

Guidance for- Utilities Construction Project Special Provisions

0.0 Reference

For specific guidance regarding the 5 C's (Concise, Clear, Complete, Correct, and Consistent), format, language, pay items, etc., please see the Contract Office's "Provision Writers' Guide" located at

<https://connect.ncdot.gov/resources/Specifications/Specification%20Resources/Provision%20Writers%20Guide.pdf>

1.0 Purpose

The Utilities Construction (UC) Project Special Provisions (PSP) are included in project contract documents to provide information to the prospective bidders during project advertisement and the prime contractor after contract award.

1.1 Scope

1.1.1 Understanding the intended effect or outcome will assist in developing clear and meaningful provisions. The UC PSP are **not** intended to repeat what is included or referenced elsewhere in the contract documents.

1.1.2 All UC Plans will be accompanied by PSP that at a minimum, include the utility owner's contact information and any boilerplate provisions that apply. Remove from the template sewer/water specific provisions if that type of utility is not part of UC.

1.1.3 The UC PSP include changes to our current specifications as defined in the current, "Standard Specifications for Roads and Structures". Follow the format used for the boilerplate provisions.

1.1.4 Changes to current specifications are followed by additional specifications/requirements/notes that do not include pay items or compensation.

1.1.5 PSP include construction requirements for special pay items. These provisions must clearly state the method of construction, unit of measurement, and method of payment.

1.2 Project Advertisement

The UC PSP are used by prospective bidders to:

1.2.1 Assess the detailed requirements of the contract, ensuring they understand the legal obligations of the bidder awarded the contract.

1.2.2 Account for the requirements of the PSP when developing their bid.

1.3 After Contract Award

The UC PSP become the basis of the contract requirements of the Department and the Contractor.

1.3.1 UC PSP are used to convey construction requirements that 1) differ from Standard Specifications or 2) are not covered elsewhere in contract documents.

1.3.2 UC PSP are used to define the construction method of special pay items and identify how the contractor will be paid for such work. If no additional payment will be made, include a statement to this effect.

2.0 Owner's Specifications

A utility owner may have a collection of standard specifications they wish to include in our contract. It is acceptable to modify NCDOT Standard Specifications to incorporate technical requirements as follows:

2.1 Modify

2.1.1 Modify applicable NCDOT Standard Specifications and include additional technical specifications but do not include contract language, contradictory requirements, nor redundant information.

2.1.2 Only modify specifications that are unacceptable to the owner. Oftentimes our Standard Specs are acceptable even though they may be worded differently or have slightly different requirements.

2.1.3 Only include additional owner specifications that are relevant to the specific project.

2.2 Reference or Include

2.2.1 Do not reference or include the owner's specifications. There are several potential issues with this method, the most common being owner specifications that violate the Department's "Proprietary Product Guidelines"
<https://connect.ncdot.gov/resources/Specifications/Specification%20Resources/Proprietary%20Product%20Guidelines.pdf>

3.0 Drafting the Document

3.1 UC PSP Template

3.1.1 The UC PSP template includes required provisions for water and sewer construction, delete if not applicable to the specific project.

3.2 UC PSP Instructions from the Contract Office

3.2.1 Formatting – For uniformity, all fonts, header and body, should be Times New Roman, 12 pt. The header should include the TIP number in the upper left corner and county name in the upper right corner of the page. A version date should be in the lower left footer and page numbers should be in the lower right of the footer. The Contract Page Numbering should begin with **UC-1** and should be 18pt bold Times New Roman.

3.2.2 File Naming- The following naming convention should be used:
“h_x-xxxx_County_UC_SP_yymmdd_PEF.pdf”

The “**h**” designates the file as being for Utility Construction and will help automate placement of electronic files into the correct order as they will appear in the proposal. The “**underscore**” helps to separate letter designation from other info. Next is the **TIP Number** and **County** name followed by the type of work, **UC_SP** for Utility Construction Special Provisions. The version date is next in the **yymmdd** format (yy= 2 digit year, mm=2 digit month, dd=2 digit day). The version date in the file name should match the version date in the footer. Finally, PSF should be replaced with the firm’s initialized company name.

3.2.3 Electronic Signatures- All UC PSPs are required to be sealed by a NC PE and signed electronically. Signatures by NCDOT personnel shall be completed using DocuSign. A PEF may use another electronic signature software service.

3.2.4 File Electronic Format- UC PSP should be submitted to the Utilities Unit in searchable .pdf format in accordance with 3.2.1-2. Additionally, a version in Word should also be submitted to the Utilities Unit to enable future revisions, if necessary.