Transportation

PAT McCRORY
Governor

NICHOLAS J. TENNYSON
Secretary

January 8, 2016

Addendum No. 1

Contract No.:	C 203754
TIP No.:	I-5504
County:	Buncombe
Project Description:	I-26 / NC 191 (Brevard Road) Interchange Modifications and I-26 Widening and Pavement Reconstruction
RE:	Addendum No. 1 to Final RFP

February 16, 2016 Letting

To Whom It May Concern:

Reference is made to the Final Request for Proposals dated December 21, 2015 recently furnished to you on the above project. We have since incorporated changes, and have attached a copy of Addendum No. 1 for your information. Please note that all revisions have been highlighted in gray and are as follows:

The first, second and third pages of the *Table of Contents* have been revised. Please void the first, second and third pages in your proposal and staple the revised first, second and third pages thereto.

Page No. 4 of the *Submittal of Quantities, Fuel Base Index Price and Opt-Out Option Project Special Provision* has been revised. Please void Page No. 4 in your proposal and staple the revised Page No. 4 thereto.

Page No. 18 of the *Disadvantaged Business Enterprise Project Special Provision* has been revised. Please void Page No. 18 in your proposal and staple the revised Page No. 18 thereto.

Page No. 42 of the *Price Adjustments for Asphalt Binder Project Special Provision* has been revised. Please void Page No. 42 in your proposal and staple the revised Page No. 42 thereto.

Page Nos. 84, 85 and 86 of the *Diamond Grinding Concrete Pavement Project Special Provision* have been revised. Please void Page Nos. 84, 85 and 86 in your proposal and staple the revised Page Nos. 84, 85 and 86 thereto.

Page No. 113 of the *Roadway Scope of Work* has been revised. Please void Page No. 113 in your proposal and staple the revised Page No. 113 thereto.

Page No. 123 of the *Pavement Management Scope of Work* has been revised. Please void Page No. 123 in your proposal and staple the revised Page No. 123 thereto.

Page No. 129 of the *Structures Scope of Work* has been revised. Please void Page No. 129 in your proposal and staple the revised Page No. 129 thereto.

Page No. 176 of the *Signing Scope of Work* has been revised. Please void Page No. 176 in your proposal and staple the revised Page No. 176 thereto.

Page Nos. 244, 245, 246 and 247 of the *Materials Standard Special Provision* have been revised. Please void Page Nos. 244, 245, 246 and 247 in your proposal and staple the revised Page Nos. 244, 245, 246 and 247 thereto.

Page No. 285A has been added to add the *Rock and Broken Pavement Fills Standard Special Provision*. Please add Page No. 285A to your proposal.

Page Nos. 285B, 285C, 285D, 285E, 285F and 285G have been added to add the *Geosynthetics Standard Special Provision*. Please add Page Nos. 285B, 285C, 285D, 285E, 285F and 285G to your proposal.

Page No. 293 of the *Award of Contract Standard Special Provision* has been revised. Please void Page No. 293 in your proposal and staple the revised Page No. 293 thereto.

Page Nos. 293A, 293B, 293C, 293D and 293E of the *Award of Contract Standard Special Provision* have been added. Please add Page Nos. 293A, 293B, 293C, 293D and 293E to your proposal.

If you have any questions or need additional information, I can be reached by telephone at (919) 707-6900.

Sincerely,

R.A. Garris, PE
Contract Officer

RAG/mcw

cc: Mr. Rodger Rochelle, PE
Mr. Jay Swain, Jr., PE
Ms. Teresa Bruton, PE
Mr. Zak Hamidi, PE
Mr. Tim McFadden
File

TABLE OF CONTENTS

COVER SHEET

PROPOSAL SHEETS

PROJECT SPECIAL PROVISIONS *PAGE NO.*

PROPOSAL FORMS - ITEMIZED SHEET, ETC.

SUBMITTAL OF QUANTITIES, FUEL BASE INDEX PRICE AND OPT-OUT OPTION

1/23/14 DB1 G43

(A) **Submittal of Quantities**

Submit quantities on the *Fuel Usage Factor Chart and Estimate of Quantities* sheet, located in the back of this RFP, following the Itemized Proposal Sheet.

The Design-Build Team shall prepare an Estimate of Quantities that they anticipate incorporating into the completed project and upon which the Price Proposal was based. The quantity breakdown shall include all items of work that appear in the *Fuel Usage Factor Chart and Estimate of Quantities* sheet. Only those items of work which are specifically noted in the *Fuel Usage Factor Chart and Estimate of Quantities* sheet will be subject to fuel price adjustments.

Submittal The submittal shall be signed and dated by an officer of the Design-Build Team. The information shall be copied and submitted in a separate sealed package with the outer wrapping clearly marked "Fuel Price Adjustment" and shall be delivered at the same time and location as the Technical and Price Proposal. The original shall be submitted in the Price Proposal.

Trade Secret Information submitted on the *Fuel Usage Factor Chart and Estimate of Quantities* sheet will be considered "Trade Secret" in accordance with the requirements of G.S. 66-152(3) until such time as the Price Proposal is opened.

(B) **Base Index Price**

The Design-Build Team's Estimate of Quantities will be used on the various partial payment estimates to determine fuel price adjustments. The Design-Build Team shall submit a payment request for quantities of work completed based on the work completed for that estimate period. The quantities requested for partial payment shall be reflective of the work actually accomplished for the specified period. The Design-Build Team shall certify that the quantities are reasonable for the specified period. The base index price for DIESEL #2 FUEL is **$ 1.1964** per gallon.

(C) **Opt Out of Fuel Price Adjustment**

If the Design-Build Team elects not to pursue reimbursement for Fuel Price Adjustments, a quantity of zero shall be entered for all quantities in the *Fuel Usage Factor Chart and Estimate of Quantities* sheet and the declination box shall be checked. Failure to complete this form will mean that the Design-Build Team is declining the Fuel Price Adjustments for this project.

(D) **Change Option**

The proposer will not be permitted to change the option after the Price Proposal and the copy of the *Fuel Usage Factor Chart and Estimate of Quantities* sheet are submitted.

subcontract agreements between the DBE and the Design-Build Team will not count towards the DBE contract requirement.

(6) A DBE may lease truck(s) from an established equipment leasing business open to the general public. The lease must indicate that the DBE has exclusive use of and control over the truck. This requirement does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, so long as the lease gives the DBE absolute priority for use of the leased truck. This type of lease may count toward the DBE's credit as long as the driver is under the DBE's payroll.

(7) Subcontracted / leased trucks shall display clearly on the dashboard the name of the DBE that they are subcontracted / leased to and their own company name if it is not identified on the truck itself. Magnetic door signs are not permitted.

DBE Replacement

When a Design-Build Team has relied on a commitment to a DBE firm (or an approved substitute DBE firm) to meet all or part of a contract goal requirement, the Design-Build Team shall not terminate the DBE for convenience. This includes, but is not limited to, instances in which the Design-Build Team seeks to perform the work of the terminated subcontractor with another DBE subcontractor, a non-DBE subcontractor, or with the Contractor's own forces or those of an affiliate. A DBE may only be terminated after receiving the Engineer's written approval based upon a finding of good cause for the termination. The prime contractor must give the DBE firm five (5) calendar days to respond to the prime contractor's notice of termination and advise the prime contractor and the Department of the reasons, if any, why the firm objects to the proposed termination of its subcontract and why the Department should not approve the action.

All requests for replacement of a committed DBE firm shall be submitted to the Engineer for approval on Form RF-1 *(DBE Replacement Request).* If the Design-Build Team fails to follow this procedure, the Prime Contractor or other affiliated companies within the Design-Build Team may be disqualified from further bidding for a period of up to six months.

The Design-Build Team shall comply with the following for replacement of a committed DBE:

(A) Performance Related Replacement

When a committed DBE is terminated for good cause as stated above, an additional DBE that was submitted at the time of bid may be used to fulfill the DBE commitment. A good faith effort will only be required for removing a committed DBE if there were no additional DBEs submitted at the time of bid to cover the same amount of work as the DBE that was terminated.

If a replacement DBE is not found that can perform at least the same amount of work as the terminated DBE, the Design-Build Team shall submit a good faith effort documenting the steps taken. Such documentation shall include, but not be limited to, the following:

Submittals for Review During Construction

The Design-Build Team shall submit the unconfined compressive strength and dynamic cone penetrometer test results for review and acceptance.

PRICE ADJUSTMENTS FOR ASPHALT BINDER

(9-1-11) DB6 R25

Price adjustments for asphalt binder for plant mix will be made in accordance with Section 620 of the 2012 *Standard Specifications for Roads and Structures.*

When it is determined that the monthly selling price of asphalt binder on the first business day of the calendar month during which the last day of the partial payment period occurs varies either upward or downward from the Base Price Index, the partial payment for that period will be adjusted. The partial payment will be adjusted by adding the difference (+ or -) of the base price index subtracted from the monthly selling price multiplied by the total theoretical quantity of asphalt binder authorized for use in the plant mix placed during the partial payment period involved.

The base price index for asphalt binder for plant mix is $401.43 per ton.

This base price index represents an average of F.O.B. selling prices of asphalt binder at supplier's terminals on January 1, 2016.

PRICE ADJUSTMENTS - ASPHALT CONCRETE PLANT MIX

(9-1-11) (Rev. 3-13-13) DB6 R26

Revise the 2012 *Standard Specifications for Roads and Structures* as follows:

Page 6-18, Article 609-11 and Page 6-35, Article 610-14

Add the following paragraph before the first paragraph:

The “Asphalt Price” used to calculate any price adjustments set forth in this section shall be $40.00 per theoretical ton. This price shall apply for all mix types.

FIELD OFFICE

(6-1-07) (Rev. 8-3-15) DB 08-01

Description

This work consists of furnishing, erecting, equipping, and maintaining a field office for the exclusive use of Department Engineers and Inspectors at a location on the project approved by the Engineer. Provide a field office that complies with the current A.D.A. Design and Accessibility Standards, the National Electric Code, local, state, and federal regulations, and the following:

broomed or scarifed as directed by the Manufacturer before placing the Work Zone Traffic "Pattern Masking" material.

- **Concrete -** The ***existing*** concrete surface shall be swept clean and prepared in accordance with the Manufacturer's recommendations to receive the Work Zone Traffic "Pattern Masking" material. Although, no existing pavement marking line removal is required, any loose, flaking or other laitance material from existing markings shall be machine broomed or scarifed as directed by the Manufacturer before placing the Work Zone Traffic "Pattern Masking" material.

  NOTE: For newly placed concrete pavements, newly installed concrete bridge decks or existing concrete pavements that do not receive a pavement surface treatment, Work Zone Traffic "Pattern Masking" Material shall not be placed. The conflicting pavement marking lines shall be removed by water blasting methods only.

D) Temperature and Weather Limitations

Work Zone Traffic "Pattern Masking" material shall not be applied unless the ambient air temperature and the pavement temperature is 40° F or higher. Do not install Work Zone Traffic "Pattern Masking" material unless the pavement surface is completely dry. Do not install Work Zone Traffic "Pattern Masking" material within 4 hours of a significant rain event such as a thunderstorm with rainfall intensities equal to or greater than 1 inch / per hour. Always follow the Manufacturer's recommendations for placement during periods of excessive humidity.

Maintenance

There should be no required maintenance of the Work Zone Traffic "Pattern Masking" material. The Design-Build Team shall replace any Work Zone Traffic "Pattern Masking" material that prematurely fails to keep pavement markings masked / concealed and / or retain its black color, in the Department's sole discretion, for the full minimum 12-month duration. Any traffic control and / or material costs due to replacement shall be at no cost to the Department.

DIAMOND GRINDING CONCRETE PAVEMENT

SPI 7-09

Description

Perform the work covered by this provision including but not limited to diamond grinding and regrinding concrete pavement to meet final surface testing requirements in accordance with Article 710-7 of the 2012 *NCDOT Standard Specifications for Roads and Structures*, selecting diamond tipped saw blades and configuration of cutting head; continual removal of residual slurry from pavement and disposal; furnishing all labor, materials, supplies, tools, equipment and incidentals as necessary.

Equipment

Use equipment with diamond tipped saw blades gang mounted on a power driven self-propelled machine with a minimum wheel base length of 15 feet that is specifically designed to smooth and texture Portland Cement Concrete pavement. Utilize equipment that does not cause

ravels;aggregate fracture; spalls or disturbance to the longitudinal or transverse joints; or damage and / or strain to the underlying surface of the pavement. Should any of the above problems occur immediately suspend operations.

Provide a minimum three-foot wide grinding head with 50 to 60 evenly spaced grooves per foot. Prior to designing the grinding head, evaluate the aggregate hardness of the concrete pavement and select the appropriate diamond size, diamond concentration and bond hardness for the individual saw blades.

Provide vacuuming equipment to continuously remove slurry residue and excess water from the pavement as part of the grinding operation. Do not allow the slurry material to flow into a travel lane occupied by traffic or into any drainage facility.

Method of Construction

Grind the pavement surface to a uniform appearance with a high skid resistant longitudinal corduroy type texture. Provide grooves between 0.09 and 0.15 inch wide with the land area between the grooves between 0.06 and 0.13 inch wide. Ensure a ridge peak of approximately 0.0625 inch higher than the bottom of the grooves.

Begin and end diamond grinding at lines normal to the pavement centerline. Grind only in the longitudinal direction. All grooves and adjacent passes shall be parallel to each other with no variation. Completely lap adjacent passes with no unground surface remaining between passes and no overlap of more than 1½ inches. Adjacent passes shall be within 1/8 inch of the same height as measured with a three-foot straightedge. Maintain positive cross-slope drainage for the duration of the grinding operation.

Grind all concrete travel lanes with not less than 98 percent of the specified surface being textured by grinding. Grinding of the bridge decks and concrete shoulders will not be required. Remove a minimum 0.0625 inch at all locations except dips. Extra grinding to eliminate minor depressions is not required. It is anticipated that extra grinding will be required on the high side of existing faults in the pavement. There shall be no ridge between lanes. In a separate operation, transition the grinding of any remaining ridges greater than 1/8 inch in height on the outside edge next to the shoulder or at a tie to an existing facility to the satisfaction of the Engineer.

Disposal of Residual Slurry

Diamond grinding slurry disposal shall be in accordance with the Statewide Permit for Land Application of Diamond Grinding Slurry (DGS), Permit No. WQ0035749 dated April 24, 2013. Submit a slurry disposal plan to the Engineer detailing method of handling and disposing of slurry from the diamond grinding operation a minimum of 60 days prior to beginning the diamond grinding operation. Engineer shall review the slurry disposal plan. Plan must be accepted prior to beginning the diamond grinding operation. DGS may also be transported beyond the project limits to an approved permitted site. No additional payment will be made for transporting this slurry material for disposal.

For more information on disposal options, reference the NCDOT *Guidelines on the Management and Disposal of Concrete Grinding Residual*s on the website noted below:

https://connect.ncdot.gov/resources/Environmental/Environmental%20Permits%20and%20Guidelines/NCDOT%20GUIDELINES%20ON%20MANAGEMENT%20AND%20DISPOSAL%20OF%20CGR%209-14-2015.pdf

SOUND BARRIER WALL
(3-16-15)

1.0 DESCRIPTION

This work consists of furnishing precast panels, structural steel, concrete columns, and all other materials; handling, transporting, fabricating, galvanizing, and storing materials; furnishing erection drawings, pile excavation, backfilling, erecting and installing the sound barrier wall members and all other materials as required by the plans developed by the Design-Build Team, the 2012 *Standard Specifications for Roads and Structures* and this Project Special Provision.

Unless otherwise approved by the Engineer, the Design-Build Team has a choice of ten or 15-foot pile spacing. Pile spacing greater than 15 feet will not be permitted. Provide consistent pile spacing the entire length of the wall. Use odd pile spacing, if necessary, only at the ends of the wall and at turning points, as approved by the Engineer.

A maximum one-foot drop or rise in top of wall elevation between wall sections will be permitted. Elevation changes greater than one foot, if necessary, will be allowed only at the end of the wall. Top of wall elevation changes that result in a jagged appearance shall not be allowed. Unless otherwise approved by NCDOT, the wall shall adhere to the September 2015 I-5504 Design Noise Report provided by the Department.

2.0 ALTERNATE PILE SPACING

As an alternate, the Design-Build Team may submit plans for pile spacing greater than 10 feet and less than 15 feet for review and approval. A submittal reducing the post spacing shall include the material and design specifications. The submittal shall also include an elevation view depicting the revised post spacing and proposed top of wall elevations. The proposed top of wall elevations shall be equal to or greater than the dimensions shown in the September 2015 I-5504 Design Noise Report. The excavated hole diameter, excavation depth and reinforcing steel shall be equal to the amount required for 15-foot pile spacing. A variance in the reinforcing steel will be allowed for the length of horizontal and number of vertical reinforcement bars in the precast panel for the alternate pile spacing.

Submit two sets of detailed plans for review. Include all details in the plans developed by the Design-Build Team, including the size and spacing of required reinforcement necessary to fabricate the precast panels. Have a North Carolina Registered Professional Engineer check, seal and date the aforementioned plans.

3.0 ALTERNATE WALL TYPE

Walls that have been assigned “Approved” or “Approved for Provisional Use” status by the Product Evaluation Program will be considered for substitution to the detailed Standard

Rocky Ridge Road that accesses the Koon Family Limited Partnership property. The Design-Build Team shall coordinate with the property owner to ensure that the driveway provides accurate hydrology, capacity, utility relocations, sidewalk, and horizontal and vertical ties to the future site development design.

- In lieu of the Petco right-in / right-out driveway accessing -Y1A- shown on the I-5504 Public Meeting Map – G2 Update provided by the Department, the Design-Build Team shall design and construct a full movement driveway.
- Unless noted otherwise elsewhere in this RFP, the Design-Build Team shall design and construct -Y- Lines, ramps and loops providing the same or better access, widening, improvements and level of service included in the I-5504 Public Meeting Map – G2 Update provided by the Department. The limits of -Y- Line construction shall be of sufficient length to tie to existing based upon the current NCDOT guidelines and standards.
- The Design-Build Team shall design and construct all -Y- Lines such that the through movement is not required to change lanes throughout the project limits.
- The Design-Build Team shall design and construct one-lane ramps that provide a minimum 16-foot lane width. The Design-Build Team shall design and construct two lane ramps that provide minimum 12-foot lanes. Unless noted otherwise elsewhere in this RFP, all ramps shall have 14-foot outside shoulders, four-foot of which shall be full depth paved shoulders and 12-foot inside shoulders, four-foot of which shall be full depth paved shoulders.
- To provide positive separation, the Design-Build Team shall design and construct a minimum four-foot wide 5” keyed-in concrete monolithic island or double-face concrete barrier between adjacent ramp and loop traffic. Where warranted, the Design-Build Team shall design and construct double-face concrete barrier between the ramp and loop, of sufficient height, to provide a glare screen. The Design-Build Team shall provide a minimum four-foot paved offset between the edge of travel lane and the face of the aforementioned positive separation (concrete monolithic island / concrete barrier).
- The Design-Build Team shall design and construct loops that adhere to Table 3-29, *Design Widths of Pavements for Turning Roadways*, shown in AASHTO's *A Policy on Geometric Design of Highways and Streets* (2011) - Case II / Condition C for one-lane loops; Case III / Condition C for two-lane loops. All loops shall have 12-foot outside shoulders, four-foot of which shall be full depth paved shoulders. All loops shall have 2'-6" curb and gutter along the inside edge of pavement, with a 14-foot berm. The minimum loop design shall be 30-mph with a minimum 230-foot radius.
- Excluding transitions required to tie to existing and steeper cross slopes (0.025 maximum) required to eliminate hydroplaning, the I-26 normal crown cross slope shall be 0.02. The I-26 crown point shall be located such that the two inside lanes in each direction of travel slope towards the median and the remaining lanes slope towards the outside.
- Unless noted otherwise elsewhere in this RFP, the Design-Build Team shall design and construct at-grade intersections with the lane configurations noted in the July 27, 2015 Congestion Management Recommendations provided by the Department. On NC 191, the Design-Build Team shall design and construct a southbound exclusive left turn lane that

PAVEMENT MANAGEMENT SCOPE OF WORK (1-7-15)

From the eastern project terminus to the beginning of the I-26 full typical section width (the transition that ties to existing), the pavement design for the mainline (-L- Line) travel lanes, median paved shoulders and outside paved shoulders shall consist of the following:

3.0" S9.5D
3.0" I19.0D
9.0" B25.0C
No Subgrade Stabilization

From the beginning of the I-26 full typical section width to the end of the I-26 full typical section width, the pavement design for the mainline (-L- Line) travel lanes shall consist of the following:

10.5" Jointed Concrete w/Dowels
3.0" PADC
1.25" SF 9.5A
Subgrade Stabilization

East and west of the I-26 full typical section width, the Design-Build Team shall resurface the existing I-26 pavement with a minimum 1.5" S9.5D to tie to existing. (Reference the Roadway Scope of Work found elsewhere in this RFP)

From the beginning of the I-26 full typical section width to the western project terminus, the Design-Build Team shall maintain the same pavement design for the mainline (-L- Line) median shoulder construction and the outside shoulder construction. The pavement design for the median and outside paved shoulders shall consist of one of the following:

- If any portion of the median and / or outside paved shoulders will carry traffic for any duration during construction, the median and / or outside paved shoulder shall consist of the mainline travel lane concrete pavement design noted above.
- If no portion of the median and / or outside paved shoulders will ever carry traffic during construction, the median and / or outside paved shoulder shall consist of the mainline travel lane concrete pavement design noted above, excluding the dowels.

In accordance with the *Diamond Grinding Concrete Pavement* Project Special Provision found elsewhere in this RFP, the Design-Build Team shall diamond grind all mainline concrete pavement travel lanes.

In accordance with the requirements noted below, the mainline subgrade stabilization shall consist of chemical stabilization or Class IV stabilization. The Design-Build Team shall specify the proposed mainline subgrade stabilization, or combination thereof, with approximate limits of each type clearly noted in the Technical Proposal.

- Chemical stabilization shall be to a minimum depth of 8 inches for lime and 7 inches for cement. The type of chemical subgrade stabilization and the amount of stabilizing agent shall be determined in accordance with the *Cement and Lime Stabilization of Subgrade Soils* Project Special Provision found elsewhere in this RFP.

Structures Management Unit Project Special Provisions and NCDOT Structures Management Unit Standard Drawings.

Alternate designs, details or construction practices (such as those employed by other states, but not standard practice in NC) are subject to Department review and approval, and will be evaluated on a case by case basis.

Regardless of wall height, sound barrier walls shall be designed in accordance with AASHTO LRFD Bridge Design Specifications. All ground-mounted sound barrier walls shall be detailed in accordance with Structure Standards SBW1, SBW2 and SBW3. (Reference the *Sound Barrier Wall* and *Architectural Concrete Surface Treatment* Project Special Provisions, and the Roadway Scope of Work found elsewhere in this RFP)

On freeways and expressways, the minimum lateral offset for Type A and B ground mounted signs on breakaway supports shall be 30 feet, unless approved otherwise by the Department. The lateral offset shall be measured from the edge of the travel lane closest to the shoulder to the closest sign edge.

On freeways and expressways, all Type A and B ground mounted signs on simple (non-breakaway) supports shall be protected by guardrail, barrier or another form of approved positive protection. The minimum lateral distance between the face of guardrail and the closest sign edge shall be six feet.

Unless noted otherwise in this RFP, all Type D, E and F signs shall be installed on U-channel posts in accordance with the NCDOT Roadway Standard Drawings. Type D signs shall not exceed eight feet in width and / or 24 square feet. Unless positively protected, all Type D signs shall be installed on a maximum of two U-channel posts.

Overhead Sign Structures

The Design-Build Team shall consider the proposed roadway geometry, number of lanes, and all advisory signing needs when selecting the type of overhead signing for a given location. At a minimum, the Design-Build Team shall provide overhead signing at the locations identified in the *MUTCD*, Section 2E.24 – Signing for Interchange Lane Drops, Section 2A.17 - Overhead Sign Installations, Items A – M, and the following locations:

- An option lane at a multi-lane exit or freeway / ramp split (use Arrow Per Lane signs)
- A freeway ends and "All Traffic Must Exit"
- A freeway lane ends (freeway lane drop)
- Three or more lanes on a freeway ramp
- At Exit 33 – I-26 / US 74 eastbound – One Exit Directional Sign and one ½-mile Advance Guide Sign (Two overhead structures)
- At Exit 31A-B – I-26 / US 74 westbound - One ¾-mile Arrow-per-Lane Guide Sign (Exit 31B) and one ½-mile Advance Guide Sign (Exit 31A) on the same overhead structure

The Design-Build Team shall locate, design and install overhead sign structures that meet all Department requirements, including the calculation of windload areas. The windload area shall be flush with the sign height, including exit panels, and sign width. In addition to the area of signs on the structure at the completion of the project, the windload area shall include the area of all future signs that have larger areas. The wind speed for the overhead sign structure and foundation designs for this project shall be 90 mph.

The Design-Build Team shall design, fabricate and install overhead sign supports and foundations in accordance with the *Foundation and Anchor Rod Assemblies for Metal Poles*, *Overhead and Dynamic Message Sign Foundations* and *Overhead Sign Supports* Project Special Provisions found elsewhere in this RFP.

Page 10-40, Tables 1018-1 and 1018-2, PIEDMONT, WESTERN AND COASTAL AREA CRITERIA FOR ACCEPTANCE OF BORROW MATERIAL, under second column in both tables, replace second row with the following:

Acceptable, but not to be used in the top three feet of embankment or backfill

Page 10-46, Article 1024-1, PORTLAND CEMENT, line 33, add the following as the ninth paragraph:

Use Type IL blended cement that meets AASHTO M 240, except that the limestone content shall be limited to between 5 and 12% by weight and the constituents shall be interground. Class F fly ash can replace a portion of Type IL blended cement and shall be replaced as outlined in Subarticle 1000-4(I) for Portland cement. For mixes that contain cement with alkali content between 0.6% and 1.0% and for mixes that contain a reactive aggregate documented by the Department, use a pozzolan in the amount shown in Table 1024-1.

Page 10-46, Table 1024-1, POZZOLANS FOR USE IN PORTLAND CEMENT CONCRETE, replace with the following:

TABLE 1024-1
POZZOLANS FOR USE IN PORTLAND CEMENT CONCRETE

Pozzolan	Rate
Class F Fly Ash	20% - 30% by weight of required cement content with 1.0 pound Class F fly ash per pound of cement replaced
Ground Granulated Blast Furnace Slag	35% - 50% by weight of required cement content with 1.0 pound slag per pound of cement replaced
Microsilica	4% - 8% by weight of required cement content with 1.0 pound microsilica per pound of cement replaced

Page 10-47, Subarticle 1024-3(B), Approved Sources, lines 16-18, replace the second sentence of the second paragraph with the following:

Tests shall be performed by AASHTO's designated National Transportation Product Evaluation Program (NTPEP) laboratory for concrete admixture testing.

Page 10-65, Article 1050-1, GENERAL, line 41, replace the first sentence with the following:

All fencing material and accessories shall meet Section 106.

**** NOTE **** Deleted revision to Page 10-73, Article 1056-1, DESCRIPTION, lines 7-8

**** NOTE **** Deleted revision to Page 10-73, Article 1056-2, HANDLING AND STORAGE, line 17

**** NOTE **** Deleted revision to Page 10-73, Article 1056-4, GEOTEXTILES, line 33.

The remaining portion of this page is intentionally left blank.

**** NOTE **** Deleted revision to Page 10-74, Table 1056-1, GEOTEXTILE REQ UIREMENTS.

The remaining portion of this page is intentionally left blank.

**NOTE ** Deleted revision to Page 10-74, Article 1056-5, GEOCOMPOSITES, lines 7-8

Page 10-115, Subarticle 1074-7(B), Gray Iron Castings, lines 10-11, replace the first two sentences with the following:

Supply gray iron castings meeting all facets of AASHTO M 306 excluding proof load. Proof load testing will only be required for new casting designs during the design process, and conformance to M306 loading (40,000 lbs.) will be required only when noted on the design documents developed by the Design-Build Team.

Page 10-126, Table 1078-1, REQUIREMENTS FOR CONCRETE, replace with the following:

TABLE 1078-1
REQUIREMENTS FOR CONCRETE

Property	28 Day Design Compressive Strength 6,000 psi or less	28 Day Design Compressive Strength greater than 6,000 psi
Maximum Water / Cementitious Material Ratio	0.45	0.40
Maximum Slump without HRWR	3.5"	3.5"
Maximum Slump with HRWR	8"	8"
Air Content (upon discharge into forms)	5 + 2%	5 + 2%

Page 10-151, Article 1080-4, INSPECTION AND SAMPLING, lines 18-22, replace (B), (C) and (D) with the following:

(B) At least 3 panels prepared as specified in 5.5.10 of AASHTO M 300, Bullet Hole Immersion Test.

(C) At least 3 panels of 4" x 6" x 1/4" for the Elcometer Adhesion Pull Off Test, ASTM D4541.

(D) A certified test report from an approved independent testing laboratory for the Salt Fog Resistance Test, Cyclic Weathering Resistance Test, and Bullet Hole Immersion Test as specified in AASHTO M 300.

(E) A certified test report from an approved independent testing laboratory that the product has been tested for slip coefficient and meets AASHTO M253, Class B.

Page 10-161, Subarticle 1081-1(A), Classifications, lines 29-33, delete first three sentences of the description for Type 2 and replace with the following:

ROCK AND BROKEN PAVEMENT FILLS

(12-29-15) 235 DB2 R85

Revise the 2012 *Standard Specifications for Roads and Structures* as follows:

Page 2-22, Article 235-2 MATERIALS, add the following after **line 19**:

Item	Section
Geotextile for Rock and Broken Pavement Fills, Type 2	1056

Provide Type 2 geotextile for filtration geotextiles. Use rip rap and No. 57 stone from either a quarry or onsite material to fill voids in rock and broken pavement fills. Provide small and large size rip rap with stone sizes that meet Class A and B in accordance with Table 1042-1 and No. 57 stone with a gradation that meets Table 1005-1 or use similar size onsite material approved by the Engineer.

Page 2-23, Subarticle 235-3(B) Embankment Formation, lines 18-19, delete the third sentence in the seventh paragraph.

Page 2-23, Subarticle 235-3(B) Embankment Formation, lines 21-23, replace the eighth paragraph with the following:

Before placing embankment fill material or filtration geotextiles over rock and broken pavement, fill voids in the top of rock and broken pavement fill with rip rap and No. 57 stone. Place and compact larger rip rap first followed by smaller rip rap. Then, fill any remaining voids with No. 57 stone so geotextiles are not torn, ripped or otherwise damaged when installed and covered. Compact rip rap and No. 57 stone with tracked equipment or other approved methods. Install filtration geotextiles on top of rock, broken pavement, rip rap and No. 57 stone in accordance with Article 270-3 before placing remaining embankment fill material.

Remove any rocks, debris or pavement pieces from the roadbed larger than two inches within 12" of the subgrade or finished grade, whichever is lower.

GEOSYNTHETICS

(12-29-15) 1056 DB10 R25

Revise the 2012 *Standard Specifications for Roads and Structures* as follows:

Replace Section 1056 with the following:

SECTION 1056
GEOSYNTHETICS

1056-1 DESCRIPTION

Provide geosynthetics for subsurface drainage, separation, stabilization, reinforcement, erosion control, filtration and other applications in accordance with the contract. Use geotextiles, geocomposite drains and geocells that are on the NCDOT Approved Products List. Prefabricated geocomposite drains include sheet, strip and vertical drains (PVDs), i.e., "wick drains" consisting of a geotextile attached to and / or encapsulating a plastic drainage core. Geocells are comprised of ultrasonically welded polymer strips that when expanded form a 3D honeycomb grid that is typically filled with material to support vegetation.

If necessary or required, hold geotextiles and sheet drains in place with new wire staples, e.g., "sod staples" that meet Subarticle 1060-8(D) or new anchor pins. Use steel anchor pins with a diameter of at least 3/16" and a length of at least 18" and with a point at one end and a head at the other end that will retain a steel washer with an outside diameter of at least 1.5".

1056-2 HANDLING AND STORING

Load, transport, unload and store geosynthetics so geosynthetics are kept clean and free of damage. Label, ship and store geosynthetics in accordance with Section 7 of AASHTO M 288. Geosynthetics with defects, flaws, deterioration or damage shall be rejected. Do not unwrap geosynthetics until just before installation. Do not leave geosynthetics exposed for more than seven days before covering except for geosynthetics for temporary wall faces and erosion control.

1056-3 CERTIFICATIONS

Provide Type 1, Type 2 or Type 4 material certifications in accordance with Article 106-3 for geosynthetics. Define "minimum average roll value" (MARV) in accordance with ASTM D4439. Provide certifications with MARV for geosynthetic properties as required. Test geosynthetics using laboratories accredited by the Geosynthetic Accreditation Institute (GAI) to perform the required test methods. Sample geosynthetics in accordance with ASTM D4354.

1056-4 GEOTEXTILES

When required, sew geotextiles together in accordance with Article X1.1.4 of AASHTO M 288. Provide sewn seams with seam strengths meeting the required strengths for the geotextile type and class specified.

Provide geotextile types and classes in accordance with the contract. Geotextiles shall be identified by the product name printed directly on the geotextile. When geotextiles are not marked with a product name or marked with only a manufacturing plant identification code, geotextiles shall be identified by product labels attached to the geotextile wrapping. When identification is based on labels instead of markings, unwrap geotextiles just before use in the presence of the Engineer to confirm that the product labels on both ends of the outside of the geotextile outer wrapping match the labels affixed to both ends of the inside of the geotextile roll core. Partial geotextile rolls without the product name printed on the geotextile or product labels affixed to the geotextile roll core shall not be used.

Use woven or nonwoven geotextiles with properties that meet Table 1056-1. Define “machine direction” (MD) and “cross-machine direction” (CD) in accordance with ASTM D4439.

TABLE 1056-1
GEOTEXTILE REQUIREMENTS

Property	**Requirement**					**Test Method**
	Type 1	**Type 2**	**Type 3[A]**	**Type 4**	**Type 5[B]**	
Typical Application	*Shoulder Drains*	*Under Rip Rap*	*Silt Fence Fabric*	*Soil Stabilization*	*Temporary Walls*	
Elongation (MD & CD)	≥ 50%	≥ 50%	≤ 25%	< 50%	< 50%	ASTM D4632
Grab Strength (MD & CD)	Table 1[D], Class 3	Table 1[D], Class 1	100 lb[C]	Table 1[D], Class 3	–	ASTM D4632
Tear Strength (MD & CD)			–			ASTM D4533
Puncture Strength			–			ASTM D6241
Ultimate Tensile Strength (MD & CD)	–	–	–	–	2,400 lb/ft[C] (unless required otherwise in the contract)	ASTM D4595
Permittivity	Table 2[D], 15% to 50% *in Situ* Soil Passing 0.075 mm	Table 6[D], 15% to 50% *in Situ* Soil Passing 0.075mm	Table 7[D]	Table 5[D]	0.20 sec^{-1}[C]	ASTM D4491
Apparent Opening Size					0.60 mm[E]	ASTM D4751
UV Stability (Retained Strength)					70%[C] (after 500 hr of exposure)	ASTM D4355

A. Minimum roll width of 36inches required
B. Minimum roll width of 13 feet required
C. MARV per Article 1056-3
D. AASHTO M 288
E. Maximum average roll value

1056-5 GEOCOMPOSITE DRAINS

Provide geocomposite drain types in accordance with the contract and with properties that meet Table 1056-2.

TABLE 1056-2
GEOCOMPOSITE DRAIN REQUIREMENTS

Property	Requirement			Test Method
	Sheet Drain	Strip Drain	Wick Drain	
Width	≥ 12" (unless required otherwise in the contract)	12" ±1/4"	4" ±1/4"	N/A
In-Plane Flow Rate[A] (with gradient of 1.0 and 24-hour seating period)	6 gpm/ft @ applied normal compressive stress of 10 psi	15 gpm/ft @ applied normal compressive stress of 7.26 psi	1.5 gpm[B] @ applied normal compressive stress of 40 psi	ASTM D4716

A. MARV per Article 1056-3
B. Per 4" drain width

For sheet and strip drains, use accessories (e.g., pipe outlets, connectors, fittings, etc.) recommended by the Drain Manufacturer. Provide sheet and strip drains with Type 1 geotextiles heat bonded or glued to HDPE, polypropylene or high impact polystyrene drainage cores that meet Table 1056-3.

TABLE 1056-3
DRAINAGE CORE REQUIREMENTS

Property	Requirement (MARV)		Test Method
	Sheet Drain	Strip Drain	
Thickness	1/4"	1"	ASTM D1777 or D5199
Compressive Strength	40 psi	30 psi	ASTM D6364

For wick drains with a geotextile wrapped around a corrugated drainage core and seamed to itself, use drainage cores with an ultimate tensile strength of at least 225 lb per 4-inch width in accordance with ASTM D4595 and geotextiles with properties that meet Table 1056-4.

TABLE 1056-4 WICK DRAIN GEOTEXTILE REQUIREMENTS		
Property	**Requirement**	**Test Method**
Elongation	≥ 50%	ASTM D4632
Grab Strength	Table 1[A], Class 3	ASTM D4632
Tear Strength		ASTM D4533
Puncture Strength		ASTM D6241
Permittivity	0.7 sec^{-1}[B]	ASTM D4491
Apparent Opening Size (AOS)	Table 2[A], > 50% *in Situ* Soil Passing 0.075 mm	ASTM D4751
UV Stability (Retained Strength)		ASTM D4355

A. AASHTO M 288
B. MARV per Article 1056-3

For wick drains with a geotextile fused to both faces of a corrugated drainage core along the peaks of the corrugations, use wick drains with an ultimate tensile strength of at least 1,650 lb/ft in accordance with ASTM D4595 and geotextiles with a permittivity, AOS and UV stability that meet Table 1056-4.

1056-6 GEOCELLS

Geocells shall be identified by product labels attached to the geocell wrapping. Unwrap geocells just before use in the presence of the Engineer. Previously opened geocell products shall be rejected.

Manufacture geocells from virgin polyethylene resin with no more than 10% rework, also called "regrind", materials. Use geocells made from textured and perforated HDPE strips with an open area of 10% to 20% and properties that meet Table 1056-5.

TABLE 1056-5 GEOCELL REQUIREMENTS		
Property	**Minimum Requirement**	**Test Method**
Cell Depth	4"	N/A
Sheet Thickness	50 mil -5%, +10%	ASTM D5199
Density	58.4 lb/cf	ASTM D1505
Carbon Black Content	1.5%	ASTM D1603 or D4218
ESCR[A]	5000 hr	ASTM D1693
Coefficient of Direct Sliding (with material that meets AASHTO M 145 for soil classification A-2)	0.85	ASTM D5321
Short-Term Seam (Peel) Strength (for 4" seam)	320 lb	USACE[C] Technical Report GL-86-19, Appendix A
Long-Term Seam (Hang) Strength[B] (for 4" seam)	160 lb	

A. Environmental Stress Crack Resistance
B. Minimum test period of 168 hr with a temperature change from 74°F to 130°F in 1-hour cycles
C. US Army Corps of Engineers

Provide geocell accessories (e.g., stakes, pins, clips, staples, rings, tendons, anchors, deadmen, etc.) recommended by the Geocell Manufacturer.

***** STANDARD SPECIAL PROVISIONS *****

AWARD OF CONTRACT

(6-28-77) (Rev. 1-8-16) Z-6

"The North Carolina Department of Transportation, in accordance with the provisions of *Title VI of the Civil Rights Act of 1964* (78 Stat. 252) and the Regulations of the Department of Transportation (*49 C.F.R., Part 21*), issued pursuant to such act, hereby notifies all bidders that it will affirmatively insure that the contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the ground of race, color, or national origin".

TITLE VI AND NONDISCRIMINATION

I. Title VI Assurance

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

(1) Compliance with Regulations: The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The 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 North Carolina Department of Transportation (NCDOT) or the Federal Highway Administration (FHWA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the NCDOT, or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the NCDOT shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

(a) Withholding of payments to the contractor under the contract until the contractor complies, and / or
(b) Cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontractor procurement as the NCDOT or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the NCDOT to enter into such litigation to protect the interests of the NCDOT, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

II. Title VI Nondiscrimination Program

Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d, provides that: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The broader application of nondiscrimination law is found in other statutes, executive orders, and regulations (see Section III, Pertinent Nondiscrimination Authorities), which provide additional protections based on age, sex, disability and religion. In addition, the 1987 Civil Rights Restoration Act extends nondiscrimination coverage to all programs and activities of federal-aid recipients and contractors, including those that are not federally-funded.

Nondiscrimination Assurance

The North Carolina Department of Transportation (NCDOT) hereby gives assurance that no person shall on the ground of race, color, national origin, sex, age, and disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the recipient, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related Civil Rights authorities, whether those programs and activities are federally funded or not.

Obligation

During the performance of this contract, the Contractor and its subcontractors are responsible for complying with NCDOT's Title VI Program. The Contractor must ensure that NCDOT's Notice of Nondiscrimination is posted in conspicuous locations accessible to all employees and subcontractors on the jobsite, along with the Contractor's own Equal Employment Opportunity (EEO) Policy Statement. The Contractor shall physically incorporate this "**TITLE VI AND NONDISCRIMINATION**" language, in its entirety, into all its subcontracts on federally-

assisted and state-funded NCDOT-owned projects, and ensure its inclusion by subcontractors into all subsequent lower tier subcontracts. The Contractor and its subcontractors shall also physically incorporate the **FHWA-1273**, in its entirety, into all subcontracts and subsequent lower tier subcontracts on **Federal-aid highway** construction contracts only. The Contractor is also responsible for making its subcontractors aware of NCDOT's Discrimination Complaints Process, as follows:

FILING OF COMPLAINTS

1. **Applicability** – These complaint procedures apply to the beneficiaries of the NCDOT's programs, activities, and services, including, but not limited to, members of the public, contractors, subcontractors, consultants, and other sub-recipients of federal and state funds.

2. **Eligibility** – Any person or class of persons who believes he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, sex, age, national origin, or disability, may file a written complaint with NCDOT's Civil Rights office. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative, and must be in writing.

3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:

   - The date of the alleged act of discrimination; or
   - The date when the person(s) became aware of the alleged discrimination; or
   - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

   Title VI and other discrimination complaints may be submitted to the following entities:

   - **North Carolina Department of Transportation**, Office of Equal Opportunity & Workforce Services (EOWS), External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1808 or toll free 800-522-0453

   - **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070

     Federal Highway Administration, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

     Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752

     Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590

     Federal Aviation Administration, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258

- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228

4. **Format for Complaints –** Complaints must be in **writing** and **signed** by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages including Braille.

5. **Discrimination Complaint Form –** Contact NCDOT EOWS at the phone number above to receive a full copy of the Discrimination Complaint Form and procedures.

6. **Complaint Basis –** Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term "basis" refers to the complainant's membership in a protected group category. Contact this office to receive a Discrimination Complaint Form.

Protected Categories	**Definition**	**Examples**	**Applicable Statutes and Regulations**	
			FHWA	**FTA**
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black / African American, Hispanic / Latino, Asian, American Indian / Alaska Native, Native Hawaiian / Pacific Islander / White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; Circular 4702.1B
Color	Color of skin, including shade of skin within a racial group	Black / White /Bbrown / Yellow / etc.		
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered.	Mexican / Cuban / Japanese / Vietnamese / Chinese		
Sex	Gender	Women and Men	1973 Federal-Aid Highway Act	Title IX of the Education Amendments of 1972
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975	
Disability	Physical or mental impairment, permanent or temporary or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990	

III. Pertinent Nondiscrimination Authorities

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest agrees to comply with the following non-discrimination statutes and authorities, including, but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq*., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq*.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq*.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq*.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

- Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e *et seq.,* Pub. L. 88-352), (prohibits employment discrimination on the basis of race, color, religion, sex, or national origin);
- 49 CFR Part 26, regulation to ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs, as regards the use of Disadvantaged Business Enterprises (DBEs);
- Form FHWA-1273, "Required Contract Provisions," a collection of contract provisions and proposal notices that are generally applicable to *all Federal-aid construction projects* and must be made a part of, and physically incorporated into, *all federally-assisted contracts*, as well as appropriate subcontracts and purchase orders, particularly Sections II (Nondiscrimination) and III (Nonsegregated Facilities).