

Department of Transportation

Mitchell Region Office

PO Box 1206
Mitchell, SD 57301-7206 605/995-8129
FAX: 605/995-8135

January 25, 2021

June Hansen
Civil Rights Officer
Department of Transportation
700 Broadway Avenue East
Pierre, South Dakota 57501

RE: 090E-288, Brule County – PCN I65F (Re-let)
Girder Repair – Heat Straightening on SD45 over I90E at Exit 289 – Structure 08-310-135

090W-368, Lyman County – PCN I63E (Re-let)
Girder Repair – Heat Straightening on I90W over US183 at Exit 226 – Structure 43-160-205
Strip Seal Repair & Strip Seal Gland Replacement on I90E over US183 at Exit 226 – Structure 43-160-206

June,

Enclosed are a Contract Proposal and Plans for the above referenced projects that are being let to contract in the Mitchell Region on February 9, 2021.

We have sent a bid invitation letter to the DBE/WBE Contractors listed below:

BX Civil & Construction Inc.	Construction Signing Corp.
Dormark Construction Co. Inc.	Grangaard Construction Inc.

If you know of any other interested Contractors, please advise us.

Very truly yours,

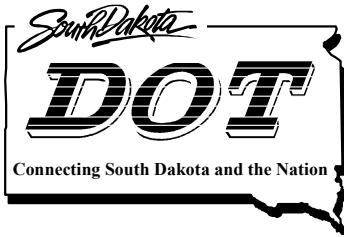
DEPARTMENT OF TRANSPORTATION

Travis Dressen, Region Engineer

Monte Rice, Region Design Engineer

cc: Ondricek – Construction and Maintenance
Leiferman – Project Development
Peppel/Holthaus/Brandner – Mitchell Area
Sherman/Norrid – Winner Area

NOTICE TO CONTRACTORS



Department of Transportation

Mitchell Region Office

PO Box 1206
Mitchell, SD 57301-7206 605/995-8129
FAX: 605/995-8135

January 25, 2021

TO: Interested Bidders

RE: 090E-288, Brule County – PCN I65F (Re-let)

Girder Repair – Heat Straightening on SD45 over I90E at Exit 289 – Structure 08-310-135

090W-368, Lyman County – PCN I63E (Re-let)

Girder Repair – Heat Straightening on I90W over US183 at Exit 226 – Structure 43-160-205

Strip Seal Repair & Strip Seal Gland Replacement on I90E over US183 at Exit 226 – Structure 43-160-206

The South Dakota Department of Transportation (SDDOT) desires to solicit bids for Girder Repair on SD45 over I90E at Exit 289 and on I90W over US183 at Exit 226 and Strip Seal Repair & Strip Seal Gland Replacement on I90E over US183 at Exit 226. Refer to the proposal and plans (in the link below) for location and details of the work to be done.

A Contract Proposal (DOT 123) form, a Utilization of Minority Business Enterprises Clauses form and a Contractor's Affidavit/Declaration form are enclosed for submission of your bid. Be sure to have the forms signed and notarized as indicated on the forms. FAX bids will not be accepted.

The Department of Transportation in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, national origin, sex, age or disability in consideration for an award.

If bidding \$250,000 or more, bidders must be prequalified in accordance with the Special Provision for Prequalification of Bidders contained in this Proposal for: Work Type 8 – Bridge Rehabilitation.

The required application form for prequalification of bidders can be accessed at the following link:

https://www.state.sd.us/eforms/secure/eforms/S_E0945V3-ContractorsPrequalificationStatement.pdf Submit the application to the Classification and Rating Committee in accordance with the Special Provision for Prequalification of Bidders.

The successful bidder will need to submit the DOT-208 Fuel Adjustment Affidavit (Attachment A) prior to the contract being awarded; therefore, all bidders are encouraged to submit the Fuel Adjustment Affidavit prior to or at the time of bidding.

If you submit a bid for these projects, a bid bond, certified check, cashier's check, or bank draft will be required for NOT LESS THAN FIVE (5) PERCENT OF THE TOTAL AMOUNT OF THE BID. If an electronic bid bond is used, the Contractor is required to submit the bid bond identification number with the bid. Except for the lowest bidder on the project, all guarantees will be returned immediately following the receipt and checking of all bids.

The successful bidder will furnish a performance bond in a sum equal to the full amount of the contract, prior to contract award. Therefore, please provide the performance bond as soon as possible after letting. The performance bond will not be returned for one (1) year after the completion of the projects.

A Certificate of Insurance will be required from the successful bidder prior to beginning work.

Sealed bids will be received by the SDDOT through the US Postal Service at PO Box 1206 until **8:00 A.M. on Tuesday, February 9, 2021** or may be hand delivered (in person or by a package delivery service) to the Department of Transportation, Mitchell Regional Office located at 1300 S Ohlman St, Mitchell, SD 57301 until **1:30 P.M. on Tuesday, February 9, 2021**. Bid must be submitted in an envelope clearly indicating that the contents are a bid and the letting for which the bid applies.

If hand delivering, address the envelope to:

Monte Rice, Region Design Engineer
Department of Transportation
1300 S Ohlman St
Mitchell, SD 57301

If using the US Postal Service, address the envelope to:

Monte Rice, Region Design Engineer
Department of Transportation
PO Box 1206
Mitchell, SD 57301

Proposal and Plans (and Addenda, when applicable) can be accessed at the following link: <https://apps.sd.gov/HC65BidLetting/RegionDefault.aspx> Prior to submitting a bid, it is the bidder's responsibility to examine the project in accordance with Section 2.5 of the specifications. It is also the bidder's responsibility to acknowledge and account for any addenda issued prior to bid opening.

Questions regarding the plans and/or proposal should be directed to:

Jay Peppel at 605-995-3340, Travis Holthaus at 605-995-3341 or Monte Rice at 605-995-3302.

The SDDOT reserves the right to reject any or all bids.

Please verify that all required information is complete prior to mailing bid documents.

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Travis Dressen, Region Engineer

Monte Rice, Region Design Engineer

cc: Ondricek – Construction and Maintenance
R. Johnson/Paul/Krueger – Operations
Hansen – Civil Rights
Thompson/Dammann/Morford – Bridge
Peppel/Holthaus/Brandner – Mitchell Area
Sherman/Norrid – Winner Area
Gustafson – Operations
Larson/Litka/Schnabel – Bridge Maintenance
Weisz – Materials
Leiferman – Project Development

**SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT PROPOSAL**

DOT-123
January 2021
1 of 3

CODE	PROJECT			MAINT UNIT	CONTROL REFERENCE	AFE	FUNCTION	STRUCTURE
	PRE	ROUTE	AGR					
		090 E		288		I65F		08-310-135

CITY AND/OR COUNTY: Brule County

TYPE, PURPOSE AND LOCATION OF WORK: Girder Repair - Heat Straightening on SD45 over I90E at Exit 289.

ESTIMATE OF QUANTITIES AND COST FOR 090E-288 PCN I65F

BID ITEM NUMBER	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT
009E0010	Mobilization	Lump Sum	LS	Lump Sum	
410E0250	Heat Straighten Steel Member(s)	Lump Sum	LS	Lump Sum	
410E0320	Bolted Girder Splice	2	Each		
410E0325	Remove and Replace Bolt Assembly	1	Each		
410E0354	Remove and Replace Web and Flange	1	Each		
410E0365	Remove and Replace Transverse Stiffener	6	Each		
410E0380	Remove and Replace Steel Diaphragm	1	Each		
410E0385	Repair Steel Diaphragm	1	Each		
410E0410	Stud Shear Connector	1	Each		
410E0508	Field Weld	1157	Inch		
410E0512	Grind Weld	14	Inch		
410E0515	Drill Hole in Existing Steel	1	Each		
410E0520	Surface Grinding of Structural Steel	206	SqIn		
410E0550	Jack Superstructure, Steel Girder Bridge	Lump Sum	LS	Lump Sum	
410E3010	Magnetic Particle Weld Inspection	7678	Inch		
410E3020	Ultrasonic Weld Inspection	161	Inch		
410E3030	Magnetic Particle Weld Inspection, Impact Damage Repair	6816	SqIn		
412E0100	Bridge Repainting, Class I	Lump Sum	LS	Lump Sum	
412E0500	Paint Residue Containment	Lump Sum	LS	Lump Sum	
460E0070	Class A45 Concrete, Bridge Repair	1.2	CuYd		
460E0300	Breakout Structural Concrete	1.2	CuYd		
460E0650	Roadway Canopy	Lump Sum	LS	Lump Sum	
480E5000	Galvanic Anode	2	Each		
491E0007	Two Coat Bridge Deck Polymer High Friction Chip Seal	2	SqYd		
491E0120	Bridge Deck Grinding	2	SqYd		
634E0010	Flagging	40	Hour	\$30.37	
634E0110	Traffic Control Signs	278	SqFt		
634E0120	Traffic Control Miscellaneous	Lump Sum	LS	Lump Sum	
634E0275	Type 3 Barricade	1	Each		
634E0330	Temporary Raised Pavement Markers	1920	Ft		
634E0420	Type C Advance Warning Arrow Board	1	Each		
634E0525	Linear Delineation System Panel, Barrier Mounted	104	Each		
634E0700	Traffic Control Movable Concrete Barrier	52	Each		
634E0750	Temporary Concrete Barrier End Protection	1	Each		
634E0755	Remove and Reset Temporary Concrete Barrier End Protection	2	Each		
634E0760	Temporary Concrete Barrier End Protection Module Set or Repair Kit	1	Each		
634E1260	Truck/Trailer Mounted Attenuator	1	Each		
TOTAL FOR PCN I65F					

See next sheet for **ESTIMATE OF QUANTITIES AND COST FOR 090W-368 PCN I63E.**

**SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT PROPOSAL**

DOT-123
January 2021
2 of 3

CODE	PROJECT			MAINT UNIT	CONTROL REFERENCE	AFE	FUNCTION	STRUCTURE
	PRE	ROUTE	AGR					
		090 W		368		I63E		43-160-205
		090 W		368		I63E		43-160-206

CITY AND/OR COUNTY: Lyman County

TYPE, PURPOSE AND LOCATION OF WORK: Girder Repair - Heat Straightening on I90W over US183 at Exit 226.
Strip Seal Repair & Gland Replacement on I90E over US183 at Exit 226.

ESTIMATE OF QUANTITIES AND COST FOR 090W-368 PCN I63E

BID ITEM NUMBER	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT
009E0010	Mobilization	Lump Sum	LS	Lump Sum	
410E0250	Heat Straighten Steel Member(s)	Lump Sum	LS	Lump Sum	
410E0350	Remove and Replace Web	2	Each		
410E0365	Remove and Replace Transverse Stiffener	4	Each		
410E0380	Remove and Replace Steel Diaphragm	1	Each		
410E0410	Stud Shear Connector	8	Each		
410E0508	Field Weld	858	Inch		
410E0512	Grind Weld	24	Inch		
410E0515	Drill Hole in Existing Steel	1	Each		
410E0520	Surface Grinding of Structural Steel	192	SqIn		
410E2300	Strip Seal Expansion Joint	3	Ft		
410E2310	Strip Seal Gland	48	Ft		
410E3010	Magnetic Particle Weld Inspection	6124	Inch		
410E3020	Ultrasonic Weld Inspection	305	Inch		
410E3030	Magnetic Particle Weld Inspection, Impact Damage Repair	5184	SqIn		
412E0100	Bridge Repainting, Class I	Lump Sum	LS	Lump Sum	
412E0500	Paint Residue Containment	Lump Sum	LS	Lump Sum	
460E0070	Class A45 Concrete, Bridge Repair	0.4	CuYd		
460E0300	Breakout Structural Concrete	1.1	CuYd		
460E0650	Roadway Canopy	Lump Sum	LS	Lump Sum	
460E8100	Repair Underside of Bridge Deck	4	SqFt		
480E5000	Galvanic Anode	6	Each		
634E0010	Flagging	60	Hour	\$30.37	
634E0110	Traffic Control Signs	440	SqFt		
634E0120	Traffic Control Miscellaneous	Lump Sum	LS	Lump Sum	
634E0275	Type 3 Barricade	1	Each		
634E0330	Temporary Raised Pavement Markers	1920	Ft		
634E0420	Type C Advance Warning Arrow Board	1	Each		
634E1260	Truck/Trailer Mounted Attenuator	1	Each		
TOTAL FOR PCN I63E					

See previous sheet for **ESTIMATE OF QUANTITIES AND COST FOR 090E-288 PCN I65F.**

**SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT PROPOSAL**

DOT-123
January 2021
3 of 3

CODE	PROJECT			MAINT UNIT	CONTROL REFERENCE	AFE	FUNCTION	STRUCTURE
	PRE	ROUTE	AGR					
		090 E		288		I65F		08-310-135
		090 W		368		I63E		43-160-205
		090 W		368		I63E		43-160-206

CITY AND/OR COUNTY: Brule & Lyman Counties

BUDGET SOURCE: Bridge Maintenance

REGION MATERIALS CERTIFICATION REQUIRED: YES NO WIP #: _____
 CERTIFIED INSPECTORS/TESTERS REQUIRED: YES NO
 TO BE INSTALLED ON CM&P: YES NO

TYPE, PURPOSE AND LOCATION OF WORK: Girder Repair - Heat Straightening on SD45 over I90E at Exit 289,
Girder Repair - Heat Straightening on I90W over US183 at Exit 226, and
Strip Seal Repair & Gland Replacement on I90E over US183 at Exit 226.

TOTAL FOR PCN I65F	
TOTAL FOR PCN I63E	
TOTAL FOR BOTH PROJECTS	

CONTRACTOR'S PROPOSAL STATEMENT

The undersigned agrees to offer the labor and material in the quantities, at the unit price, for the purpose, in the place, and in accordance with attached provisions. The Contractor will provide services in compliance with the Americans with Disabilities Act of 1990 and any amendments.

SUBSTANTIAL COMPLETION DATE N/A

PROPOSED START DATE _____

FIELD WORK COMPLETION DATE June 25, 2021

SIGNATURE _____

SUBSCRIBED AND SWORN TO BEFORE ME THE _____ DAY OF _____, 20__

PRINTED NAME _____

COMPANY _____

STR. ADDRESS _____

CITY, STATE, ZIP _____

PHONE NUMBER _____

NOTARY _____
My Commission Expires:

FEDERAL TAX ID NUMBER _____

DATE _____ (SEAL)

TO BE FILLED OUT BY STATE PERSONNEL:			
RECOMMENDED FOR APPROVAL:			
_____	CONSTRUCTION & MAINTENANCE ENGINEER	_____	DATE
_____	AREA / REGION / OPS ENGINEER	_____	DATE
_____	DIRECTOR OF OPERATIONS	_____	DATE
_____	INTERNAL SERVICES / AUDITS	_____	DATE
ACCEPTED BY SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION			
NAME _____	TITLE _____	DATE _____	
IF FEDERAL FUNDS WILL BE EXPENDED UNDER THIS AGREEMENT, ACCEPTANCE BY PROJECT DEVELOPMENT IS REQUIRED			
_____	PROJECT DEVELOPMENT ENGINEER	_____	DATE

**BIDDER MUST EXECUTE THE FOLLOWING:
PARTICIPATION BY MINORITY CONTRACTORS**

Utilization of Minority Business Enterprises Clauses

PROJECT(S): 090E-288 & 090W-368

PCN I65F & I63E

COUNTY(IES): BRULE & LYMAN

1. The Contractor agrees to use his best efforts to carry out this policy in the award of his subcontracts to the fullest extent consistent with the efficient performance of his contract. As used in this contract, 'Minority Business Enterprise' or 'MBE' means a small business concern, as defined pursuant to section 3 of the Small Business Act and implementing regulations, which is owned and controlled by one or more minorities or women. 'Owned and controlled' means a business: (a) Which is at least 51 per centum owned by one or more minorities or women or, in the case of publicly owned business, at least 51 per centum of the stock of which is owned by one or more minorities or women; and (b) Whose management and daily business operations are controlled by one or more such individuals. 'Minority' means a person who is a citizen or lawful permanent resident of the United States and who is: (a) Black (a person having origins in any of the black racial groups of Africa); (b) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America or the Caribbean Islands, regardless of race); (c) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or (d) American Indian and Alaskan Native (a person having origins in any of the original peoples of North America); (e) Members of other groups, or other individuals, found to be economically and socially disadvantaged by the Small Business Administration under section 8(a) of the Small Business Act, as amended. Contractors may rely on written representatives by subcontractors regarding their status as minority business enterprise in lieu of an independent investigation.

2. The Contractor agrees to establish and conduct a program which will enable minority business enterprise to be considered fairly as subcontractors and suppliers under this contract. In this connection the Contractor shall . . .
 - (a) Designate a liaison officer who will administer the Contractor's minority business enterprises program.
 - (b) Provide adequate and timely consideration of the potentialities of known minority business enterprises in all "make-or-buy" decisions.
 - (c) Ensure that known minority business enterprises will have an equitable opportunity to compete for subcontracts, particularly by arranging solicitations, time for the preparation of bids, quantities, specifications and delivery schedules so as to facilitate the participation of minority business enterprises.
 - (d) Maintain records showing (1) procedures which have been adopted to comply with the policies set forth in this clause, including the establishment of a source list of minority business enterprises, (2) awards to minority business enterprises on the source list, and (3) specific efforts to identify and award contracts to minority business enterprises.
 - (e) Include the "Utilization of Minority Business Enterprises Clause" in subcontracts which offer substantial minority business enterprises subcontracting opportunities.
 - (f) Cooperate with the State's Contracting Officer in any studies and surveys of the Contractor's minority business enterprises procedures and practices that the State's Contracting Officer may from time to time conduct.
 - (g) Submit periodic reports of subcontracting to known minority business enterprises with respect to the records referred to in subparagraph (d) above, in such form and manner and at such time (not more often than quarterly) as the State's Contracting Officer may prescribe.

3. The Contractor further agrees to insert in any subcontract hereunder provisions which shall conform substantially to the language of this clause, including this paragraph 3 and to notify the State's Contracting Officer of the names of such subcontractors.

4. The bidder hereby certifies that should he at any time decide to subcontract a portion of the work, he will take affirmative action to seek out and consider minority business enterprises as potential subcontractors. He further certifies that he will maintain records showing the contacts made with potential minority business enterprises subcontractors and the results of such contacts.

Name of Company (print or type)

Date

By _____
Signature of Company Official

Title

BIDDER MUST EXECUTE THE FOLLOWING:

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

CONTRACTOR'S AFFIDAVIT / DECLARATION

PROJECT(S): 090E-288 & 090W-368

PCN I65F & I63E

COUNTY(IES): BRULE & LYMAN

(an individual)
(a partnership)
(a corporation)

do hereby certify that I, We or any owner or partner holding a controlling interest, director or officer of the bidder; principal investigator, project director or other position involved in management of the project for which this bid is submitted, have not directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for the project, and that within the last 3 years none of the above have been suspended, debarred, voluntarily excluded or determined ineligible by any federal or state agency, been indicted, convicted, or had a civil judgment rendered against any of the above or the business entity described herein by a court of competent jurisdiction in any matter involving fraud or official misconduct for which we are currently under suspension or debarment. Nor is a proposed suspension or debarment pending against any of the above for any of the above listed reasons.

* * * *

COMPLETE SIGNATURE BLOCK A. or B. BELOW:

A. Signed _____ (an individual)
(a partnership)
(a corporation)

By _____

Title _____

County of _____)

State of _____) :SS

Subscribed and sworn to before me this _____ day of _____, 20____.

(SEAL) _____
Notary Public My Commission Expires _____.

* * * *

B. Under the penalty of perjury under the laws of the United States, I hereby certify that the above statement is true and correct.

Signed _____ (an individual)
(a partnership)
(a corporation)

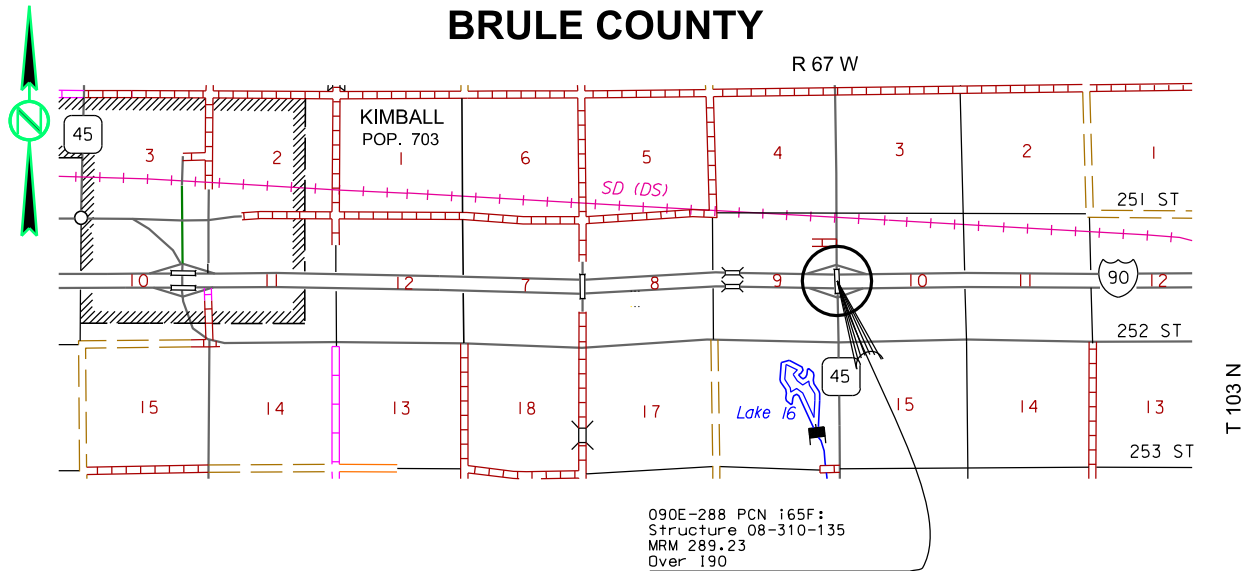
By _____

Title _____

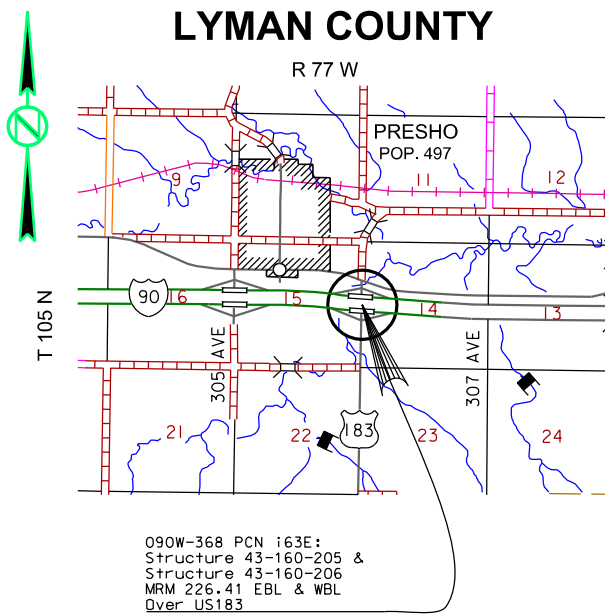
**SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION
MITCHELL REGION**

**PROPOSAL FOR
PROJECTS 090E-288 & 090W-368
BRULE & LYMAN COUNTIES
GIRDER REPAIR - HEAT STRAIGHTENING,
STRIP SEAL REPAIR & STRIP SEAL GLAND REPLACEMENT
PCN I65F & I63E**

BRULE COUNTY



LYMAN COUNTY



NOTICE TO ALL BIDDERS

TO REPORT BID RIGGING ACTIVITIES, CALL: 1-800-424-9071

THE U.S. DEPARTMENT OF TRANSPORTATION (DOT) OPERATES THE ABOVE TOLL-FREE "HOTLINE" MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M., EASTERN TIME. ANYONE WITH KNOWLEDGE OF POSSIBLE BID RIGGING, BIDDER COLLUSION, OR OTHER FRAUDULENT ACTIVITIES SHOULD USE THE "HOTLINE" TO REPORT SUCH ACTIVITIES.

THE "HOTLINE" IS PART OF THE DOT'S CONTINUING EFFORT TO IDENTIFY AND INVESTIGATE HIGHWAY CONSTRUCTION CONTRACT FRAUD AND ABUSE AND IS OPERATED UNDER THE DIRECTION OF THE DOT INSPECTOR GENERAL.

ALL INFORMATION WILL BE TREATED CONFIDENTIALLY AND CALLER ANONYMITY WILL BE RESPECTED.

* * * *

REV. 12/3/20

INDEX OF SPECIAL PROVISIONS

PROJECT(S): **090E-288 & 090W-368**

PCN I65F & I63E

COUNTY(IES): **BRULE & LYMAN**

TYPE OF WORK: **GIRDER REPAIR – HEAT STRAIGHTENING & STRIP SEAL REPAIR**

THE FOLLOWING ITEMS ARE INCLUDED IN THIS PROPOSAL FORM:

Special Provision for Contract Time, dated 10/30/2020.

Special Provision for Stud Shear Connector, dated 12/11/18.

Special Provision for Portland Cement, dated 12/3/20.

Special Provision for Prequalification of Bidders, dated 10/16/20.

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 Implementation of Clean Air Act & Federal Water Pollution Control Act,
dated 9/1/97.

Special Provision Regarding Minimum Wage on State Funded Projects, dated 10/24/19.

Wage and Hour Division US Department of Labor Washington DC.

- US Dept. of Labor Decision Number SD180001, dated 4/6/18.

Special Provision for Supplemental Specifications to 2015 Standard Specifications for Roads and
Bridges, dated 11/20/19.

Special Provision for Errata to 2015 Standard Specifications for Roads and Bridges, dated
11/20/19.

Special Provision for Price Schedule for Miscellaneous Items, dated 10/7/20.

Plans for Project – Sheets 1 through 42.

* * * *

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
CONTRACT TIME**

**PROJECT 090E-288 & 090W-368; PCN i65F & i63E
BRULE & LYMAN COUNTY**

OCTOBER 30, 2020

Field Work Completion

The Contractor will complete the project by the June 25, 2021 field work completion date.

December 21, 2020 to January 3, 2021 Work Restriction

The Department will not allow work on the project from December 21, 2020 to January 3, 2021 (inclusive).

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. This table 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 5.

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 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

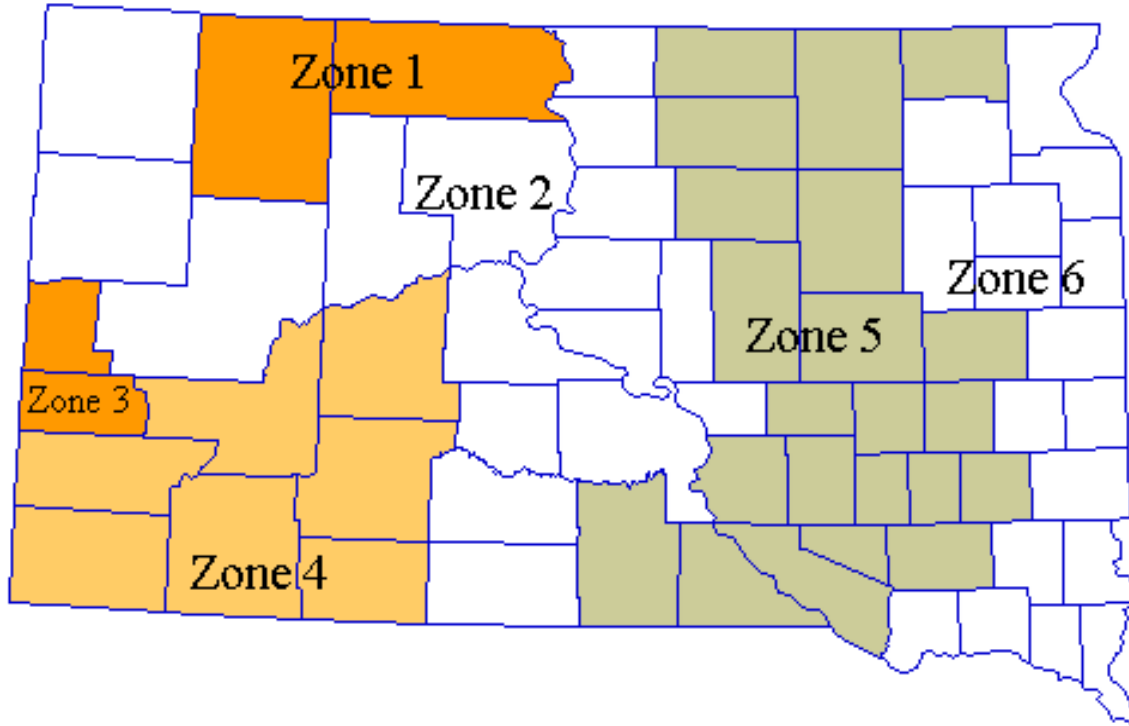


Table 1 - Expected Adverse Weather Days for South Dakota

	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.

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
STUD SHEAR CONNECTOR FIELD INSTALLATION
(PER EACH)**

DECEMBER 11, 2018

I. DESCRIPTION

- A.** This work consists of field installation of stud shear connectors (steel studs) to the top flange of steel girders by automatically timed stud-welding equipment. In addition, this special provision stipulates specific requirements for the following:
 - 1.** Workmanship, preproduction testing, operator qualification, and application qualification testing, all to be performed by the Contractor.
 - 2.** Quality control and quality assurance inspection of stud welding during production.
- B.** The ANSI/AASHTO/AWS D1.5 Bridge Welding Code will hereafter be referred to as the Code.
- C.** At the option of the Contractor, studs may be fillet welded by shielded metal arc welding (SMAW) provided installation meets the requirements of 7.5.5 of the Code and stud welding operator is certified welder in accordance with Section 410.3 D. of the specifications.

II. MATERIALS

- A.** Welded stud shear connectors shall conform to the requirements of Section 970.2 B of the specifications, and be of the type, size, and spacing shown on the shop plans.
- B.** Studs shall be of suitable design for arc welding to steel members.
- C.** An arc shield (ferrule) of heat-resistant ceramic or other suitable material shall be furnished with each stud.

- D. A suitable deoxidizing and arc stabilizing flux for welding shall be furnished with each stud.
- E. Only studs with qualified stud bases shall be used. A stud base, to be qualified, shall have passed the test prescribed in Annex E of the Code. The arc shield used in production shall be the same as used in qualification tests or as recommended by the manufacturer. Qualification of stud bases in conformance with Annex E of the Code shall be at the manufacturer's expense.

III. CONSTRUCTION REQUIREMENTS

A. Workmanship

1. At the time of welding, the studs shall be free from rust, rust pits, scale, oil, moisture, and other deleterious matter that would adversely affect the welding operation.
2. The stud base shall not be painted, galvanized, nor cadmium plated prior to welding.
3. The areas to which the studs are to be welded shall be free of scale, rust, moisture, and other injurious material to the extent necessary to obtain satisfactory welds. These areas may be cleaned by wire brushing, scaling, prick-punching, or grinding.
4. The arc shields or ferrules shall be kept dry. Any arc shields which show signs of surface moisture from dew or rain shall be oven dried at 250°F for two hours before use.
5. Longitudinal and lateral spacing of stud shear connectors (type B) with respect to each other and to edges of beam or girder flanges may vary a maximum of 1 inch from the location shown in the drawings. The clear distance between studs shall not be less than 1 in. unless approved by the Engineer. The minimum distance from the edge of a stud base to the edge of a flange shall be the diameter of the stud plus 0.125 inch but preferably not less than 1-1/2 inch.
6. After welding, arc shields shall be broken free from all studs.
7. The studs, after welding, shall be free of any discontinuities or substances that would interfere with their intended function. However, non-fusion on the legs of the flash and small shrink fissures is acceptable.

Note: The fillet weld profiles shown in Figure 3.4 of the Code do not apply to the flash of automatically timed stud welds. The expelled metal around

the base of the stud is designated as flash in accordance with Annex D of the Code. It is not a fillet weld such as those formed by conventional arc welding.

B. Technique

1. Studs shall be welded with automatically timed stud welding equipment connected to a suitable source of direct current electrode negative (DCEN) power. Welding voltage, current, time, and gun settings for lift and plunge should be set at optimum settings, based on past practice, recommendations of stud and equipment manufacturer, or both. ANSI/AWS C5.4, Recommended Practices for Stud Welding, should also be used for technique guidance.
2. If two or more stud welding guns are to be operated from the same power source, they shall be interlocked so that only one gun can operate at a time, and so that the power source has fully recovered from making one weld before another weld is started.
3. While in operation, the welding gun shall be held in position without movement until the weld metal has solidified.
4. Welding shall not be done when the base metal temperature is below 0°F or when the surface is wet or exposed to falling rain or snow.
 - a. When the temperature of the base metal is below 32°F, one additional stud in each 100 studs welded shall be tested by methods specified in Section 7.7.1.3 and 7.7.1.4 of the Code, except that the angle of testing shall be approximately 15 degrees. This is in addition to the first two studs tested for each start of a new production period or change in set-up.
 - b. Set-up includes stud gun, power source, stud diameter, gun lift and plunge, total welding lead length, or changes greater than $\pm 5\%$ in current (amperage) and time.
5. At the option of the contractor, automatic end welds may be repaired by fillet welding using the shielded metal arc process, provided the following requirements are met:
 - a. The minimum fillet size to be used shall be the larger of those required in Table 2.1 or Table 7.2 of the Code.
 - b. Welding shall be done with low-hydrogen electrodes 5/32 or 3/16 inch in diameter except that a smaller diameter electrode may be used on studs 3/8 inch or less in diameter or for out-of-position welds.

- c. The stud base shall be prepared so that the base of the stud fits against the base metal.
- d. All rust and mill scale at the location of the stud shall be removed from the base metal by grinding. The end of the stud shall also be clean.
- e. The base metal to which studs are welded shall be preheated in accordance with the requirements of Table 4.3 of the Code.
- f. Fillet welded stud bases shall be visually inspected per Section 6.5 of the Code.

C. Stud Application Qualification Requirements

Studs which are shop or field applied in the flat (down-hand) position to a planar and horizontal surface are deemed prequalified by virtue of the manufacturer's stud-base qualification tests (Annex E of the Code), and no further application testing is required. The limit of flat position is defined as 0-15° slope on the surface to which the stud is applied.

D. Production Control

1. Preproduction Testing

- a. Before production welding with a particular set-up (see Section 7.5.4.2 of the Code) and with a given size and type of stud, and at the beginning of each day's or shift's production, testing shall be performed on the first two studs that are welded. The stud technique may be developed on a piece of material similar to the production member in thickness and properties. If actual production thickness is not available, the thickness may vary plus or minus 25%. All test studs shall be welded in the same general position as required on the production member (flat, vertical, or overhead).
- b. Instead of being welded to separate material, the test studs may be welded on the production member, except when separate plates are required by Section 7.7.1.5 of the Code.
- c. The test studs shall be visually examined. They shall exhibit full 360 degree flash.
- d. In addition to visual examination, the test shall consist of bending the studs after they are allowed to cool, to an angle of approximately 30 degrees from their original axes by either striking the studs on the head with a hammer or placing a pipe or other suitable hollow device over the

stud and manually or mechanically bending the stud. At temperatures below 50°F, bending shall preferably be done by continuous slow application of load.

- e. If on visual examination the test studs do not exhibit 360 degree flash, or if on testing, failure occurs in the weld zone of either stud, the procedure shall be corrected and two more studs shall be welded to separate material or on the production member and tested in accordance with the provisions of Section 7.7.1.3 and 7.7.1.4 of the Code. If either of the second two studs fails, additional welding shall be continued on separate plates until two consecutive studs are tested and found to be satisfactory before any more production studs are welded to the member.

2. Production Welding

- a. Once production welding has begun, any changes made to the welding set-up (see Section 7.5.4.2 of the Code) as determined in Section 7.7.1 of the Code shall require that the testing in Section 7.7.1.3 and 7.7.1.4 of the Code be performed prior to resuming production welding.
- b. In production, studs on which a full 360 degree flash is not obtained may, at the option of the contractor, be repaired by adding the minimum fillet weld as required by Section 7.5.5 of the Code in place of the missing flash. The repair weld shall extend at least 3/8 inch beyond each end of the discontinuity being repaired.

3. Operator Qualification

- a. The preproduction test required by Section 7.7.1 of the Code, if successful, shall also serve to qualify the stud welding operator. In addition, the stud welding operator shall be a certified welder in accordance with Section 410.3 D. of the specifications.
 - b. Before any production studs are welded by an operator not involved in the preproduction set-up of Section 7.7.1 of the Code, the first two studs welded by the operator shall be tested in accordance with the provisions of Section 7.7.1.3 and 7.7.1.4 of the Code. When two consecutively welded studs have been tested and found satisfactory, the operator may then weld production studs.
4. If an unacceptable stud has been removed from a component subjected to tensile stresses, the area from which the stud was removed shall be made smooth and flush.

- a. Where in such areas the base metal has been pulled out in the course of stud removal, shielded metal arc welding (SMAW) with low-hydrogen electrodes in accordance with the requirements of the Code shall be used to fill the pockets, and the weld surface shall be ground flush.
- b. In compression areas of members, if stud failures are confined to shanks or fusion zones of studs, a new stud may be welded adjacent to each unacceptable area in lieu of repair and replacement on the existing weld area (see Section 7.4.3 of the Code). If base metal is pulled out during stud removal, the repair provisions shall be the same as for tension areas.
- c. Where a replacement stud is to be provided, the base metal repair shall be made prior to welding the replacement stud.
- d. Replacement studs (other than threaded type which should be torque tested) shall be tested by bending to an angle of approximately 15 degrees from their original axis.
- e. The areas of components shall be made smooth and flush where a stud has been removed.

E. Inspection Requirements

1. If visual inspection reveals any stud that does not show a full 360° flash or any stud that has been repaired by welding, such stud shall be bent to an angle of approximately 15° from its original axis.
2. The method of bending shall be in accordance with Section 7.7.1.4 of the Code. The direction of bending for studs with less than a 360-degree flash shall be opposite to the missing portion of the flash.
3. The inspector, where conditions warrant, may select a reasonable number of additional studs to be subjected to the tests specified in Section 7.8.1 of the Code.
4. The bent stud shear connectors (Type B) and other studs to be embedded in concrete (Type A) that show no sign of failure shall be acceptable for use and left in the bent position. All bending and straightening, when required, shall be done without heating before completion of the production stud welding operation.
5. If, in the judgment of the Engineer, studs welded during the progress of the work are not in accordance with the specifications, as indicated by inspection and testing, corrective action shall be required by the contractor at the contractor's expense. The contractor shall make the set-up changes

necessary to insure that studs subsequently welded will meet specification requirements.

6. At the option and the expense of the owner, the contractor may be required, at any time, to submit studs of the types used under the contract for a qualification check in accordance with the procedures of Annex E of the Code.

IV. METHOD OF MEASUREMENT

Stud Shear Connector: The stud shear connectors will be measured by the number of stud shear connectors furnished and installed.

V. BASIS OF PAYMENT

Stud Shear Connector: Stud shear connectors will be paid for at the contract unit price per each. All costs involved in furnishing, installing, and quality control testing of stud shear connectors, including any incidental items such as repair welding and non-destructive testing shall be included in the unit price bid for stud shear connector.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
PORTLAND CEMENT**

DECEMBER 3, 2020

Section 750 – Page 519 – Delete and replace with the following:

750 PORTLAND CEMENT

Unless otherwise permitted by the Engineer, the product of only one mill of any one brand and type of Portland cement will be used on the project.

The specifications may reference a specific cement type for a construction application. When a cement type is specified, the cement type referenced is applicable to Section 750 A; however, the Contractor may use any of the following cements:

- A. Portland Cement:** Portland cement will conform to AASHTO M 85 for the type specified. All cements will not have more than 0.60% of Alkalies ($\text{Na}_2\text{O} + 0.658\text{K}_2\text{O}$).
- B. Portland Limestone Cement (PLC):** Portland limestone cement will conform to AASHTO M 240 Type IL. When Type II cement is specified, the cement will meet MS requirements of AASHTO M 240. When Type V cement is specified, the cement will meet HS requirements of AASHTO M 240. The Contractor will submit ASTM C1012 test results from within the last 12 months to the Engineer prior to using Portland limestone cement.
- C. Portland-Pozzolan Cement:** Portland-pozzolan cement will conform to AASHTO M 240 Type IP. When Type II cement is specified, the cement will meet MS requirements of AASHTO M 240. When Type V cement is specified, the cement will meet HS requirements of AASHTO M 240. The Contractor will submit ASTM C1012 test results from within the last 12 months to the Engineer prior to using Portland-Pozzolan cement.

Fly ash used in the cement manufacturing will meet the requirements of Section 753. The fly ash content will meet the fly ash percent specified. Fly ash may not be substituted for a portion of the Portland-pozzolan cement during concrete production. If a different pozzolan is used in the cement manufacturing, the Portland-pozzolan cement will meet equivalent

performance of historical fly ash percent specified mixes, as determined and reviewed by the Department's Concrete Engineer.

D. Ternary Blended Cement: Ternary blended cement will conform to AASHTO M 240 Type IT. When Type II cement is specified, the cement will meet MS requirements of AASHTO M 240. When Type V cement is specified, the cement will meet HS requirements of AASHTO M 240. The Contractor will submit ASTM C1012 test results from within the last 12 months to the Engineer prior to using ternary blended cement.

The ternary blended cement will meet the equivalent performance of historical fly ash percent specified mixes, as determined and reviewed by the Department's Concrete Engineer.

Fly ash may not be substituted for a portion of the ternary blended cement during concrete production.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
PREQUALIFICATION OF BIDDERS**

OCTOBER 16, 2020

Delete Section 2.1 and replace with the following:

2.1 PREQUALIFICATION OF BIDDERS - Prequalification on state highway construction contracts is required unless the amount being bid is less than \$250,000.

A prospective bidder must be prequalified prior to the time and date specified for bid opening. A prospective bidder may apply for prequalification by completing and executing a Contractor's prequalification statement on a form approved by the Department. This application must be received by the Department's classification and rating committee at least 14 calendar days before the opening of the prospective bidder's bid, unless a shorter time frame is approved by the committee.

Once prequalified, the Department will issue a notice to the prospective bidder stating the prospective bidder's approved work classification or work classifications, the prospective bidder's overall bidding capacity, the prospective bidder's per contract bidding capacity, and the prospective bidder's expiration date for prequalification status.

The complete prequalification requirements are contained in South Dakota Administrative Rule 70:07.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
RESTRICTION OF BOYCOTT OF ISRAEL**

JANUARY 31, 2020

In accordance with the State of South Dakota Office of the Governor Executive Order 2020-01 the following will apply to all contracts unless the amount being bid is less than \$100,000:

By submitting a bid proposal for this contract, the bidder certifies and agrees the following information is correct for the bidder and all subcontractors (all tiers) and suppliers with five (5) or more employees:

The bidder, in preparing the bid proposal or in considering proposals submitted from qualified potential suppliers and subcontractors, or in the solicitation, selection, or commercial treatment of any supplier or subcontractor; has not refused to transact business activities, has not terminated business activities, and has not taken other similar actions intended to limit its commercial relations, related to the subject matter of the bid proposal, with a person or entity on the basis of Israeli national origin, or residence or incorporation in Israel or its territories, with the specific intent to accomplish a boycott or divestment of Israel in a discriminatory manner. It is understood and agreed that, if this certification is false, such false certification will constitute grounds for the Department to reject the bid proposal submitted by the bidder on this contract and terminate any contract awarded based on the bid. The bidder agrees to provide immediate written notice to the Department if, during the term of the contract awarded to the bidder, the bidder no longer complies with this certification. The bidder further agrees such noncompliance may be grounds for contract termination.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
CONTRACTOR ADMINISTERED PRECONSTRUCTION MEETING**

DECEMBER 18, 2019

I. DESCRIPTION

This work consists of the Contractor scheduling and conducting a preconstruction meeting prior to beginning work on this contract. Additionally, this work consists of the Contractor providing the Area Engineer a completed list of required submittals.

II. MATERIALS (Not Specified)

III. CONSTRUCTION REQUIREMENTS

The Area Engineer will provide the Contractor the Authorization Form for Preconstruction Meeting (Form DOT-270) and the Contractor's Required Submittals Form (Form DOT-272) after the date of the Notice of Award and no later than 10 business days after the date of the Notice to Proceed.

The Contractor's authorized representative as indicated on the Signature Authorization Form (Form DOT-209) will complete, in its entirety, the first page of the Authorization Form for Preconstruction Meeting and will initial each proceeding section. By initialing each section, the Contractor is confirming comprehension of each section.

The Contractor's Required Submittals Form is a document outlining information required prior to the completion of the project. This list will include two types of submittals; 1) information required before scheduling a preconstruction meeting and 2) information required before the Contractor begins related work. The Department reserves the right to request additional information not included in the original list of required submittals. The list of required submittals will include, but is not limited to, proposed sequence changes, shop drawings, permits, certifications, mix designs, labor compliance, equal employment opportunity, and disadvantaged business enterprise documents. The Area Engineer will update the Contractor's Required Submittals Form with any project specific requirements and cross out or delete those that do not apply prior to providing the document to the Contractor.

Prior to scheduling the preconstruction meeting, the Contractor will complete and provide the Area Engineer all items on the list of required submittals that are

required as described in 1) above. If the Contractor cannot complete and provide a submittal item required prior to scheduling the preconstruction meeting, the Contractor will contact the Area Engineer to establish a mutually agreed upon date when the required submittal will be completed and provided to the Area office.

The Contractor will not begin work on an item until the Contractor has provided the Area Engineer with all required information for the applicable work item and the appropriate office has approved the information, if necessary. The Contractor will make every reasonable effort to deliver the required submittals at the earliest possible time.

When the Contractor has provided the Area Engineer all required submittals, except those mutually agreed upon to be provided at a later date or dates, the Contractor will schedule a preconstruction meeting with the Area Engineer.

Within 2 business days following the Contractor scheduling the preconstruction meeting, the Area Engineer will prepare and send the Contractor a meeting confirmation and the Preconstruction Meeting Outline (Form DOT-271).

The Area Engineer will edit and amend the Preconstruction Meeting Outline, as necessary, to meet the specific needs of the project. The Area Engineer will complete the project information and the Department information prior to furnishing the form to the Contractor.

The Contractor will complete the Contractor's portion of the Preconstruction Meeting Outline and will add additional discussion items as needed. The Contractor will send the meeting notice and final Preconstruction Meeting Outline to the Area Engineer, all subcontractors, utility companies, railroad companies (if applicable), and all suppliers at least 5 business days prior to the preconstruction meeting.

The Area Engineer will send the notice of the meeting and the final Preconstruction Meeting Outline of discussion items to any other government entities and other principle stakeholders involved in the project at least 3 business days prior to the preconstruction meeting.

At the discretion of the Area Engineer, the preconstruction meeting may be held in person, videoconference, or over the phone. The Contractor's competent superintendent who will be working on this project, as required by Section 5.5, or the Contractors Project Manager, as required by the Special Provision for Cooperation by Contractor and Department (if applicable), is required to attend the preconstruction meeting.

The Contractor will lead the meeting discussion as described in the Preconstruction Meeting Outline. The Area Engineer will prepare the meeting minutes including any unresolved items and distribute the minutes to all attendees

and principle stakeholders within 5 business days following the preconstruction meeting.

IV. METHOD OF MEASUREMENT

The Department will not make a separate measurement for the preconstruction meeting.

V. BASIS OF PAYMENT

The Department will not make a separate payment for the preconstruction meeting. All costs associated with the preconstruction meeting will be incidental to other contract items.

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FUEL ADJUSTMENT AFFIDAVIT

Project Number _____
PCN _____
County _____

For project let using the SDEBS) and in accordance with Section 9.12, the bidder is not required to notify the Department at the time of submitting bids whether the Contractor will or will not participate in the fuel cost adjustment program. Prior to execution of the contract, the successful bidder must submit this completed form to the Department for approval. The Fuel Adjustment Affidavit shall include the anticipated fuel cost of subcontractors.

Does your company elect to participate in a fuel adjustment for this contract for the fuels that do not have a fixed price? No adjustments in fuel prices will be made if "No" is checked.

Yes No

If yes, provide the total dollars for each of the applicable fuels. No adjustments in fuel price will be made for the fuel types that are left blank or completed with a \$0.00 value.

Diesel (x) \$ _____

Unleaded (y) \$ _____

Burner Fuel (z) \$ _____ Type of Burner Fuel Used: _____

Sum (x + y + z) = \$ _____

Note: The sum of the x, y, and z may not exceed 15% of the original contract amount.

The following must be completed regardless of whether the Contractor elects to participate in the fuel adjustment affidavit

Under the penalty of law for perjury or falsification, the undersigned, _____,
(Printed Name)
_____ of _____,
(Title) *(Contractor)*

hereby certifies that the documentation is submitted in good faith, that the information provided is accurate and complete to the best of their knowledge and belief, and that the monetary amount identified accurately reflects the cost for fuel, and that they are duly authorized to certify the above documentation on behalf of the company.

I hereby agree that the Department or its authorized representative shall have the right to examine and copy all Contractor records, documents, work sheets, bid sheets, and other data pertinent to the justification of the fuel costs shown above.

Dated _____ Signature _____

Notarization is required only when the Contractor elects to participate in the fuel adjustment affidavit

Subscribed and sworn before me this _____ day of _____, 20____.

Notary Public

My Commission Expires

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**STANDARD TITLE VI / NONDISCRIMINATION ASSURANCES
APPENDIX A & E**

MARCH 1, 2016

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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will 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 will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, 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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or

is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

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

Pertinent Non-Discrimination Authorities:

- 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 Non-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).

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION FOR
IMPLEMENTATION OF CLEAN AIR ACT
AND
FEDERAL WATER POLLUTION CONTROL ACT**

SEPTEMBER 1, 1997

By signing this bid, the bidder will be deemed to have stipulated as follows:

- a) That any facility to be utilized in the performance of this contract, unless such contract is exempt under the Clean Air Act, as amended (42 U.S.C. 1857 et seq., as amended by Pub. L. 91-604), and under the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq., as amended by Pub. L. 92-500), Executive Order 11738, and regulations in implementation thereof (40 CFR, Part 15), is not listed on the U.S. Environmental Protection Agency (EPA) List of Violating Facilities pursuant to 40 CFR 15.20.
- b) That the State Transportation Department shall be promptly notified prior to contract award of the receipt by the bidder of any communication from the Director, Office of Federal Activities, EPA, indicating that a facility to be utilized for the contract is under consideration to be listed on the EPA List of Violating Facilities.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION REGARDING
MINIMUM WAGE ON STATE FUNDED PROJECTS**

OCTOBER 24, 2019

This proposal contains a copy of the most recent United States Department of Labor (USDOL) Davis-Bacon Act Wage Decision, adopted by the South Dakota Transportation Commission.

If the amount of this contract, as awarded, is \$100,000.00 or more, the following wage provisions will apply:

1. The Contractor and each related subcontractor will pay all laborers and mechanics working at the site of work unconditionally and not less than once a week, and without subsequent deduction or rebate of any account, other than permitted payroll deductions. The Contractor and each related subcontractor must compute the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at the time of payment at rates not less than those rates contained in the USDOL Davis-Bacon Act Wage Decision.
2. The Contractor and each related subcontractor will pay their respective employees not less than the USDOL minimum wage for each work classification an employee actually performs at the site of the work.
3. The Contractor and each related subcontractor must submit weekly, for each week in which any contract work is performed, an electronic certified weekly payroll report. The payroll report must be submitted electronically to the Elation System website. The Elation System website can be accessed by logging onto the State of South Dakota's single sign-on website at <https://mysd.sd.gov/> or can also be accessed at <https://elationsys.com/>. First time users will need to use the Promotion Code SDDOT-19. The payroll report must be submitted within fourteen (14) calendar days after the end of the workweek. The payroll reports submitted shall set out accurately and completely all the information required to be maintained under 29 C.F.R. 5.5(a)(3)(i). Weekly transmittals must include an individually identifying number for each employee, such as the last four digits of the employee's social security number, but these weekly transmittals must not include full social security numbers or home addresses. The Contractor is responsible for the submission of certified payroll reports by all subcontractors.
4. Each certified weekly payroll report must include the most recent South Dakota Department of Transportation (SDDOT) Statement of Compliance Form, signed by

the Contractor or related subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract. The Instructions for the SDDOT Statement of Compliance Form are found at <https://dot.sd.gov/doing-business/contractors/labor-compliance/certified-payrolls-let-after-6/5/19>. The SDDOT will not accept any payroll report which does not include the most recent SDDOT Statement of Compliance Form.

5. The Contractor and each related subcontractor will maintain payrolls and basic records relating thereto during the course of the work and preserve these records for a period of three (3) years from the date of completion of the contract for all laborers, mechanics, apprentices, trainees, watchmen, and guards working at the site of the work. These records must contain the name, address, social security number of each such worker, his or her correct work classification, and hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof). The Contractor and each related subcontractor will make these records available for inspection, copying, or transcription by the Labor Compliance Officer (LCO) and will permit the LCO to interview employees during working hours on the site of the work.
6. The SDDOT will upon its own action, or upon written request of an authorized representative of the USDOL, withhold, or cause to be withheld, from the Contractor or related subcontractor under this contract, or any other contract with the same prime Contractor, as much of the accrued payments, advances, or guarantee of funds as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers employed by the Contractor or any related subcontractor, the full amount of wages required by the contract. In the event the Contractor fails to pay any laborer or mechanic, including any apprentice, trainee, or helper employed or working on the site of the work, all or part of the wages required by the contract, the LCO may, after written notice to the Contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds under this contract or any other contract with the same prime Contractor until such violations have ceased.

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**Wage and Hour Division
U.S. Department of Labor (DOL)
200 Constitution Avenue, N.W.
Washington, DC 20210**

Davis-Bacon Act Wage Decisions

State: South Dakota

Construction Types: Heavy and Highway

Counties: South Dakota Statewide

General Decision Number: SD180001 Mod-1 04/06/2018 SD1

Agency: U.S. DOL
Wage Decision Number: SD180001 SD1
Counties: SD Statewide
Wage Decision Date: 04/06/2018 (Mod-1)

*SUSD2018-001 03-20-2018

LABORERS

GROUP GL1

Air Tool Operator; Common Laborer; Landscape Worker; Flagger; Pilot Car Driver;
Trucks under 26,000 GVW; Blue-top Checker; Materials Checker

GROUP GL2

Mechanic Tender (Helper); Pipe Layer (except culvert); Form Builder Tender;
Special Surface Finish Applicator; Striping

GROUP GL3

Asphalt Plant Tender; Pile Driver Leadsman; Form Setter; Oiler/Greaser

GROUP GL5

Carpenter; Form Builder

GROUP GL6

Concrete Finisher; Painter; Grade Checker

POWER EQUIPMENT OPERATORS

GROUP G01

Concrete Paving Cure Machine; Concrete Paving Joint Sealer; Conveyor; Tractor (farm type with
attachments); Self Propelled Broom; Concrete Routing Machine; Paver Feeder; Pugmill; Skid Steer

GROUP G02

Bull Dozer 80 HP or less; Front End Loader 1.25 CY or less; Self-Propelled Roller (except Hot Mix);
Sheepsfoot/50Ton Pneumatic Roller; Pneumatic Tired Tractor or Crawler (includes Water Wagon and
Power Spray units); Wagon Drill; Air Trac; Truck Type Auger; Concrete Paving Saw

GROUP G03

Asphalt Distributor; Bull Dozer over 80 HP; Concrete Paving Finishing Machine; Backhoes/ Excavators
20 tons or less; Crusher (may include internal screening plant); Front End Loader over 1.25 CY;
Rough Motor Grader; Self Propelled Hot Mix Roller; Push Tractor; Euclid or Dumpster; Material Spreader;
Rumble Strip Machine

GROUP G04

Asphalt Paving Machine Screed; Asphalt Paving Machine; Cranes/Derricks/Draglines/Pile Drivers/Shovels
30 to 50 tons; Backhoes/Excavators 21 to 40 tons; Maintenance Mechanic; Scrapers; Concrete Pump Truck

GROUP G05

Asphalt Plant; Concrete Batch Plant; Backhoes/Excavators over 40 Tons; Cranes/ Derricks/Draglines/Pile
Drivers/Shovels over 50 tons; Heavy Duty Mechanic; Finish Motor Grader; Automatic Fine Grader;
Milling Machine; Bridge Welder

TRUCK DRIVERS

GROUP GT1

Tandem Truck without trailer or pup; Single Axle Truck over 26,000 GVW with Trailer

GROUP GT2

Semi-Tractor and Trailer; Tandem Truck with Pup

ELECTRICIANS

GROUP E01

Electrician

<u>Rates</u>	<u>Fringes</u>
18.86	0.00
17.51	0.00
18.95	0.00
27.96	0.00
21.41	0.00
20.62	0.00
20.66	0.00
22.02	0.00
23.79	0.00
24.77	0.00
21.46	0.00
21.66	4.22
26.42	3.85

WELDERS – Receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor contract clauses (29 CFR 5.5(a)(1)(ii)). Contractors are responsible for requesting SDDOT to secure necessary additional work classifications and rates.

*Classifications listed under an "SU" identifier were derived from survey data and the published rate is the weighted average rate based on all rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Survey wage rates are not updated and will remain in effect until a new survey is conducted.

A COPY OF THIS DOCUMENT, COLORED PURPLE, MUST BE CONSPICUOUSLY POSTED AT THE PROJECT SITE

Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

Davis-Bacon Act Wage Decisions

State: South Dakota

Construction Types: Heavy and Highway

Counties: South Dakota Statewide

General Decision Number: SD180001 Mod-1 04/06/2018 SD1

In the listing above, the "SU" identifier indicates the rates were derived from survey data. As these weighted average rates include all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of the survey on which these classifications and rates are based. The next number, 007 in this example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

For SDDOT Defined Work Classifications, please visit: https://dot.sd.gov/doing-business/contractors/labor-compliance/defined-work-classifications-wage-requirements

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- an existing published wage determination
• a survey underlying a wage determination
• a Wage and Hour Division letter setting forth a position on a wage determination matter
• a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
SUPPLEMENTAL SPECIFICATIONS TO
2015 STANDARD SPECIFICATIONS FOR ROADS AND BRIDGES**

NOVEMBER 20, 2019

The Supplemental Specifications dated November 20, 2019 are in effect for and made a part of this contract.

The Supplemental Specifications may be obtained from the Department website or the local Area Office or by contacting the Operations Support Office.

Department Website:

<https://dot.sd.gov/doing-business/contractors/standard-specifications/2015-standard-specifications>

Operations Support:

605-773-3571

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
SUPPLEMENTAL SPECIFICATIONS FOR
ERRATA
TO 2015 STANDARD SPECIFICATIONS FOR ROADS AND BRIDGES**

NOVEMBER 20, 2019

The Supplemental Specifications for Errata dated November 20, 2019 are in effect for and made a part of this contract.

The Supplemental Specifications for Errata may be obtained from the Department website or the local Area Office or by contacting the Operations Support Office.

Department Website:

<https://dot.sd.gov/doing-business/contractors/standard-specifications/2015-standard-specifications>

Operations Support:

605-773-3571

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
PRICE SCHEDULE FOR MISCELLANEOUS ITEMS**

OCTOBER 7, 2020

The following unit bid prices have been established by the South Dakota Department of Transportation Commission.

These prices will be pre-entered in the bidding package for each project or will establish a standard price to be used whenever no project contract unit price exists for that item.

Each unit price listed is considered full compensation for the cost of labor, material, and equipment to provide the item of work and/or material, complete in place, including (but not limited to) royalty, waste of unsuitable materials, equipment rental, overhead, profit, and incidentals.

Items specified in this document may be paid for on progressive estimates without the benefit of a prior approved Construction Change Order.

Specification Section Number	Specification Section Name	Item Name	Price per Item
5.8	Construction Stakes, Lines, and Grades	Engineer Directed Surveying/Staking	\$150.00/hour
7.7	Public Convenience and Safety	Water for Dust Control	\$25.00/M.Gal
9.3	Payment for extra haul of Materials	Extra Haul	\$0.20/ton mile (Truck) or \$0.08/ cubic yard station (Scraper)
120.5 A.5.	Roadway and Drainage Exc. & Emb.	Unclassified Excavation, Digouts	\$11.00/cu.yd.
120.5 H.	Roadway and Drainage Exc. & Emb.	Extra Haul	\$0.20 /ton mile (Truck) or \$0.08 /cubic yard station (Scraper)
120.5 I.	Roadway and Drainage Exc. & Emb.	Water for Embankment	\$25.00/M.Gal
421.5	Undercutting Pipe & Plate Pipe	Undercutting Culverts	\$15.00/cu.yd.

510.5 D.	Timber, Prestressed, and Steel Piles	Timber Pile Splice	\$750.00/each
		Steel Pile Splices (*All Weights)	Splice made before either of the pieces has been driven.
		8 HP*	\$150.00/each
		10 HP*	\$175.00/each
		12 HP*	\$200.00/each
		14 HP*	\$225.00/each
		Steel Pile Splices (*All Weights)	Splice made after one of the pieces has been driven.
		8 HP*	\$325.00/each
		10 HP*	\$425.00/each
		12 HP*	\$525.00/each
		14 HP*	\$600.00/each
510.5 E.	Timber, Prestressed, and Steel Piles	Pile Shoes (Timber Pile)	\$150.00/each
510.5 H.	Timber, Prestressed, and Steel Piles	Pile Tip Reinforcement (Steel Pile)	
		10" HP Tip Reinforced	\$160.00/each
		12" HP Tip Reinforced	\$185.00/each
		14" HP Tip Reinforced	\$225.00/each
601.5	Haul Roads	Granular Material	\$20.00/ton
601.5	Haul Roads	Asphalt Concrete (including asphalt)	\$120.00/ton
601.5	Haul Roads	Cover Aggregate	\$45.00/ton
601.5	Haul Roads	Asphalt for Prime	\$925.00/ton
601.5	Haul Roads	Asphalt (Tack, Flush & Surface Treatment)	\$600.00/ton
601.5	Haul Roads	Water	\$25.00/M.Gal
601.5	Haul Roads	Dust Control Chlorides	\$0.45/lb
634.5	Temporary Traffic Control	Flagging	\$30.37/hour
634.5	Temporary Traffic Control	Pilot Car	\$43.87/hour

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