



Planning & Engineering  
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November 27, 2024

**ADDENDUM NO. 2**

**RE: Item #8, December 4, 2024 Letting - IM 0909(98)396, PCN 091T, Minnehaha County - LSDC  
Overlay, Approach Slabs, Pavement, Rails, Joints**

**TO WHOM IT MAY CONCERN:**

The following addenda to the plans shall be inserted and made a part of your proposal for the referenced project.

**SPECIAL PROVISIONS:** Please remove the Index of Special Provisions and replace with attached Index of Special Provisions revised 11/27/24.

Please remove the "Special Provision for Contract Time" dated 11/5/24 and replace with the "Special Provision for Contract Time", dated 11/27/24.

**SDEBS BID PROPOSAL:** NO CHANGE

**PLANS:** NO CHANGE

Sincerely,

Sam Weisgram  
Engineering Supervisor

SW/cj

CC: Travis Dressen, Mitchell Region Engineer  
Harry Johnston, Sioux Falls Area Engineer

REV 11/27/24

INDEX OF SPECIAL PROVISIONS

PROJECT NUMBER(S): IM 0909(98)396

PCN: 091T

TYPE OF WORK: LSDC OVERLAY, APPROACH SLABS, PAVEMENT, RAILS, JOINTS

COUNTY: MINNEHAHA

The following clauses have been prepared subsequent to the Standard Specifications for Roads and Bridges and refer only to the above described improvement, for which the following Proposal is made.

The Contractor's attention is directed to the need for securing from the Department of Environment & Natural Resources, Foss Building, Pierre, South Dakota, permission to remove water from public sources (lakes, rivers, streams, etc.). The Contractor should make his request as early as possible after receiving his contract, and insofar as possible at least 30 days prior to the date that the water is to be used.

Sara Garbe is the official in charge of the Sioux Falls Career Center for Minnehaha County.

**THE FOLLOWING ITEMS ARE INCLUDED IN THIS PROPOSAL FORM:**

**Special Provision for Contract Time, dated 11/27/24.**

**Special Provision for Prosecution and Progress, dated 1/21/21.**

**Special Provision for Durable Pavement Markings, dated 11/4/24.**

Special Provision for Steel Beam Guardrail AASHTO M 180 Designation, date 10/8/24.

Special Provision for Acknowledgment and Certification Regarding Article 3, Section 12 of the South Dakota Constitution, dated 8/24/23.

Special Provision for Buy America, dated 5/1/24.

Special Provision for Liability Insurance, dated 4/21/22.

Special Provision for Responsibility for Damage Claims, dated 4/21/22.

Special Provision for Restriction of Boycott of Israel, dated 1/31/20.

Special Provision for Contractor Administered Preconstruction Meeting, dated 12/18/19.

Fuel Adjustment Affidavit, DOT form 208 dated 7/15.

Standard Title VI Assurance, dated 3/1/16.

Special Provision For Disadvantaged Business Enterprise, dated 2/9/24.

Special Provision For EEO Affirmative Action Requirements on Federal and Federal-Aid Construction Contracts, dated 2/5/24.

Special Provision For Required Contract Provisions Federal-Aid Construction Contracts, Form FHWA 1273 (Rev. October 23, 2023), dated 10/18/23.

Required Contract Provisions Federal-Aid Construction Contracts, Form FHWA 1273 (Rev. 10/23/23).

Special Provision Regarding Minimum Wage on Federal-Aid Projects, dated 10/24/19.

Wage and Hour Division US Department of Labor Washington DC. - US Dept. of Labor Decision Number SD20230032, dated 3/10/23.

Special Provision for Supplemental Specifications to 2015 Standard Specifications for  
Roads and Bridges, dated 9/7/22.

Special Provision for Price Schedule for Miscellaneous Items, dated 12/6/23.

**STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION  
FOR  
CONTRACT TIME**

**PROJECT IM 0909(98)396, PCN 091T  
MINNEHAHA COUNTY**

**NOVEMBER 27, 2024**

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**I-90 Structures (50-180-162, 50-180-163, 50-221-166) Working Day Count Requirements**

The Department will only allow the Contractor to close one structure at a time.

The following requirements will apply to each of the structures listed.

The Contractor may close the structure and the loop ramp for a maximum of 24 working days. The Department will begin to count working days when the Contractor closes the structure and loop ramps by placing through traffic in the adjacent set of lanes. The Department will continue to count working days until the Contractor completes all work that will impede traffic in the driving and ramp lanes and opens the driving lane, ramp lane, and loop ramps to unimpeded traffic. The Department will count working days in accordance with Section 8.6 A except working days will be defined as any calendar day between April 1 and November 30, inclusive, except holidays.

The Department wants to accelerate the project by offering an incentive to the Contractor. The Department will make an incentive payment in the amount of \$5000 per working day to the contract for each working day the Contractor substantially completes the work prior to the required substantial completion requirement. The Department will make a disincentive assessment in the amount of \$5000 per working day to the contract for each working day the work is not completed beyond the required substantial completion requirement. A contract item for incentive/disincentive pay is included in the bid schedule for the Department's use in assessing incentive and disincentive. The Department will use a positive quantity of days for assessing incentives and a negative quantity of days for assessing disincentives.

The maximum incentive for the closure of each structure is limited to \$50,000. There is no maximum disincentive.

Following the opening of the driving lane, ramp lane, and loop ramps on each structure, the Department will allow single lane closures for completion of remaining items of work

including, but not limited to; joint sealing, membrane seal, and the following items of work in the passing lane only; cure time of low slump concrete overlay, cure time of approach pavement, guardrail, granular backfill adjacent to guardrail, and asphalt surfacing. The Department will allow single lane closures during concrete cure time or when the Contractor is actively performing work.

### **Field Work Completion**

The Contractor will complete the project by the October 17, 2025 field work completion date.

### **Failure to Complete on Time**

The Contractor will complete all work on the project prior to the field work completion requirement. If the Contractor does not complete all work by the field work completion requirement, the Department will assess liquidated damages in accordance with Section 8.8. The Department will assess liquidated damages for each working day the work (project) is late until the Contractor completes all field work.

In the event the Contractor does not complete all field work on time, the Department will count working days in accordance with Section 8.6 C.

### **Expected Adverse Weather Days**

The Department has provided Attachment 1 for information purposes only as a guide to bidders. Table 1 depicts the typical number of adverse weather days expected for any given month, based on historical records. The Department will consider this project a structural project in Zone 6.

The Department will consider expected adverse weather days cumulative in nature over the time period when the Contractor is actively pursuing completion of the work. The Department will not consider adverse weather days during an extended period of time when the Contractor is not pursuing completion of the work. When considering a time extension for working day count completion or field work completion of the project, the Engineer will compare the total number of expected adverse weather days against the total number of actual adverse weather days for the time period during which the work was being completed.

\* \* \* \* \*

# ATTACHMENT 1

Figure A - Expected Adverse Weather Days for South Dakota

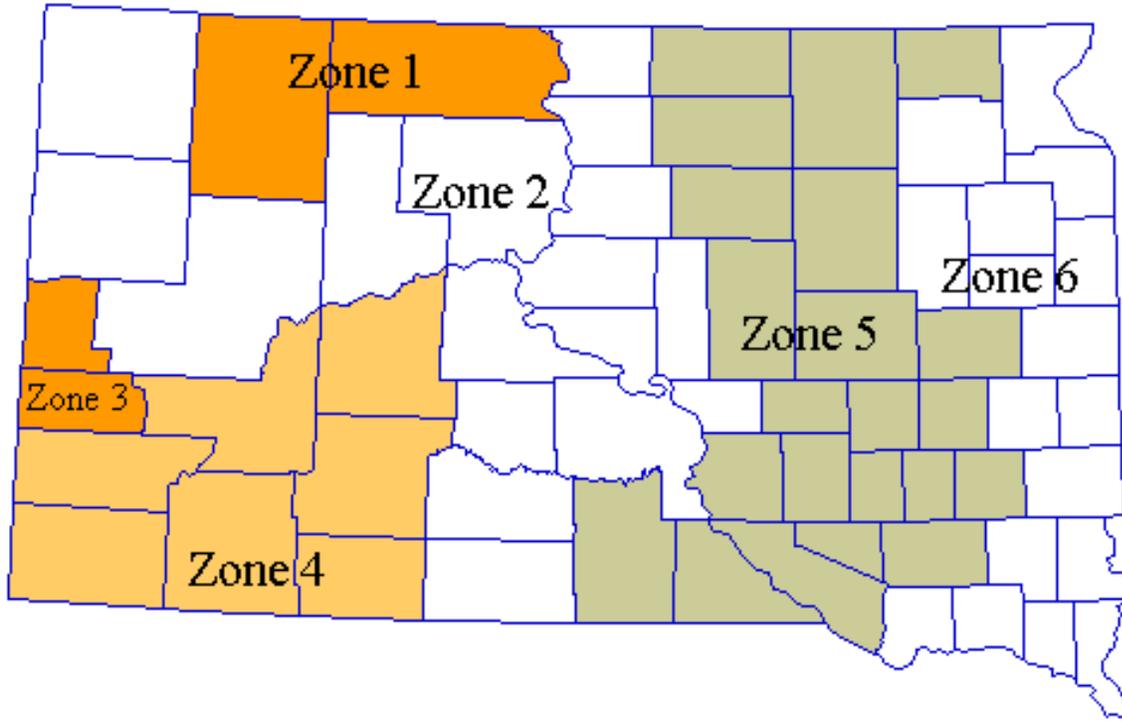


Table 1 - Expected Adverse Weather Days for South Dakota

	Grading Projects						Surfacing and Structural Projects					
	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Jan	18	18	16	16	22	24	18	18	15	16	21	23
Feb	19	18	12	14	19	21	19	18	12	14	19	21
Mar	12	10	9	8	11	13	12	10	9	8	10	12
Apr	6	5	8	5	6	6	5	4	6	4	4	4
May	6	6	8	6	6	6	5	5	6	4	4	5
Jun	7	6	7	6	7	8	5	5	5	4	5	6
Jul	5	5	6	5	6	7	4	4	5	3	4	5
Aug	4	4	5	4	5	6	3	3	4	3	4	4
Sep	3	3	4	3	4	5	2	2	3	2	3	4
Oct	4	3	5	3	4	4	3	3	4	2	3	3
Nov	11	9	8	7	10	12	11	9	8	7	10	11
Dec	21	19	15	14	20	22	21	19	15	14	20	22

NOTE: Includes Holidays and Weekends.