

SPECIFICATIONS:

1. The Contractor does hereby agree to furnish the necessary equipment, materials and labor to control the growth of declared noxious weeds within the right-of-way of state highway routes as shown on the attached map (Exhibit A). The Contractor will be required to drive and inspect all routes or as approved by the engineer.
2. The spraying will consist of spot treatments and be accomplished by using the typical herbicides and applicable rates recommended on the attached rate guide (Exhibit B). If an herbicide is needed that is not on this contract, the type and price will be negotiated and added by Change Order, prior to the use of the herbicide. The contractor may substitute other common industry herbicides which meet or exceed those listed in the bid item list, as approved by the engineer, prior to use. The contractor will submit his intended list of herbicides to the Area Engineer 3 weeks prior to commencing work or at the preconstruction meeting for approval. The cost of using surfactants will be incidental to the various bid items and no separate payment will be made.
3. The Contractor agrees to indemnify, save and hold harmless, the Department and all its employees and agents, from any and all claims, demands, actions or causes of action of whatsoever nature or character arising out of or by reasons of, the execution or performance of the work provided for under this contract whether or not the Contractor is itself negligent or otherwise culpable, and further agrees to defend at its own sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever nature or character arising under this contract whether or not the Contractor is itself negligent or otherwise culpable. This section does not require the Contractor to be responsible for or defend against claims or damages arising solely from acts or omissions of the State, its officers or employees.
4. The spraying will be accomplished by personnel properly licensed by the South Dakota Department of Agriculture. A copy of the license(s) will be presented to the Area Engineer prior to proceeding. Lower Brule Sioux Tribe and the Rosebud Sioux Tribe is within the project limits. A Federal Permit will be obtained to allow spraying on Reservation Land. This can be obtained at: <https://www.epa.gov/pesticide-applicator-certification-indian-country>
5. The Contractor will not stop their vehicles on the roadway, driving lanes, or shoulders on the Interstate highway system.
6. All Contractor spraying vehicles will be equipped with a flashing amber warning light which will be in operation while spraying highway right of way. The Contractor may not use the interstate maintenance crossovers at any time.
7. The Maintenance Supervisor will advise the Contractor a minimum of 48 hours in advance of areas and routes to be sprayed. Herbicide application will be in accordance with Exhibit B.

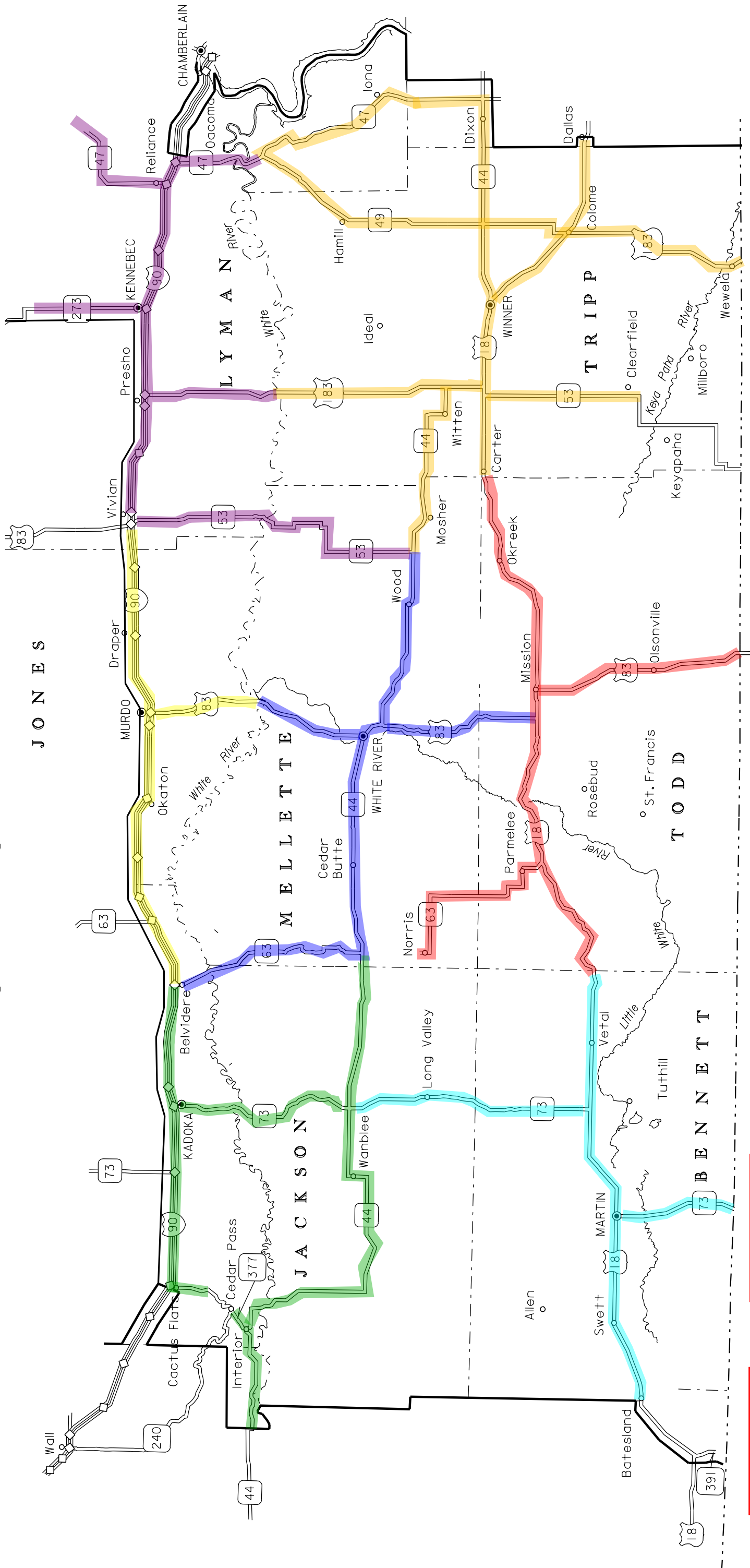
8. The Contractor will complete the attached daily form (DOT-820) "Contract Daily Herbicide Application Record" (Exhibit C) furnished by the Department after the completion of a specific route and each day of spraying. The amount of herbicide applied will be recorded to the nearest ounce. The Contractor will provide the Area Engineer with a completed copy of the daily form (DOT-820) within one week after completing the spraying. Failure to submit the DOT 820 in a timely manner may result in a price adjustment for the contract.
9. The Contract work will not exceed the total dollar amount shown on this contract without prior approval by the Department of Transportation.
11. The Contractor will be responsible for any tribal licensing fees.
12. The herbicides selected for use will dictate frequency and timing of application. If several applications are required per growing season, the Maintenance Supervisor will specify the beginning date and ending date. For herbicides requiring a single application, the applications will be made in accordance with the label for the product.
13. The Contractor will supply visible proof to the Maintenance Supervisor that the spraying operations are performing effectively by killing weeds. Failure to supply visible proof will result in non-payment of work performed. Marker Dye will be added to the spraying solution and be paid for under its respective bid item by the ounce.
14. The bid item "Equipment Truck/Sprayer" will account for the combined rate of all equipment used for applying the herbicides. Separate payment for standby equipment will not be made. Equipment hours will not exceed the daily total reported labor hours on the DOT-820.
15. Failure to comply with any of these requirements will result in non-payment for work performed.

Conversion Chart

| Unit of Measure | Equivalent | Ounces |
|-----------------|------------|------------|
| 4 Quarts | 1 Gallon | 128 ounces |
| 2 Pints | 1 Quart | 32 ounces |
| 1 Pint | 2 Cups | 16 ounces |
| 1 Cup | ~ | 8 ounces |

WINNER AREA MAP

EXHIBIT A - GENERAL MAP

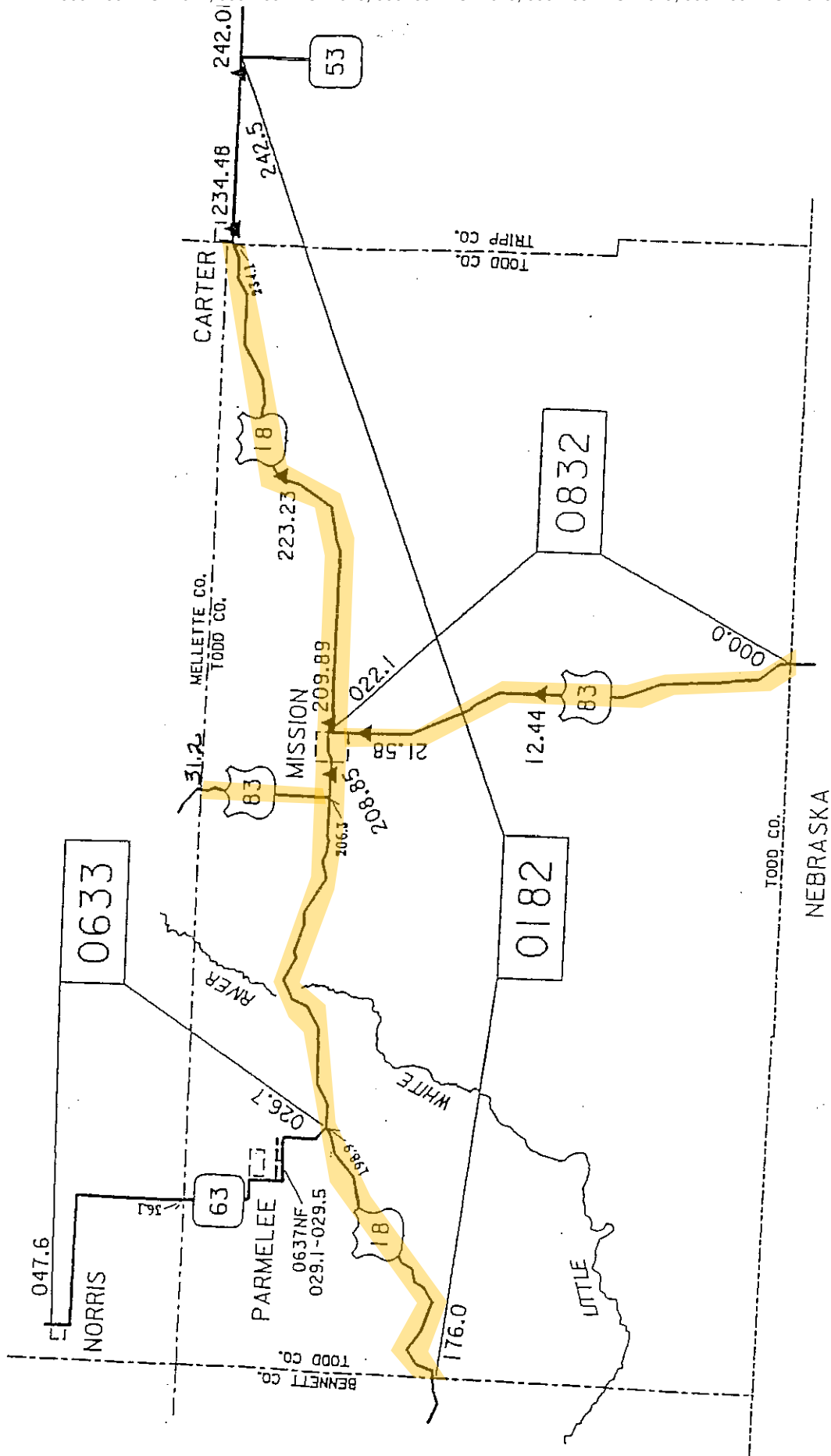


- 397 - WINNER
- 396 - WHITE RIVER
- 393 - MISSION
- 398 - KADOKA
- 394 - MURDO
- 395 - PRESHO
- 399 - MARTIN

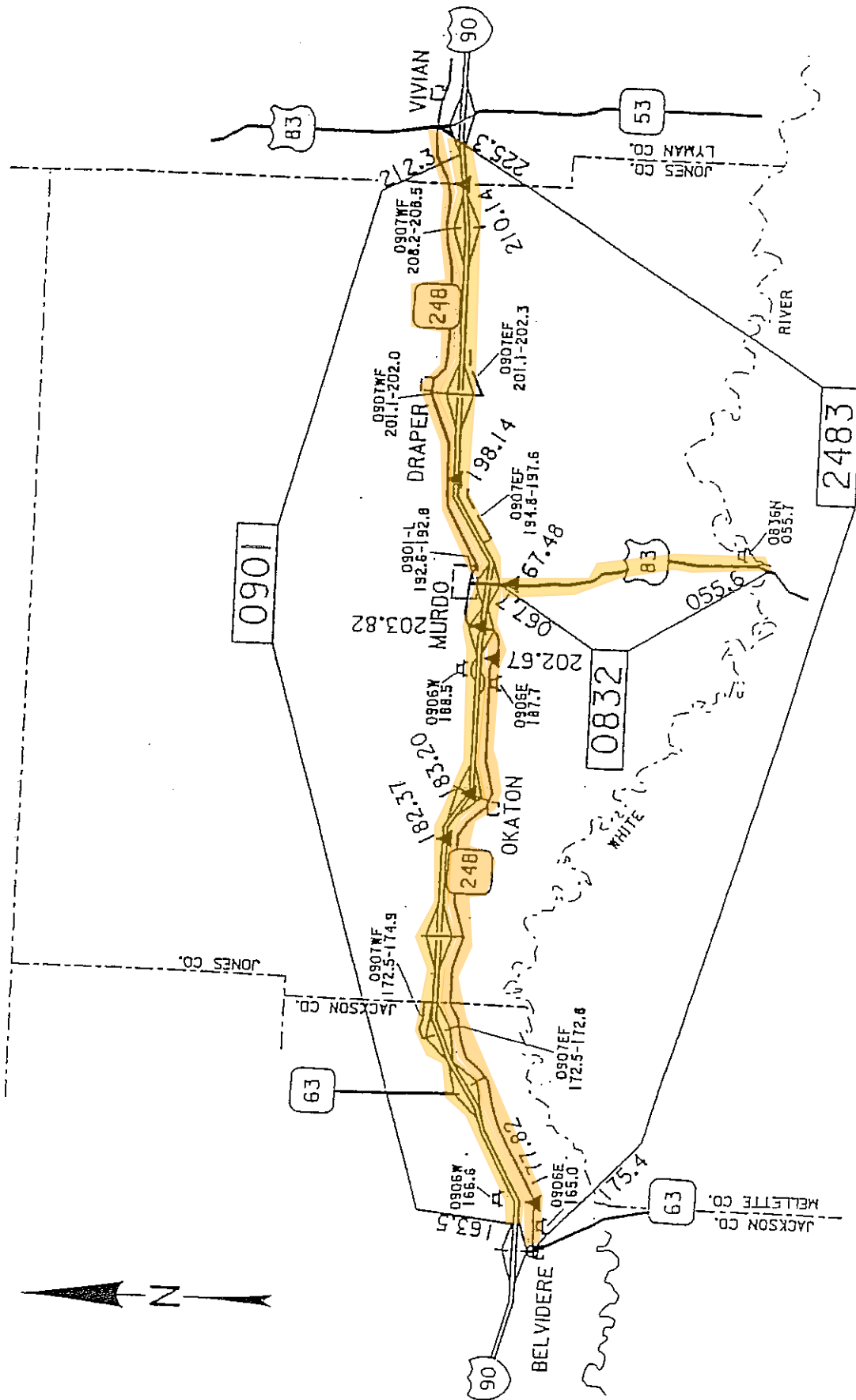
N E B R A S K A

See individual maps for further detail.

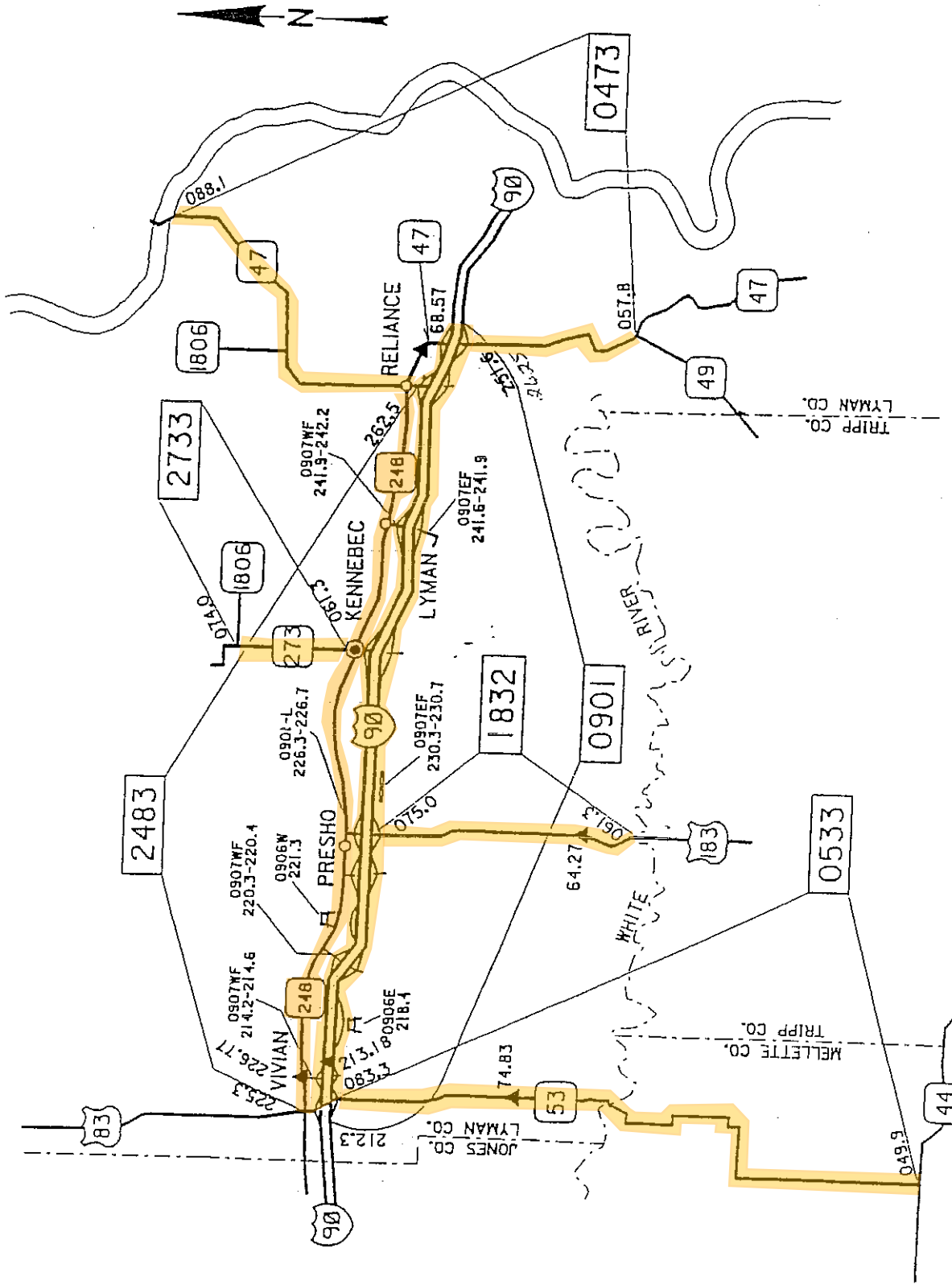
000N-392 PCN i6L7; 000P-392 PCN i6L8; 000I-391 PCN i6L9; 000P-391 PCN i6La; 000N-391 PCN i6Lc



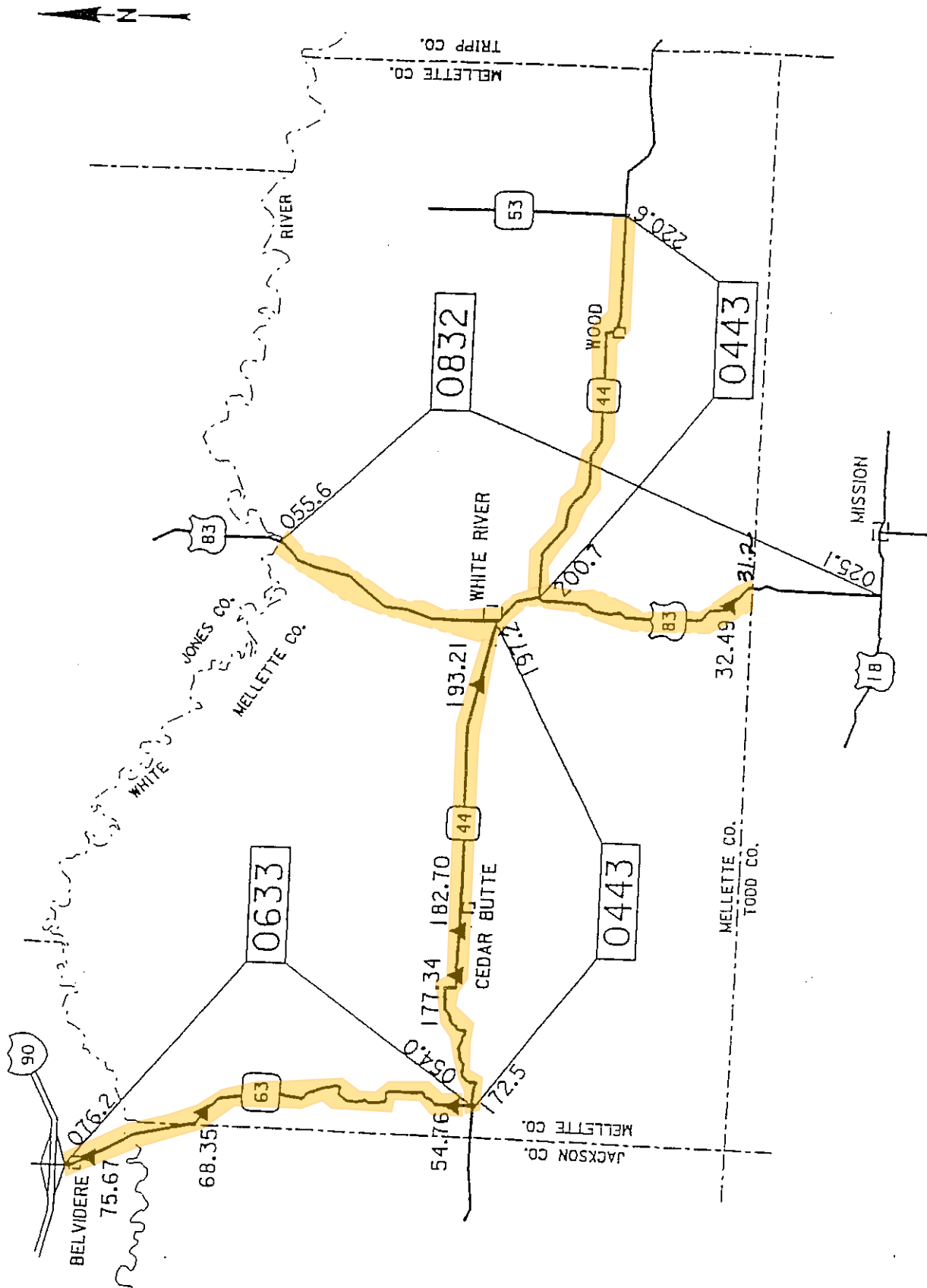
393-MISSION



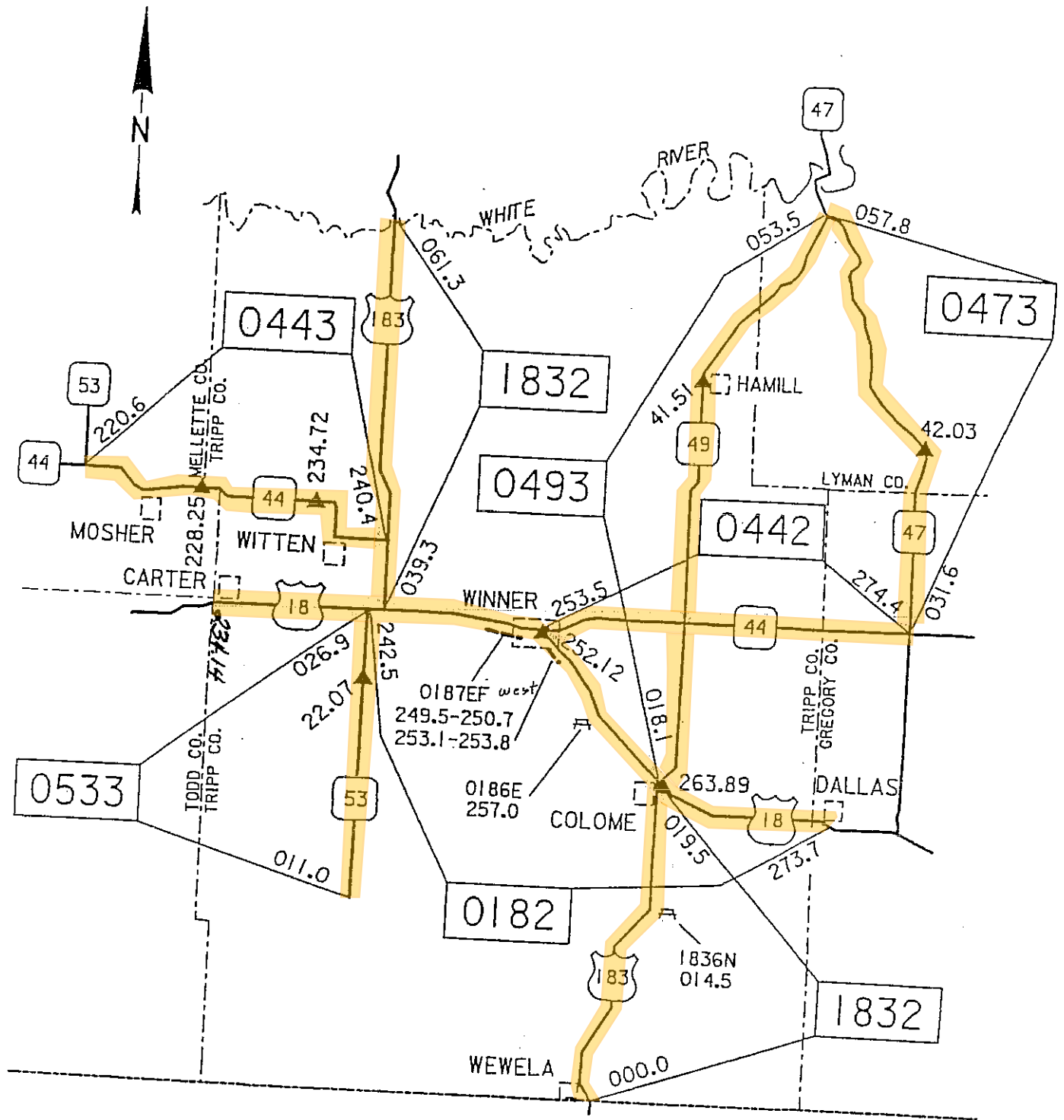
394-MURDO



395-PRESHO

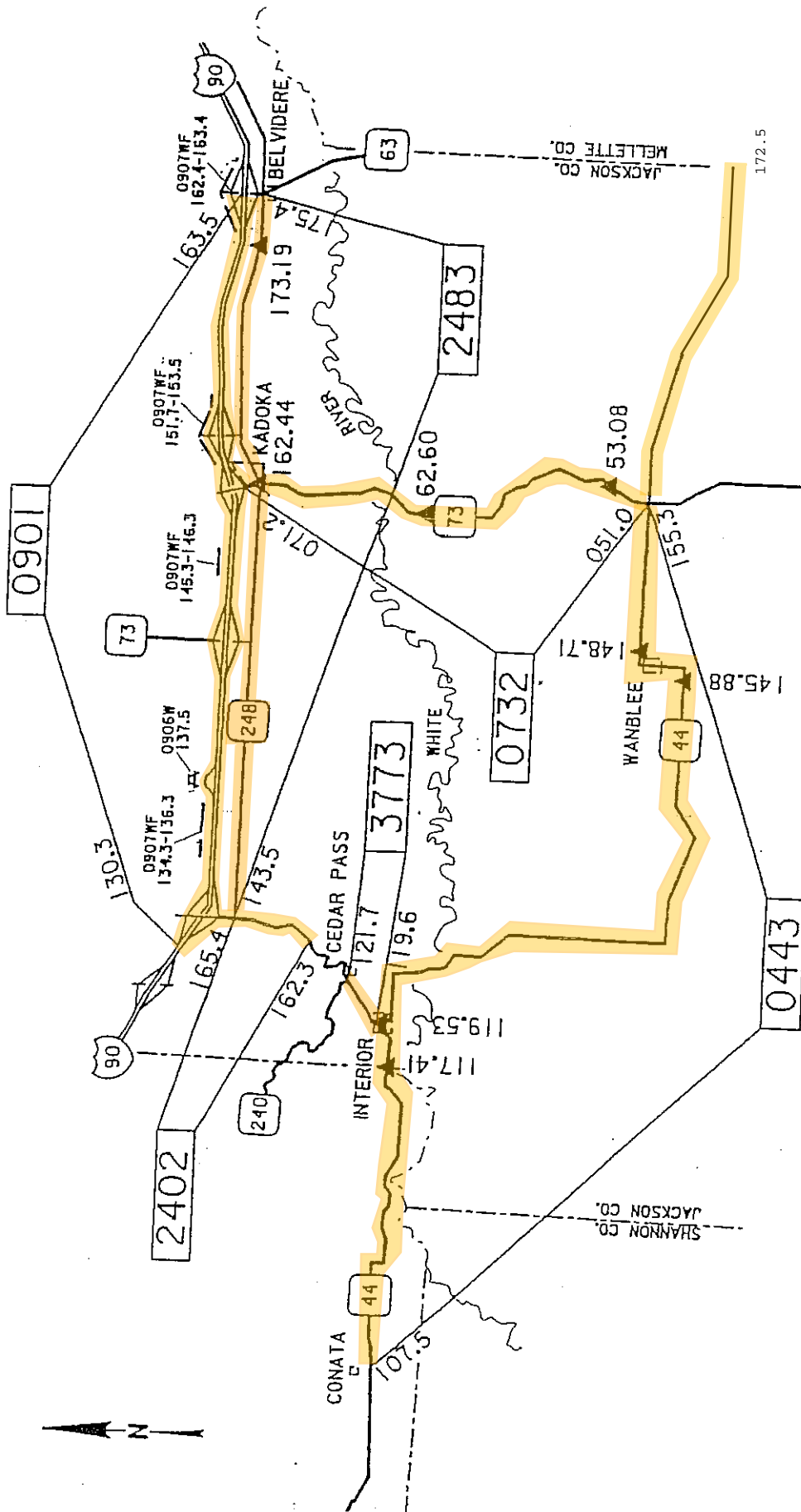


396-WHITE RIVER

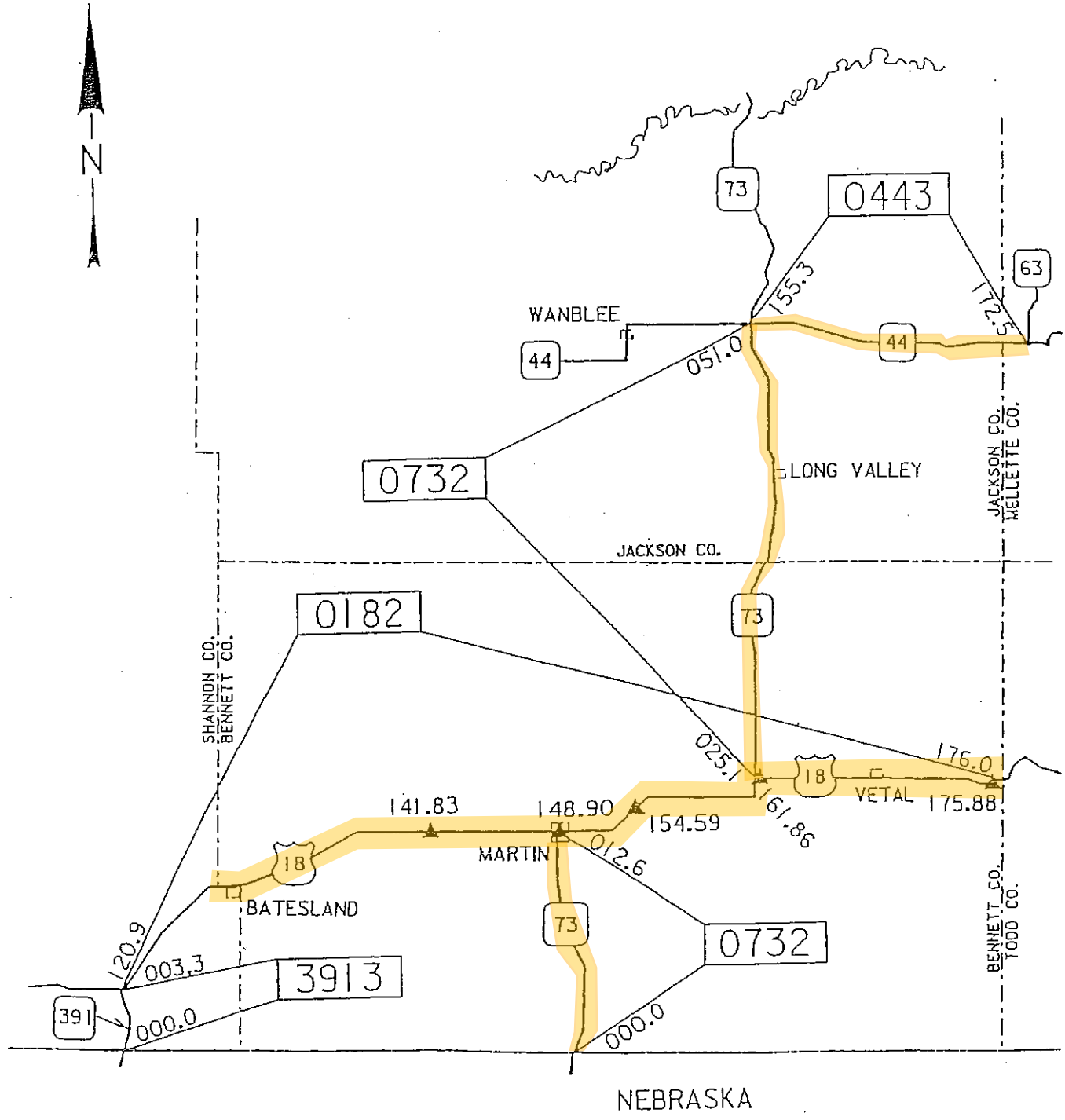


NEBRASKA

397-WINNER



398 - KADOKA



399 - MARTIN

**HERBICIDE RECOMMENDATIONS FOR NOXIOUS WEEDS IN
 NON-CROPLAND & HIGHWAY RIGHTS-OF-WAY**

RATES SHOWN ARE RECOMMENDATIONS OF SDSU EXTENSION SERVICE

NOTE:

This information is intended as a guide for selecting herbicide treatments for noxious weed control in certain areas. It includes those herbicides considered for most situations and those generally available. Rates are based on research data available.

READ AND FOLLOW ALL LABEL DIRECTIONS & RESTRICTIONS

**NOXIOUS WEED CONTROL
 HERBICIDE RATE GUIDE**

AMOUNT FOR 1 ACRE

| | LEAFY SPURGE | CANADA & P. SOW THISTLE | FIELD BINDWEED | HOARY CRESS | RUSSIAN KNAP WEED | PURPLE LOOSESTRIFE |
|--------------------------|-----------------|----------------------------|-------------------|--------------------|----------------------|--------------------------|
| Tordon 22K | 2 qt. | 2 qt. | 2 qt. | 2 qt. | 2 qt. | N/A |
| Tordon & 2,4-D** | 3/4 qt & 1qt | 1 pint & 1 qt. | 1 pint & 1 qt. | 3/4 qt. & 1 qt. | 3/4 qt. & 1 qt. | N/A |
| Banvel | N/A | 2 qt. | 2 qt. | N/A | N/A | N/A |
| Banvel & 2,4-D** | N/A | 1 qt. & 1 qt. | 1 qt & 1 qt. | N/A | N/A | N/A |
| 2,4-D** | 1-1/2 qt. | 1 qt. | 1 qt. | 1-1/2 qt. | 1-1/2 qt. | N/A |
| Roundup | N/A | 3 qt. | 4 qt. | N/A | N/A | N/A |
| Rodeo | N/A | N/A | N/A | N/A | N/A | 2 oz/gal (spot spray) |
| Glyphosate 3L Curtail | N/A | 4 pint | N/A | 4 pint | N/A | N/A |

** Based on 4 lb/gal product.

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

DOT 820 Modified - Winner Area

PCN

Rev 02/10

DATE: _____

WEATHER CLOUDY PARTLY CLOUDY MOSTLY SUNNY CLEAR

COUNTY Bennett Jones Lyman Todd
 Gregory Jackson Mellette Tripp

| | START | END |
|------------------|-------|-----|
| TIME | | |
| TEMP - °F | | |
| WIND - Direction | | |
| WIND - Speed | | |

COMMENTS: _____

APPLICATION

| | | | | | |
|----------|-------|----------------------|-----------|----------------------|---|
| LOCATION | HWY# | <input type="text"/> | MRM START | <input type="text"/> | SPRAY <input type="checkbox"/> CONTINUOUS <input type="checkbox"/> SPOT |
| | DITCH | N S E W Median | MRM END | <input type="text"/> | |

| | | | | | |
|----------|----------|-------------|------------|----------------------|----------------------|
| CHEMICAL | TYPE: | 2-4-D Amine | Tordon 22K | <input type="text"/> | <input type="text"/> |
| | BRAND: | | | | |
| | UNIT | Oz | Oz | Oz | Oz |
| | QUANTITY | | | | |

| LABOR | NAME | START | STOP | HOURS |
|-------|------|-------|------|-------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| |
|-------------------------|
| LABOR TOTAL HOURS |
| <input type="text"/> |

| EQUIPMENT | TYPE | START | STOP | HOURS |
|-----------|------|-------|------|-------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| |
|--------------------------|
| EQUIP. TOTAL HOURS |
| <input type="text"/> |

Operator- Applicator _____ D.O.A. License # _____

Address: _____

This form shall be completed in duplicate for each route after completion of your daily herbicide application. One copy is to be kept on file for a period of three (3) years, and the other copy is to be forwarded to the Area Engineer.