the subgrade elevation.

After compaction and grading, the subgrade must be firm, hard, and unyielding

Replace the 1st paragraph of section 73-1.03E with:

Non-Pigmented curing compound must be used on exposed concrete surfaces other than curb and gutter.

Add to section 73-3.01C:

Within 2 business days of completing the surveys, submit preconstruction and post-construction surveys sealed and signed by one of the following:

1. Land surveyor licensed in the State
2. Engineer who is registered as a civil engineer in the State

Replace section 73-3.01D(3) with:

73-3.01D(3) Quality Control

For locations shown, perform a preconstruction survey to ensure forms and job site constraints will allow for compliance with required design dimensions and slopes shown. Upon completing the work, perform a

post-construction survey to verify design dimensions and slopes requirements are met. The post-construction survey must include a minimum of 3 measurements for each dimension and slope requirement shown. Individual measurements must be equally distributed across the specified slope or dimensional surface. Document and submit these measurements on the Americans with Disabilities Act Compliance Inspection Report form for the facility type shown. Include the equipment and control used to conduct the survey.

Add to the beginning of section 73-3.03:

Before placing concrete, verify that forms and job site constraints allow the required dimensioning and slopes shown. Immediately notify the Engineer if you encounter job site conditions that will not accommodate the design details. Ordered modifications are change order work.

^^

74 PUMPING EQUIPMENT AND CONTROLS

^^

75 MISCELLANEOUS METAL

Add between the 1st and 2nd paragraphs of section 75-1.02B:

For undersidewalk drain, checkered plate must comply with ASTM.

For undersidewalk drain, steel anchor must comply with ASTM.

^^

76 WELLS

^^

77 LOCAL INFRASTRUCTURE

Replace section 77 with:

77-1 GENERAL

77-1.01 GENERAL

Section 77-1 includes general specifications for constructing local infrastructure.

77-1.02 MATERIALS

Not Used

77-1.03 CONSTRUCTION

Not Used

77-1.04 PAYMENT

Not Used

77-2 RECTANGULAR RAPID FLASHING BEACON SYSTEM

77-2.01 GENERAL

77-2.01A Summary

Section 77-2 includes specifications for constructing rectangular rapid flashing beacon (RRFB) system.

A rectangular rapid flashing beacon system includes:

1. Foundations
2. Pull boxes
3. Conduits
4. Conductors
5. Cables
6. Standard
7. Accessible pedestrian signals
8. Flashing rectangular beacons
9. Controllers
10. Enclosures

The components of a RRFB system are shown on the project plans.

77-2.01B Definitions

Not Used

77-2.01C Submittals

Not Used

77-2.01D Quality Assurance

Not Used

77-2.02 MATERIALS

77-2.02A General

Not Used

77-2.02B Flashing Rectangular Beacons

The flashing rectangular beacons must have a light intensity compliant to the specifications of Society of Automotive Engineers standard J595 requirements for peak luminous intensity (candelas) for Class 1 (Directional Flashing Optical Warning Devices for Authorized Emergency, Maintenance, and Service Vehicles).

The flashing rectangular beacons must:

1. Be housed in a black, IP65 rated, corrosion-resistant, powder-coated aluminum casing
2. Have stainless steel fasteners
3. Be aligned horizontally in the housing with a minimum 7 inches space between the two beacons, measured from inside edge of one beacon to inside edge of the other beacon
4. Have an automatic signal dimming device during nighttime conditions
5. Have pilot LED's visible to pedestrians, giving confirmation that the beacons are in operation.
6. Have a life expectancy of 100,000 hours

Each beacon must:

1. Be a minimum size of 5 inches wide by 2 inches high
2. Have a flash rate over the on-off flashing period sequence outside the range of 5 to 30 flashes per second to avoid harmful frequencies
3. Be of a yellow LED color
4. Use an LED array light source

The flashing rectangular beacons' operation must:

1. Be normally dark, initiated instantly only upon pedestrian actuation by an APS

2. Flash rapidly and alternately upon activation:
 - 2.1. In rapidly alternating "wig-wag plus simultaneous" flashing sequence of left light on, then right light on
 - 2.2. Must start within 150 milliseconds and cease operation simultaneously
3. Have 75 flash cycles per minute with 800 milliseconds flash cycle length. The 800-millisecond flash cycle must have the following sequence:
 - 3.1. The "left" side beacon is on for 50 milliseconds followed by both beacons being off for 50 milliseconds
 - 3.2. The "right" side beacon is on for 50 milliseconds followed by both beacons being off for 50 milliseconds
 - 3.3. The "left" side beacon is on for 50 milliseconds followed by both beacons being off for 50 milliseconds
 - 3.4. The "right" side beacon is on for 50 milliseconds followed by both beacons being off for 50 milliseconds
 - 3.5. Both beacons are on for 50 milliseconds followed by both beacons being off for 50 milliseconds
 - 3.6. The "right" side beacon is on for 50 milliseconds followed by both beacons being off for 250 milliseconds
4. Revert to dark upon a fixed adjustable time frame

When using passive detection, the operation must terminate after the pedestrian clears the crosswalk. The predetermined time must comply with Section 4E.06 of the California MUTCD.

Where an advanced rectangular rapid flashing beacon is used ahead of the crosswalk, it must start and cease operation simultaneously with the RRFB.

77-2.02C RRFB Enclosure

The RRFB enclosure must be NEMA 3R rated and house the RRFB controller, and APS circuit board.

The RRFB controller must:

1. Use series regulation to reduce field effect transistor (FET) heating and to lower voltage stress on the power FET.
2. Regulate the voltage and current load.
3. Have an onboard user interface for configuration
4. Communicate through a unique wireless channel with other RRFB controllers assigned to the same crosswalk

The APS circuit board must be compatible with the APS assembly.

77-2.02D RRFB Cables

The RRFB cable must comply with the RRFB controller requirements.

77-2.03 CONSTRUCTION

77-2.03A General

Perform the conductor and operational test for the system.

77-2.03B Flashing Rectangular Beacons

The pilot LED's must be visible to pedestrians crossing the road.

Program the accessible pedestrian signals with the message "Yellow lights are flashing". The message should be spoken twice.

77-2.04 PAYMENT

Not Used

77-3 MODIFYING PARKING LOT LIGHTING (PRIVATE)

77-3.01 GENERAL

Section 77-3 includes specifications for modifying parking lot lighting (private).

Modifying Parking Lot Lighting (Private) includes:

1. Wood Pole
2. Pull box
3. Conduit
4. Conductors

The components of modifying parking lot lighting (private) are shown on the project plans.

77-3.02 MATERIALS

The electrical equipment and materials must comply with section 86.

77-3.03 CONSTRUCTION

Install electrical equipment under section 87

77-3.04 PAYMENT

Not Used

78 INCIDENTAL CONSTRUCTION

Add to section 78-2.01:

You must request the County Surveyor to conduct a monument review survey at least two (2) weeks before the start of construction to facilitate preservation of existing survey monumentation.

The County Surveyor will provide you with locations of survey monuments before paving and will file the required pre-construction documentation. Monuments not disturbed or destroyed during normal construction activities which are within 0.20' of the existing surface before construction must be left exposed at the completion of the paving project. You must install self-adhesive "I.D.Locators", or equivalent markers approved by the engineer, over monuments before paving and remove the markers at the completion of the paving.

The County Surveyor will reset or replace any survey monumentation located by the pre-construction survey which is destroyed or disturbed by normal construction activities associated with the project, and file the required documentation.

You must preserve and protect in place any established survey monumentation, when it is possible to do so. In areas of pavement removal where monuments are disturbed or damaged during construction, and the monuments have been located and referenced by a pre-construction survey, you must remove the damaged monument in its entirety before paving. Monuments not disturbed or damaged by construction activities may be left in place.

If any survey monumentation is disturbed or destroyed through your negligence, or by reason of your failure to conform to requirements of this section, the survey monumentation must be replaced or restored by the County Surveyor at your expense.

79 RESERVED

Replace 1st paragraph of section 82-5.01A with:

Section 82-5 includes specifications for fabricating and installing markers, including highway post markers and snow pole markers.

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83 RAILINGS AND BARRIERS

Replace item 1 in the list in the 2nd paragraph of section 83-2.02C(1)(a) with:

- 1. Steel line posts.

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84 MARKINGS

Replace the 4th paragraph of section 84-2.02B with:

High-performance glass beads must be Visibead or equivalent.

Replace section 84-9.03B with:

84-9.03B Remove Traffic Stripes and Pavement Markings Containing Lead

Residue from the removal of painted or thermoplastic traffic stripes and pavement markings contains lead from the paint or thermoplastic. The average lead concentrations are less than 1,000 mg/kg total lead and 5 mg/L soluble lead. This residue:

- 1. Is a nonhazardous waste
- 2. Does not contain heavy metals in concentrations exceeding the thresholds established by the Health and Safety Code and 22 CA Code of Regs
- 3. Is not regulated under the Federal Resource Conservation and Recovery Act (RCRA), 42 USC § 6901 et seq.

Management of this material exposes workers to health hazards that must be addressed in your lead compliance plan.

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85 RESERVED

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NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the San Bernardino County Flood Control District (District) will receive sealed proposals until

10:00 A.M., THURSDAY, XXXXXXXX XX, 20XX

in the building of:

San Bernardino County Flood Control District
Front Reception Desk
825 East 3rd Street
San Bernardino, CA 92415-0835

PLEASE NOTE: All bidders must be registered with: 1) the Department of Industrial Relations (with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)); and 2) the ePro system prior to the date and time to receive sealed proposals or they will be disqualified. The lowest responsive and responsible bidder and its subcontractors must be registered with the Department of Industrial Relations at the time of award of the Contract and must remain registered throughout the term of the Contract. For more information, please see <http://www.dir.ca.gov/Public-Works/SB854.html>

Bids (or “proposals”) in response to this solicitation can be submitted through the County of San Bernardino Electronic Procurement Network (ePro) <https://epro.sbcounty.gov/bsol/> or hard copy in person, with **the bidder’s security described herein in a sealed envelope prior to the proposal opening date and time**, to the San Bernardino County Flood Control District at 825 East 3rd Street San Bernardino, CA 92415 at which time the bids will be publicly opened and declared via video and teleconference via goto.com/Meeting using meeting ID 434-769-549. **However, if the bid is submitted in ePro, the bidder’s security described herein must still be submitted in person in a sealed envelope prior to the proposal opening date and time.** See the flyer available under the bid posting on ePro for further login information for the following Project:

**STANFIELD CUTOFF
STANFIELD CUTOFF AT SH38
H15005
AREA: BIG BEAR CITY
ROAD NO.: 771150-010**

This Project requires a **Class A OR C12** Contractor’s license issued by the state of California Contractors State Licensing Board. The Contractor must maintain this license from contract award through Project acceptance. All contractors, including any out-of-state contractors/subcontractors, must comply with all applicable laws and regulations of the State of California at the time of bid and through Project completion.

A non-mandatory pre-bid meeting is scheduled for [INSERT]

To be held via video and teleconference via goto.com/meeting using meeting ID See the flyer available under the bid posting on ePro for further login information.

The pre-bid meeting is to inform bidders of Project requirements and subcontractors of subcontracting and material supply opportunities. Bidder’s attendance at this meeting is not mandatory, but all bidders are encouraged to attend this meeting.

All bidders and interested small businesses are encouraged to attend this meeting.

NOTICE: BIDDERS MUST OBTAIN BID DOCUMENTS AND PREPARE THEIR BIDS ON FORMS OBTAINED DIRECTLY FROM THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT OR FROM THE ELECTRONIC PROCUREMENT NETWORK (ePRO) <http://epro.sbcounty.bso/>. BIDS PREPARED ON FORMS OBTAINED FROM OTHER SOURCES WILL BE DEEMED NON-RESPONSIVE. BIDDERS MUST BE LISTED ON THE OFFICIAL PLAN HOLDERS LIST AT THE TIME BIDS ARE PUBLICLY OPENED. BIDS RECEIVED FROM BIDDERS WHO ARE NOT LISTED ON THE OFFICIAL PLAN HOLDERS LIST WILL NOT BE ACCEPTED.

Bids shall be prepared in accordance with these Special Provisions and the following:

1. Caltrans 2023 Standard Specifications, unless specified otherwise in these Special Provisions.
2. Caltrans 2023 Standard Plans, unless specified otherwise in these Special Provisions.
3. Labor Surcharge and Equipment Rental Rates effective on the date work is accomplished.

These publications are published by Caltrans and may be reviewed at the following website: <https://dot.ca.gov/programs/design/ccs-standard-plans-and-standard-specifications>

The bids must also be accompanied cash, cashier's check, certified check or bidder's bond executed by an admitted surety insurer, made payable to the San Bernardino County Flood Control District in the amount of at least ten percent of the amount of the bid given as guarantee the bidder will enter into a Contract. Bids shall be valid for 60 calendar days after the bid opening date. The contract shall be signed by the successful bidder and returned within 10 days, and the contract bonds, copy of insurance policies, and Certificates of Insurance, with documents to verify any self-insurance coverage shall be provided within 10 days, not including Saturdays, Sundays, and legal holidays, after the bidder has received the contract for execution.

The Engineer will issue two (2) Notices to Proceed, the first being a Notice to Proceed with Submittals, and the second being a Notice to Proceed with Construction. The Contractor shall begin construction work within 15 days after the Notice to Proceed with Construction (excluding Saturday, Sunday, and holidays). Pursuant to Section 1-1.07, "DEFINITIONS", of the Caltrans Standard Specifications, "day" means "24 consecutive hours running from midnight to midnight; calendar day". The Contractor is allotted 170 working days to complete the work after which \$6,700 will be assessed per working day until completion.

The **plans and Special Provisions** may be obtained **at no cost to the bidder in ePro**. All available Project information is included in the documents on ePro.

QUESTIONS: Bidders must submit all questions in writing, by e-pro, mail, or e-mail. The deadline for bidder questions is **[INSERT]**.

Each bid shall be accompanied by the security referred to in the Contract Documents, the non-collusion declaration, the list of proposed subcontractors, and all additional documentation required herein.

BONDS: The successful bidder will be required to furnish a Labor and Materials Bond and a Faithful Performance Bond, each in a penal sum equal to one hundred percent of the Contract price. All bonds are to be secured from a surety that meets all of the State of California bonding requirements, as defined in Code of Civil Procedure Section 995.120, and is admitted by the State of California.

Notice is hereby given that the successful bidder who is awarded the contract may avail itself to Public Contract Code section 22300 which allows substitute securities to be deposited in lieu of retention payments withheld to insure performance.

ePRO: Attention is directed to Section 2, "Proposal Requirements and Conditions" regarding the County of San Bernardino's Electronic Procurement Network (ePro) system. THIS SYSTEM REQUIRES NEW REGISTRATION FOR ALL VENDORS DOING BUSINESS WITH THE COUNTY.

EQUAL EMPLOYMENT OPPORTUNITY: During the term of the Agreement, Contractor shall not discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, age, or military and veteran status. Contractor shall comply with Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, 13672, Title VI and Title VII of the Civil Rights Act of 1964, the California Fair Housing and Employment Act and other applicable Federal, State of California and County laws and regulations and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted.

This contract is subject to the State of California contract nondiscrimination and compliance requirements pursuant to Government Code section 12990.

EMERGING SMALL BUSINESS ENTERPRISE PROGRAM: Contractors are encouraged to participate in the San Bernardino County Emerging Small Business Enterprise (ESBE) Program. Questions regarding the ESBE Program should be directed to the Contracts Division at (909) 387-7920.

CONFLICT OF INTEREST AND FORMER COUNTY OFFICIALS: Attention is directed to the Conflict of Interest and Former County Officials requirements in the Special Provisions.

PREVAILING WAGES: Pursuant to section 1773 of the Labor Code, the general prevailing rates of wages in the San Bernardino County have been determined and are listed in the State of California Department of Industrial Relations Director's General Prevailing Wage Determinations (<https://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>). In addition, these wages are set forth in the General Prevailing Wage Rates included in these Special Provisions. The Contractor and subcontractors shall not pay less than the prevailing wage. Copies of the prevailing wage rates are also on file at the San Bernardino County Department of Public Works Contracts Division office (address identified above) and shall be made available to any interested party on request. A copy of the determination of the Director of prevailing rate of per diem wages shall be posted at each job site. More specifically, the Contractor shall post the general prevailing wage rates at a prominent place at the job site (Labor Code section 1773.2).

Future effective general prevailing wage rates, which have been predetermined and are on file with the California Department of Industrial Relations are referenced but not printed in the general prevailing wage rates.

The Federal minimum wages for this project as predetermined by the United States Secretary of Labor are set forth in the **Federal Minimum Wages** included in these Special Provisions and also available on the internet at: <https://www.wdol.gov/>.

Addenda to modify the Federal minimum wage rates, if necessary, will be issued to holders of

the Special Provisions for the project.

Attention is directed to the prevailing wage requirements in the Special Provisions. The contractor and subcontractors shall pay not less than the federal minimum wages or the general prevailing wage rates. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate, which most closely approximates the duties of the employees in question.]

LABOR CODE REQUIREMENTS REGARDING REGISTRATION AS CONTRACTOR OR SUBCONTRACTOR REQUIRED PRIOR TO BID PROPOSAL SUBMISSION: Contractor shall comply with Labor Code section 1771.1, including, but not limited to, the following requirements: (1) no contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 (with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)); (2) no contractor or subcontractor may be awarded a contract for public work or perform work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5; (3) this Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations; (4) Contractor shall post job site notices regarding compliance monitoring and enforcement by the Department of Industrial Relations; and (5) Contractor must submit certified payroll at least monthly to the Labor Commissioner in a format prescribed by the Labor Commissioner.

As provided in Labor Code section 1771.1:

(a) A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

(b) Notice of the requirement described in subdivision (a) shall be included in all bid invitations and public works contracts, and a bid shall not be accepted nor any contract or subcontract entered into without proof of the contractor or subcontractor's current registration to perform public work pursuant to Section 1725.5.

(c) An inadvertent error in listing a subcontractor who is not registered pursuant to Section 1725.5 in a bid proposal shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive, provided that any of the following apply:

(1) The subcontractor is registered prior to the bid opening.

(2) Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee specified in subparagraph (E) of paragraph (2) of subdivision (a) of Section 1725.5.

(3) The subcontractor is replaced by another registered subcontractor pursuant to Section 4107 of the Public Contract Code.

(d) Failure by a subcontractor to be registered to perform public work as required by subdivision (a) shall be grounds under Section 4107 of the Public Contract Code for the contractor, with the consent of the awarding authority, to substitute a subcontractor who is registered to perform public work pursuant to Section 1725.5 in place of the unregistered subcontractor.

(e) The department shall maintain on its Internet Web site a list of contractors who are currently registered to perform public work pursuant to Section 1725.5.

t to Section 1725.5.

(f) A contract entered into with any contractor or subcontractor in violation of subdivision (a) shall be subject to cancellation, provided that a contract for public work shall not be unlawful, void, or voidable solely due to the failure of the awarding body, contractor, or any subcontractor to comply with the requirements of Section 1725.5 or this section.

(g) If the Labor Commissioner or his or her designee determines that a contractor or subcontractor engaged in the performance of any public work contract without having been registered in accordance with this section, the contractor or subcontractor shall forfeit, as a civil penalty to the state, one hundred dollars (\$100) for each day of work performed in violation of the registration requirement, not to exceed an aggregate penalty of eight thousand dollars (\$8,000) in addition to any penalty registration fee assessed pursuant to clause (ii) of subparagraph (E) of paragraph (2) of subdivision (a) of Section 1725.5.

fee assessed pursuant to clause (ii) of subparagraph (E) of paragraph (2) of subdivision (a) of Section 1725.5.

(h) (1) In addition to, or in lieu of, any other penalty or sanction authorized pursuant to this chapter, a higher tiered public works contractor or subcontractor who is found to have entered into a subcontract with an unregistered lower tier subcontractor to perform any public work in violation of the requirements of Section 1725.5 or this section shall be subject to forfeiture, as a civil penalty to the state, of one hundred dollars (\$100) for each day the unregistered lower tier subcontractor performs work in violation of the registration requirement, not to exceed an aggregate penalty of ten thousand dollars (\$10,000).

rk in violation of the registration requirement, not to exceed an aggregate penalty of ten thousand dollars (\$10,000).

(2) The Labor Commissioner shall use the same standards specified in subparagraph (A) of paragraph (2) of subdivision (a) of Section 1775 when determining the severity of the violation and what penalty to assess, and may waive the penalty for a first time violation that was unintentional and did not hinder the Labor Commissioner's ability to monitor and enforce compliance with the requirements of this chapter.

nts of this chapter.

(3) A higher tiered public works contractor or subcontractor shall not be liable for penalties assessed pursuant to paragraph (1) if the lower tier subcontractor's performance is in violation of the requirements of Section 1725.5 due to the revocation of a previously approved registration.

(4) A subcontractor shall not be liable for any penalties assessed against a higher tiered public works contractor or subcontractor pursuant to paragraph (1). A higher tiered public works contractor or subcontractor may not require a lower tiered subcontractor to indemnify or otherwise be liable for any penalties pursuant to paragraph (1).

ot require a lower tiered subcontractor to indemnify or otherwise be liable for any penalties pursuant to paragraph (1).

(i) The Labor Commissioner or his or her designee shall issue a civil wage and penalty assessment, in accordance with the provisions of Section 1741, upon determination of penalties pursuant to subdivision (g) and subparagraph (B) of paragraph (1) of subdivision (h). Review of a civil wage and penalty assessment issued under this subdivision may be requested in accordance with the provisions of Section 1742. The regulations of the Director of Industrial Relations, which govern proceedings for review of civil wage and penalty assessments and the withholding of contract payments under Article 1 (commencing with Section 1720) and Article 2 (commencing with Section 1770), shall apply.

l wage and penalty assessments and the withholding of contract payments under Article 1 (commencing with Section 1720) and Article 2 (commencing with Section 1770), shall apply.

(j) (1) Where a contractor or subcontractor engages in the performance of any public work contract without having been registered in violation of the requirements of Section 1725.5 or this section, the Labor Commissioner shall issue and serve a stop order prohibiting the use of the unregistered contractor or the unregistered subcontractor on all public works until the unregistered contractor or unregistered subcontractor is registered. The stop order shall not apply to work by registered contractors or subcontractors on the public work.

ontractors on the public work.

(2) A stop order may be personally served upon the contractor or subcontractor by either of the following methods:

(A) Manual delivery of the order to the contractor or subcontractor personally.

(B) Leaving signed copies of the order with the person who is apparently in charge at the site of the public work and by thereafter mailing copies of the order by first class mail, postage prepaid to the contractor or subcontractor at the address on file with either of the following:

(i) The Contractors' State License Board.

(ii) The Secretary of State.

(3) The stop order shall be effective immediately upon service and shall be subject to appeal by the party contracting with the unregistered contractor or subcontractor, by the unregistered contractor or subcontractor, or both. The appeal, hearing, and any further review of the hearing decision shall be governed by the procedures, time limits, and other requirements specified in subdivision (a) of Section 238.1.

(k) Failure of a contractor or subcontractor, owner, director, officer, or managing agent of the contractor or subcontractor to observe a stop order issued and served upon him or her pursuant to subdivision (j) is guilty of a misdemeanor punishable by imprisonment in county jail not exceeding 60 days or by a fine not exceeding ten thousand dollars (\$10,000), or both.

contractor or subcontractor to observe a stop order issued and served upon him or her pursuant to subdivision (j) is guilty of a misdemeanor punishable by imprisonment in county jail not exceeding 60 days or by a fine not exceeding ten thousand dollars (\$10,000), or both.

(l) This section shall apply to any bid proposal submitted on or after March 1, 2015, and any contract for public work entered into on or after April 1, 2015. This section shall also apply to the performance of any public work, as defined in this chapter, on or after January 1, 2018, regardless of when the contract for public work was entered.

in this chapter, on or after January 1, 2018, regardless of when the contract for public work was entered.

(m) Penalties received pursuant to this section shall be deposited in the State Public Works Enforcement Fund established by Section 1771.3 and shall be used only for the purposes specified in that section.

(n) This section shall not apply to work performed on a public works project of twenty-five thousand dollars (\$25,000) or less when the project is for construction, alteration, demolition, installation, or repair work or to work performed on a public works project of fifteen thousand dollars (\$15,000) or less when the project is for maintenance work.

less when the project is for maintenance work.

LABOR CODE REQUIREMENTS FOR ENTITIES HAULING OR DELIVERING READY-MIXED CONCRETE:

Adherence to the prevailing wage requirements found in Labor Code section 1720.9 for the hauling and delivery of ready-mixed concrete is required. This includes, but is not limited to, a requirement for the person or entity that delivers ready-mixed concrete to register with the Department of Industrial Relations (DIR) as specified in Labor Code section 1725.5. For more information, please see the DIR website: <http://www.dir.ca.gov/>.

IRAN CONTRACTING ACT OF 2010 (Public Contract Code section 2200 et seq.) (Applicable only to Contracts of One Million Dollars (\$1,000,000) or More):

In accordance with Public Contract Code section 2204(a), the bidder certifies that at the time the bid is submitted, the bidder signing the bid is not identified on a list created pursuant to subdivision (b) of Public Contract Code section 2203 as a person (as defined in Public Contract Code section 2202(e)) engaging in investment activities in Iran described in subdivision (a) of Public Contract Code section 2202.5, or as a person described in subdivision (b) of Public Contract Code section 2202.5, as applicable.

icable.

RUSSIAN SANCTION/EXECUTIVE ORDER N-6-22 (Applicable for all Contracts of five million dollars (\$5,000,000) or more utilizing State funding.):

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in

Ukraine (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>), as well as any sanctions imposed under state law (<https://www.dgs.ca.gov/OLS/Ukraine-Russia>). The EO directs state agencies and their contractors (including by agreement or receipt of a grant) to terminate contracts with, and to refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should it be determined that Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this agreement. Contractor shall be provided advance written notice of such termination, allowing Contractor at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the County.

BUILD AMERICA BUY AMERICA (BABA): This project is subject to the *Build America Buy America Act*, enacted by section 70911 of the of the Infrastructure Investment and Jobs Act (135 Stat, 429, 117 P.L. 58) on November 15, 2021, established a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects after May 14, 2022. The domestic content procurement preference requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the United States.

CARGO PREFERENCE ACT: This Project is subject to the Cargo Preference Act requirements.

The Contractor agrees-

1. To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carries, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to the resulting contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels.
2. To Furnish within 20 days following the date of loading for shipments originating within the United State or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated "on-board" commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph (1) of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590.
o, Office of Market Development, Maritime Administration, Washington, DC 20590.
3. To insert the substance of the provisions of this clause in all subcontracts issued pursuant to the resulting contract.

PAYMENT BY ELECTRONIC FUND TRANSFER: Contractor shall accept all payments from County via electronic funds transfer (EFT) directly deposited into the Contractor's designated checking or other banking account. Contractor shall promptly comply with directions and accurately complete forms provided by County required to process EFT payments.

CALIFORNIA AIR RESOURCES BOARD (CARB) IN-USE OFF-ROAD DIESEL-FUELED FLEETS

REGULATION COMPLIANCE CERTIFICATION: This Project is subject to the California Air Resources Board (CARB) approved amendments relating to In-Use Off Road Diesel-Fueled Fleets found at California Code of Regulations Title 13, sections 2449, 2449.1, and 2449.2 (the "Regulations"). The Regulations require a Prime Contractor, bidding on a public works project to be awarded by any public works awarding body, to certify that the Contractors off-road diesel-fueled fleets comply with CARB regulations. Section 2249(b) includes a list of off-road diesel-fueled fleets subject to these regulations. It is the responsibility of the Contractor to verify if their fleet is subject to these regulations.

el-fueled fleets subject to these regulations. It is the responsibility of the Contractor to verify if their fleet is subject to these regulations.

Contractor is required to obtain and submit Certificates of Reported Compliance from all subcontractors that are listed in the bid submission. Failure to provide Contractor's CARB compliance number may constitute a material irregularity rendering their bid non-responsive and non-responsible, and subject to rejection for non-responsiveness.

No award shall be made to a Contractor that has failed to provide its CARB compliance certificates, unless the Contractor confirms that no equipment subject to the regulation will be used to execute the Contract Work. By submitting a bid, the Bidder hereby certifies that it is aware of the requirements set forth in Sections 2449, 2449.1, and 2449.2, Title 13, California Code of Regulations and any successful Bidder and its subcontractors shall

comply with sections 2449, 2449.1, 2449.2 of Title 13 of the California Code of Regulations, including by providing Certificate(s) of Reported Compliance for In-Use Off-Road Diesel-Fueled Fleets for the fleet selected for the contract and their listed subcontractors, if applicable, with its bid.

California Code of Regulations, including by providing Certificate(s) of Reported Compliance for In-Use Off-Road Diesel-Fueled Fleets for the fleet selected for the contract and their listed subcontractors, if applicable, with its bid.

Contractor shall not enter into a contract with a fleet for which it does not have a valid Certificate of Reported Compliance for the fleet and Contractor's listed subcontractors, if applicable, prior to entering into a new or renewed contract with that fleet. Contractor shall only allow fleets with valid Certificates of Reported Compliance on Contractor's job sites. The Certificates of Reported Compliance received by the Contractor for this Project must be retained for three (3) years after the Project's completion. Upon request by CARB, these records must be provided to CARB within five (5) business days of the request. Between March 1 and June 1 of each year, Contractor must collect new valid Certificates of Reported Compliance for the current compliance year, as defined in Regulation Section 2449(n), from all fleets that have an ongoing contract with the Contractor as of March 1 of that year. Contractor must not write contracts to evade this requirement.

completion. Upon request by CARB, these records must be provided to CARB within five (5) business days of the request. Between March 1 and June 1 of each year, Contractor must collect new valid Certificates of Reported Compliance for the current compliance year, as defined in Regulation Section 2449(n), from all fleets that have an ongoing contract with the Contractor as of March 1 of that year. Contractor must not write contracts to evade this requirement.

If Contractor discovers that any fleet intending to operate vehicles subject to the Regulation for Contractor does not have a valid Certificate of Reported Compliance, as defined in Regulation section 2449(n), or if Contractor observes any noncompliant vehicles subject to the Regulation on Contractor's job site, then Contractor must report the required information to CARB within the time period contained in in the Regulations.

Upon request by CARB, Contractor must immediately disclose to CARB the name and contact information of each responsible party for all vehicles subject to the Regulation operating at the job site or for Contractor. If applicable, Contractor shall prominently display signage for any project where vehicles subject to the Regulation as provided and within the time period contained in the Regulation.

Situations in which prime contractors or public works awarding bodies, as applicable, are contracting for projects that are considered emergency operations, as defined in section 2449(c)(18), are exempt from the requirements in section 2449(i)(1)-(3), but must still retain records verifying vehicles subject to the regulation that are operating on the emergency operations project are actually being operated on the project for emergency operations only. These records must include a description of the emergency, the address or a description of the specific location of the emergency, the dates on which the emergency operations were performed, and an attestation by the fleet that the vehicles are operated on the project for emergency operations only.

y, the address or a description of the specific location of the emergency, the dates on which the emergency operations were performed, and an attestation by the fleet that the vehicles are operated on the project for emergency operations only.

Contractor shall complete and return the "California Air Resources Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Certification of Compliance" form attached hereto as a condition to bidding this Project.

The addition of these requirements shall be considered in concert with existing documents in preparation of bids.

NOEL CASTILLO, P.E., Chief Flood Control Engineer
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT



By:

ANDY SILAO, P.E., Engineering Manager
Contracts Division

DATE: _____

NOT FOR BID