

ROADWAY BULLETIN



NCDOT Construction Unit

What is Title VI?

Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws prohibit discrimination on the basis of race, color, national origin, limited English proficiency, income status, sex, age, and disability in programs and activities receiving federal financial assistance.

As a federal-aid recipient, NCDOT must ensure nondiscrimination and equal opportunity in all NCDOT programs and activities – whether those programs and activities are federally funded or not – including associated activities performed by NCDOT's business partners. Contractors and consultants performing work for NCDOT must comply with NCDOT's nondiscrimination requirements, and are responsible for the following:

- Reviewing the Title VI and Nondiscrimination section(s) in your contract or agreement with NCDOT.
- Under federal-aid contracts, incorporating the appropriate Title VI clauses into contracts with your subcontractors or sub-consultants.

TITLE VI REQUIREMENTS

The NCDOT Title VI policy requires the FHWA 1273 "Required Contract Provisions" and / or the Title VI and Nondiscrimination language must be included in their entirety as part of the actual subcontract agreement between the Contractor and the Subcontractor and between the Subcontractor and the second tier Subcontractor. For contracts with federal funding, both the Title VI and Nondiscrimination language and the FHWA 1273 are required to be incorporated in subcontract agreements. Subcontract agreements for state funded contracts require the inclusion of only the Title VI and Nondiscrimination language.

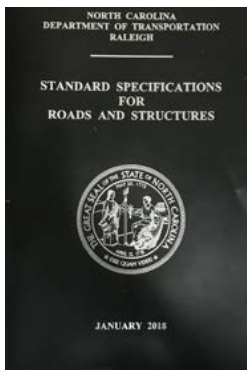
The Resident Engineer or the Contract Administrator is responsible for reviewing a sample of the actual certified copies of the subcontract agreements to verify the Title VI and Nondiscrimination language and the FHWA 1273 have been incorporated in their entirety, as stated above. The Resident Engineer or Contract Administrator or his delegate shall review 10%, with a minimum of two, of the actual subcontract agreements to verify the inclusion of Title VI and Nondiscrimination language and FHWA 1273, when applicable. The subcontract agreement of the first approved subcontract shall be reviewed and the remaining subcontract agreement(s) to be reviewed shall be randomly selected by the Resident Engineer or Contract Administrator. At least one subcontract agreement for one DBE/MBE/WBE firm and one non-DBE/MBE/WBE firm shall be reviewed. The Resident Engineer or Contract Administrator shall notify the Contractor of the actual subcontract agreements to be submitted for review.

1. Title VI
2. Specifications
3. Incidental Milling
4. Final Surface Testing

Have a suggestion for future bulletins?

If you have any questions or recommendations click the email link below and submit it.

[Email](#)



Specification Question:

Is it required to use a mechanical spreader box for small quantities of ABC, such as, a turn lane/less than 1000' or on greenways and multi-use paths?

- Article 520-5 says that for areas inaccessible to a mechanical spreader box, the aggregate material may be placed by other methods approved by the Engineer.
- Be sure to check your contract for a project special provision titled 'Greenways and Multi-use Paths'. This provision modifies the testing requirements for embankment, fine grading subgrade, aggregate subgrade, ABC, asphalt mixes, and concrete sidewalks. There is also a related minimum sampling guide for greenway projects.

Incidental Milling

NCDOT Standard Specifications Article 607-5(C): Incidental milling to be paid will be the actual number of square yards of surface milled where the Contractor is required to mill butt joints, irregular areas and intersections milled as a *separate operation from mainline milling* and re-mill areas that are not due to the Contractor's negligence whose length is less than 100 feet.

- The intent of this specification is to compensate the Contractor for milling that is performed at a significantly lower production rate than mainline milling; Remobilization of the Contractor's forces and equipment is not required for payment of incidental milling.
- For example, consider a section of four lane divided highway with intersections to be milled. The line item 'Milling Asphalt Pavement __" Depth' compensates the Contractor for the four travel lanes and any turn lanes, including working around water valves or manholes present in those lanes. The line item 'Incidental Milling' compensates the Contractor for non-productive work of milling the intersections to the back of the radii and other irregular areas (short travel lanes, fillets/or radius portion of the intersection, and paved section to the median crossover).

Final Surface Testing

NCDOT Standard Specifications Article 610-13: On portions of this project where the typical section requires two or more layers of new pavement perform smoothness testing of the longitudinal profile of the finished pavement surface using either an Inertial Profiler or a North Carolina Hearne Straightedge (Model No. 1). Smoothness testing using the inertial profiler is not required on ramps, loops and turn lanes.

- If the Division determines it is not feasible to require final surface testing, the contract will contain a special provision stating: "Final surface testing is not required on this project" (SP6 R45). Otherwise, the Contractor is required to perform testing in accordance with the Specifications.
- The Contractor is required to meet the requirements of Article 610-12 for all projects. This requires testing of each pavement layer using a 10-foot stationary straightedge; Variations in the pavement surface exceeding 1/8" between two contact points must be corrected by the Contractor.

State Construction Engineer Lamar Sylvester

Eastern Region		Western Region	
ASCE	Wiley Jones	ASCE	Brian Skeens
RBCE	Aaron Earwood	RBCE	Cameron Cochran
Division	Area Engineer	Division	Area Engineer
1&2	Randy Hall	7	Aaron Griffith
3&4	David Candela	9	Vickie Davis
5	Troy Brooks	10	Darin Waller
6&8	John Partin	11&12	Doug Eller
		13&14	Aaron Powell