



HIGHWAY DEPARTMENT
Eric S. Schmitt, County Engineer
Jerry Stokes, Assistant County Engineer
102 S. Towanda Barnes Road, Bloomington, IL 61705
(309) 663-9445 FAX (309) 662-8038

July 30, 2008

Director of Processing and Information
Illinois Commerce Commission
Transportation Division
527 E Capitol Ave.
Springfield, IL 62701

RECEIVED
JUL 31 2008

Illinois Commerce Commission
RAIL SAFETY SECTION

RE: Order T08-0400

Safety Improvements at the 3700E (TR 570C) highway-rail grade crossing of the Norfolk Southern Railway in Cheney's Grove Road District of McLean County, designated as crossing AAR/DOT 475 005W, milepost 350.90-NL.

Dear Sir/Madam:

Please find enclosed a copy of the Contract Documents for the construction of the approach pavements on the above referenced grade crossing. Also enclosed is a Resolution by the McLean County Board for the award of the project.

Listed below is the contact information for the management of the above mentioned project:

Mr. Paul Bottles
Cheney's Grove Township Commissioner
40096 E 950 N. Road
Saybrook, IL 61770

Office Phone: (309) 475-8111
Mobile Phone: (309) 530-0559
Work Phone: (309) 475-2151

Jerry Stokes
Assistant County Engineer
102 S. Towanda-Barnes Road
Bloomington, IL 61705

Office Phone: (309) 663-9445
Mobile Phone: (309) 275-8119
Fax Number: (309) 662-8038
Email: jerry.stokes@mcleancountyil.gov

Sincerely,

Jerry Stokes, P.E.
Assistant County Engineer

RLS ms

RESOLUTION BY THE COUNTY BOARD OF MCLEAN COUNTY
FOR AWARD OF ONE (1) ROAD DISTRICT MFT CONSTRUCTION PROJECT

WHEREAS, the bids were reviewed by the Transportation Committee of the McLean County Board at their regular meeting on July 8, 2008, for a letting held on June 11, 2008 for one (1) Road District 2008 MFT Construction Section, and,

WHEREAS, the Transportation Committee duly approved the bids on July 8, 2008, now, therefore,

BE IT RESOLVED by the County Board of McLean County that they award the following projects:

2008 MFT MAINTENANCE SECTION:

Rowe Construction Co, a Div of RA Cullinan & Son, Inc, 1523 N Cottage Ave, PO Box 609, Bloomington, IL 61702-0609, was the successful bidder on the following section:

Cheney's Grove RD.. Sec 07-08119-00-SP 3700 East Rd @... \$52,096.80

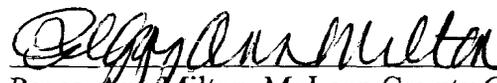
7-22-08
Matt Sorensen, Chairman (date)

STATE OF ILLINOIS]
] SS
COUNTY OF MCLEAN]

I, Peggy Ann Milton, County Clerk in and for said County is the State aforesaid and keeper of the records and files thereof, as provided by statutes, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of McLean County at its monthly meeting held at Bloomington, Illinois on July 22, 2008.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Bloomington, Illinois, in said County this 22nd day of July A.D., 2008.

[SEAL}


Peggy Ann Milton, McLean County Clerk

McLean County Highway Department

June 11, 2008

CHENEY'S GROVE RD

Sec. 07-08119-00-SP

<u>ITEMS</u>	<u>DELIVERY</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>ENGINEERS</u>	<u>ROWE</u>		<u>BENIACH</u>	
					<u>ESTIMATE</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
Furn Exc		Cu Yd	300	\$21.00	\$6,300.00	\$55.10	\$16,530.00	\$60.00	\$18,000.00
Bit Mat'l's Prm Ct (MC-30)		Gal	400	\$7.25	\$2,900.00	\$4.08	\$1,632.00	\$9.00	\$3,600.00
Bit Mat'l's Cover Seal Ct PG 46-28		Gal	1,250	\$4.50	\$5,625.00	\$3.81	\$4,762.50	\$8.00	\$10,000.00
Cover Ct Agg CA-14		Ton	30	\$35.00	\$1,050.00	\$79.46	\$2,383.80	\$205.00	\$6,150.00
Seal Ct Agg CA-15/16		Ton	15	\$35.00	\$525.00	\$65.84	\$987.60	\$205.00	\$3,075.00
Agg Bse Cse, Ty B		Ton	600	\$27.50	\$16,500.00	\$37.73	\$22,638.00	\$65.00	\$39,000.00
RR Insurance		L Sum	1	\$5,000.00	\$5,000.00	\$3,162.90	\$3,162.90	\$5,000.00	\$5,000.00
					<u>\$37,900.00</u>		<u>\$52,096.80</u>		<u>\$84,825.00</u>
							37.46%		123.81%

RETURN WITH BID

PROPOSAL SUBMITTED BY

Rowe Construction Co, a Div of
RA Cullinan & Son, Inc

Contractor's Name

PO Box 609

Street

P.O. Box

Bloomington, IL

61702-0609

City

State

Zip Code

STATE OF ILLINOIS

COUNTY OF McLean

Cheney's Grove Road District

(Insert name of City, Village, Town or Road District)

CONTRACT AND CONTRACT BOND.

(Strike out that which is not applicable)

FOR

THE IMPROVEMENT OF

STREET NAME OR ROUTE NO 3700 East Rd - TR 570C

SECTION NO 07-08119-00-SP

TYPE OF FUNDS Township MFT

TO BE CONSTRUCTED UNDER
THE PROVISIONS OF

THE ILLINOIS HIGHWAY CODE

CONTRACT

BIDDERS NEED NOT RETURN THE ENTIRE PROPOSAL
(Note Instruction 5 of the Notice to Bidders Form)

Submitted

Approved/Passed July 22, 2008

Paul Bottles

Highway Commissioner/Mayor/President of Board of Trustees

APPROVED
DEPARTMENT OF TRANSPORTATION

Date July 22, 2008

For County and Road District Projects Only

Submitted/Approved July 22, 2008

Eric Schmitt

County Engineer/Superintendent of Highways

Agreement of Understanding
Regional Engineer



RETURN WITH BID

Route	<u>3700E/ 570C</u>
County	<u>McLean</u>
Local Agency	<u>Cheney's Grove R.D.</u>
Section	<u>07-08119-00-SP</u>

Time and Place of Opening of Bids

Sealed proposals for the improvement described below will be received at the office of the McLean County Engineer,
102 S. Towanda-Barnes Road, Bloomington, IL 61704

until 10:00 o'clock A M., June 11, 2008 Proposals will be opened and read publicly
(address)
(date)

at 10:00 o'clock A M., June 11, 2008 at the office of the McLean County Engineer,
102 S. Towanda-Barnes Road, Bloomington, IL 61704
(address)

Description of Work

Name 3700E / 570C Length 504.94 feet (0.10 miles)

Location On 3700E, approximately 0.75 mile north of C.H. 36, 300' south and 200' north of railroad crossing

Proposed Improvement Placing aggregate base course, cover and seal coat aggregates, and bituminous seal and cover coats.

Bidders Instructions

1. Plans and proposal forms will be available in the office of the McLean County Highway Department,
102 S. Towanda-Barnes Road, Bloomington, IL 61704
2. If prequalification is required, the 2 low bidders must file within 24 hours after the letting an "Affidavit of Availability" (Form BC 57), in triplicate, showing all uncompleted contracts awarded to them and all low bids pending award for Federal, State, County, Municipal and private work. One copy shall be filed with the Awarding Authority and 2 copies with the IDOT District Office.
3. All proposals must be accompanied by a proposal guaranty as provided in BLRS Special Provision for Bidding Requirements and Conditions for Contract Proposals contained in the "Supplemental Specifications and Recurring Special Provisions".
4. The Awarding Authority reserves the right to waive technicalities and to reject any or all proposals as provided in BLRS Special Provision for Bidding Requirements and Conditions for Contract Proposals contained in the "Supplemental Specifications and Recurring Special Provisions".
5. Bidders need not return the entire contract proposal when bids are submitted unless otherwise required. Portions of the proposal that must be returned include the following:

a. BLR 12210 - Contract Cover	f. BLR 12230 - Proposal Bid Bond (if applicable)
b. BLR 12220 - Notice to Bidders	g. BLR 12325 - Apprenticeship or Training Program Certification (do not use for federally funded projects)
c. BLR 12221 - Contract Proposal	
d. BLR 12222 - Contract Schedule of Prices	
e. BLR 12223 - Signatures	
6. The quantities appearing in the bid schedule are approximate and are prepared for the comparison of bids. Payment to the Contractor will be made only for the actual quantities of work performed and accepted or materials furnished according to the contract. The scheduled quantities of work to be done and materials to be furnished may be increased, decreased or omitted as hereinafter provided.

7. Submission of a bid shall be conclusive assurance and warranty the bidder has examined the plans and understands all requirements for the performance of work. The bidder will be responsible for all errors in the proposal resulting from failure or neglect to conduct an in depth examination. The Awarding Authority will, in no case be responsible for any costs, expenses, losses or changes in anticipated profits resulting from such failure or neglect of the bidder.
8. The bidder shall take no advantage of any error or omission in the proposal and advertised contract.
9. If a special envelope is supplied by the Awarding Authority, each proposal should be submitted in that envelope furnished by the Awarding Agency and the blank spaces on the envelope shall be filled in correctly to clearly indicate its contents. When an envelope other than the special one furnished by the Awarding Authority is used, it shall be marked to clearly indicate its contents. When sent by mail, the sealed proposal shall be addressed to the Awarding Authority at the address and in care of the official in whose office the bids are to be received. All proposals shall be filed prior to the time and at the place specified in the Notice to Bidders. Proposals received after the time specified will be returned to the bidder unopened.
10. Permission will be given to a bidder to withdraw a proposal if the bidder makes the request in writing or in person before the time for opening proposals.

By Order of

McLean County

(Awarding Authority)

John E. Mitchell

County Engineer/County Superintendent of Highways/Municipal Clerk

Note: All proposal documents, including Proposal Guaranty Checks or Proposal Bid Bonds, should be stapled together to prevent loss when bids are processed.



**Cheney's Grove Road District Special Provisions
Sec. No: 07-08119-00-SP**

The following Special Provisions supplement the "Standard Specifications for Road and Bridge Construction". Adopted January 1, 2007, the latest edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways", and the "Manual of Test Procedures of Materials" in effect on the date of invitation of bids, and the Supplemental Specifications and Recurring Special Provisions indicated on the Check Sheet included here in which apply to and govern the construction of 07 -08119-00-SP Cheney's Grove Road District, and in case of conflict with any part, or parts, of said Specifications, the said Special Provisions shall take precedence and shall govern.

Description of Work: The work performed under this contract shall consist of placing Aggregate Base Course, Bituminous Materials, Cover and Seal Coats, Furnished Excavation and other miscellaneous items.

Intent of Project: This project will improve the highway approach grades to the Norfolk Southern Railway Crossing in Cheney's Grove Road District of McLean County per Illinois Commerce Commission Administrative Code 1535.204 Grade Line of Highway Approaches. The reconstruction will allow for automatic flashing light signals and gates to be installed.

Certificate of Insurance: The low bidder shall provide a certificate of insurance conforming to Article 107.27 of the Standard Specifications for Road and Bridge Construction adopted January 1, 2007 with Additional Insured Endorsement. McLean County, Cheney's Grove Township, their Boards, Officers, and Employees shall be named as additional insured. The insurance is to be primary.

Prequalification of Bidders: The provisions for the Prequalification of Bidders of LRS-6 of the Bureau of Local Roads and Streets special provision shall apply to this project. Prequalification will be required.

Completion Date: The construction shall be completed by September 1, 2008.

Load Limits: Most roads in Mclean County are posted for weight limits. The weight limitations are strictly enforced. Before submitting a bid, the contractor shall familiarize himself or herself with the postings on those roads over which he would be hauling for completion of this project.

The contractor may haul on C.H. 5 from 200N to 1000N, 1000N from 3850E to 3700E and on 3700E from 1400N to the jobsite with 73,280 pound semi loads.

Bid Sets and Proposals: Bid sets and Proposals will be issued up to 12:00 Noon the working day prior to the date of the letting. None will be issued after this time.

Retainage: In accordance with LRS-15, the Engineer shall deduct retainage from each Pay Estimate until the final payment.

Mobilization: This contract contains no provision for Mobilization. Therefore, Section 671 of the Standard Specifications is deleted.

Prevailing Wages: LRS 12 "Special Provision for Wages of Employees on Public Works" shall apply to this work. No additional compensation will be allowed for complying with the requirements of LRS 12. Prevailing Wages per 820 ILCS 130 shall apply to this work.

Preference to Citizens on Public Works Project Act: The Contractor shall comply with the Preference to Citizens on Public Works Act, LRS 13.

Precautions for Utilities: The contractor shall take precautions which may be necessary to protect the property of the various public utilities which may be located underground or above ground, at or adjacent to the site of this improvement. He will be required to repair or replace at his own expense, or bear the cost, to repair or replace any public utility property which has been damaged through his efforts. The procedure specifications of repair will be in accordance with the regulations and / or policy of the utility. The contractor shall call J.U.L.I.E. (800) 892-0123 at least 48 hours prior to any work to have utilities located.

Traffic Control: Traffic control shall be in accordance with the applicable sections of the "Standard Specifications for Road and Bridge Construction", the applicable guidelines contained in the "Illinois Manual on Uniform Traffic Control Devices for Streets and Highways" the Special Provisions, and any special details and Highway Standards contained herein and in the plans and the Standard Specifications for Traffic Control Items.

Traffic: The road shall be closed to all traffic as shown on the attached map and according to Highway Standards below.

Special attention is called to Articles 107.09. and 107.14 of Standard Specifications for Road and Bridge Construction and the following (1) Highway Standards; and (2) other special provisions relating to traffic control.

- (1) **Traffic Control and Protection Included in the Contract.** Traffic control protection required under the following standards will be included in the contract and will not be measured for payment.

Standard BLR 21-7
Standard BLR 22-5
Standard 701901

Staggered Type III Barricades with Road Closed To Thru Traffic signs and two flashing lights shall be placed at the intersections on each side of the project. Advanced warning signs shall be placed and post mounted per BLR 22-5.

- (2) **Type III Barricades.** Type III Barricades, to be erected by the Contractor, shall extend from shoulder break to shoulder break, Standard 701901 at each end of the construction limits or as directed by the Engineer at each end of the closed area. Two flashing lights shall be provided for each barricade located on the paved surface.

Flashing lights shall be provided on all advance warning signs. Construction signs will meet the Standard Specifications.

Bituminous Surface Treatment Class A-3

This work shall consist of the construction of a multiple course Bituminous Surface Treatment Class A-3, which includes a bituminous prime coat, two separate applications of bituminous cover coat material and a cover coat aggregate, and a bituminous seal coat material and a seal coat aggregate and shall be constructed according to Sections 403 and 1004 of the Standard Specifications.

Bituminous Prime Coat shall be MC-30 and applied at the rate of 0.40 gallons per square yard and will be paid for at the contract unit price per gallon for Bituminous Materials Prime Coat, which shall include all labor, equipment and materials to complete the prime coat.

Bituminous Materials Cover and Seal Coats shall be PG 46-28 and applied at the rate of 0.35 and 0.30 gallons per square yard respectively and will be paid for at the contract unit price per gallon for Bituminous Materials Cover and Seal Coat, which shall include all labor, equipment and materials to complete the bituminous cover and seal coats.

Aggregate Cover Coat shall be CA-14 and applied at the rate of 24 pounds per square yard and the Aggregate Seal Coat shall be CA-16 and applied at the rate of 20 pounds per square yard. All aggregate shall be washed. Both steel tandem and a pneumatic tire roller will be required, followed by broom dragging if determined necessary by the Engineer.

Aggregate Cover Coat and Aggregate Seal Coat will be paid for at the contract unit price per ton for Aggregate Cover Coat and Aggregate Seal Coat, which shall include all labor, equipment and materials to complete the aggregate cover and seal coats.

Existing Pavement

The existing pavement shall be scarified, milled or tilled and compacted so all chunks and larger stones are broken up to the satisfaction of the Engineer.

This work shall be incidental to the project. No additional compensation will be made for ripping the existing pavement.

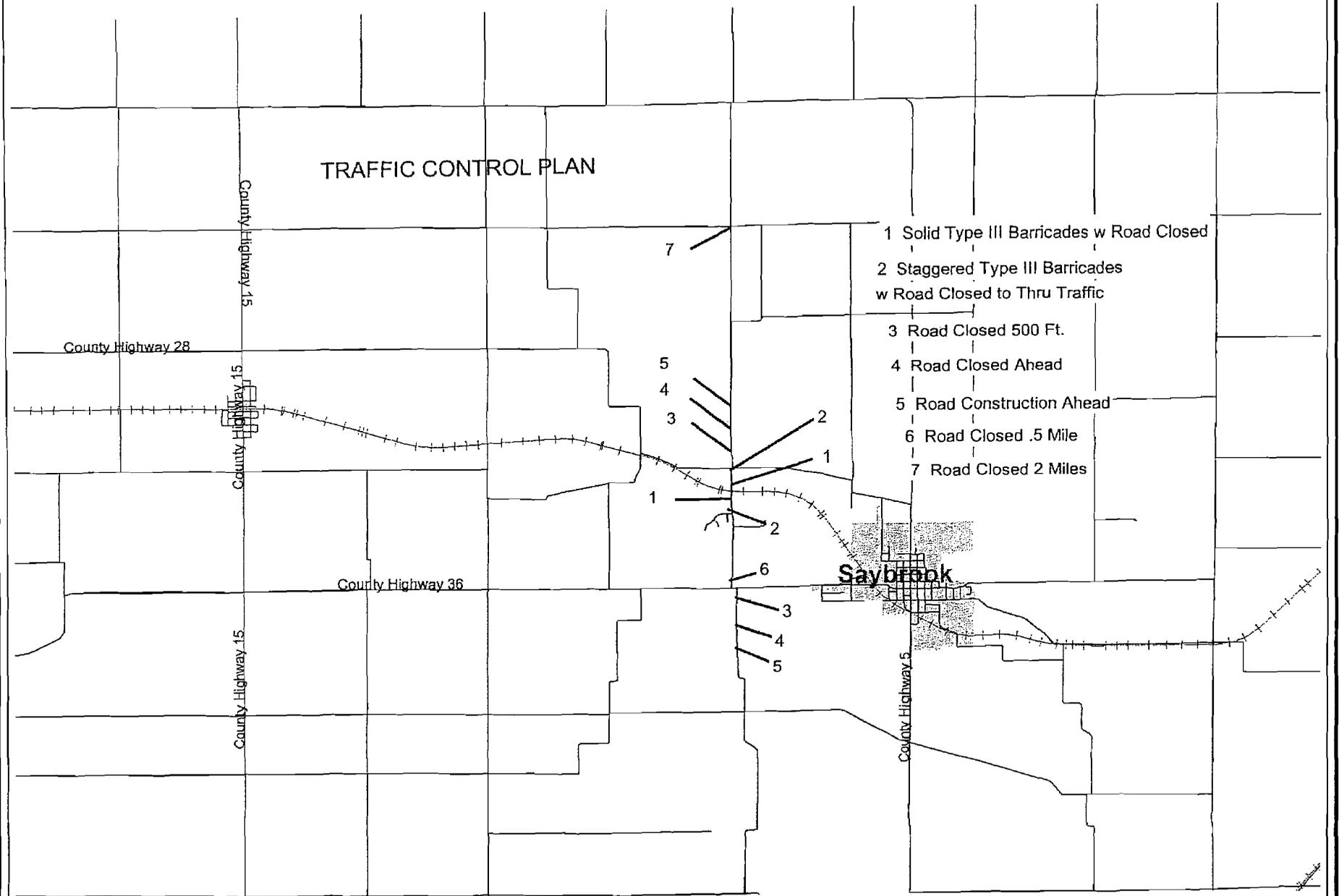
Railroad Flaggers

The contractor shall pay the costs of providing flaggers as specified in Article 107.12 of the Standard Specifications with the exception of flaggers required for transporting material or equipment across the track. The contractor will be reimbursed for eligible flagging cost in accordance with Article 109.05 of the Standard Specifications.

TRAFFIC CONTROL PLAN

- 1 Solid Type III Barricades w Road Closed
- 2 Staggered Type III Barricades w Road Closed to Thru Traffic
- 3 Road Closed 500 Ft.
- 4 Road Closed Ahead
- 5 Road Construction Ahead
- 6 Road Closed .5 Mile
- 7 Road Closed 2 Miles

Saybrook



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INDEX
FOR
SUPPLEMENTAL SPECIFICATIONS
AND RECURRING SPECIAL PROVISIONS

Adopted January 1, 2008

This index contains a listing of SUPPLEMENTAL SPECIFICATIONS, frequently used RECURRING SPECIAL PROVISIONS, and LOCAL ROADS AND STREETS RECURRING SPECIAL PROVISIONS.

ERRATA Standard Specifications for Road and Bridge Construction (Adopted 1-1-07) (Revised 1-1-08)

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CHECK SHEET
FOR
RECURRING SPECIAL PROVISIONS

Adopted January 1, 2008

The following RECURRING SPECIAL PROVISIONS indicated by an "X" are applicable to this contract and are included by reference:

RECURRING SPECIAL PROVISIONS

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FOR
RECURRING LOCAL ROADS AND STREETS SPECIAL PROVISIONS

Adopted January 1, 2008

The following RECURRING LOCAL ROADS AND STREETS SPECIAL PROVISIONS indicated by an "X" are applicable to this contract and are included by reference:

RECURRING LOCAL ROADS AND STREETS SPECIAL PROVISIONS

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BDE SPECIAL PROVISIONS
For the April 25 and June 13, 2008 Lettings

The following special provisions indicated by an "x" are applicable to this contract and will be included by the Project Development and Implementation Section of the BD&E. An * indicates a new or revised special provision for the letting.

<u>File Name</u>	<u>#</u>	<u>Special Provision Title</u>	<u>Effective</u>	<u>Revised</u>
80099	1	Accessible Pedestrian Signals (APS)	April 1, 2003	Jan. 1, 2007
80186	2	Alkali-Silica Reaction for Cast-in-Place Concrete	Aug. 1, 2007	
80108	3	Asbestos Bearing Pad Removal	Nov. 1, 2003	
7254I	4	Asbestos Waterproofing Membrane and Asbestos Hot-Mix Asphalt Surface Removal	June 1, 1989	Jan. 2, 2007
80192	5	Automated Flagger Assistance Device	Jan. 1, 2008	
80173	6	Bituminous Materials Cost Adjustments	Nov. 2, 2006	Jan. 2, 2007
5026I	7	Building Removal-Case I (Non-Friable and Friable Asbestos)	Sept. 1, 1990	Jan. 1, 2007
5048I	8	Building Removal-Case II (Non-Friable Asbestos)	Sept. 1, 1990	Jan. 1, 2007
5049I	9	Building Removal-Case III (Friable Asbestos)	Sept. 1, 1990	Jan. 1, 2007
5053I	10	Building Removal-Case IV (No Asbestos)	Sept. 1, 1990	Jan. 1, 2007
80166	11	Cement	Jan. 1, 2007	Nov. 1, 2007
* 80198	12	Completion Date (via calendar days)	April 1, 2008	
* 80199	13	Completion Date (via calendar days) Plus Working Days	April 1, 2008	
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80177	15	Digital Terrain Modeling for Earthwork Calculations	April 1, 2007	
80029	16	Disadvantaged Business Enterprise Participation	Sept. 1, 2000	Jan. 1, 2007
80178	17	Dowel Bars	April 1, 2007	Jan. 1, 2008
80167	18	Electrical Service Installation – Traffic Signals	Jan. 1, 2007	
80190	19	Engineer's Field Office (Long Distance Bill)	Nov. 1, 2007	
80179	20	Engineer's Field Office Type A	April 1, 2007	
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80180	23	Erosion and Sediment Control Deficiency Deduction	April 1, 2007	
80169	24	High Tension Cable Median Barrier	Jan. 1, 2007	
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* 80181	26	Hot-Mix Asphalt – Field Voids in the Mineral Aggregate	April 1, 2007	April 1, 2008
* 80201	27	Hot-Mix Asphalt – Plant Test Frequency	April 1, 2008	
* 80202	28	Hot-Mix Asphalt – Transportation	April 1, 2008	
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80110	32	Impact Attenuators, Temporary	Nov. 1, 2003	Jan. 1, 2007
80196	33	Mast Arm Assembly and Pole	Jan. 1, 2008	
80045	34	Material Transfer Device	June 15, 1999	Jan. 1, 2007
80165	35	Moisture Cured Urethane Paint System	Nov. 1, 2006	Jan. 1, 2007
80082	36	Multilane Pavement Patching	Nov. 1, 2002	
80129	37	Notched Wedge Longitudinal Joint	July 1, 2004	Jan. 1, 2007
80182	38	Notification of Reduced Width	April 1, 2007	
80069	39	Organic Zinc-Rich Paint System	Nov. 1, 2001	Jan. 1, 2008
80022	40	✓ Payments to Subcontractors	June 1, 2000	Jan. 1, 2006
80134	41	Plastic Blockouts for Guardrail	Nov. 1, 2004	Jan. 1, 2007
80119	42	Polyurea Pavement Marking	April 1, 2004	Jan. 1, 2007
80170	43	Portland Cement Concrete Plants	Jan. 1, 2007	
80171	44	Precast Handling Holes	Jan. 1, 2007	
80015	45	Public Convenience and Safety	Jan. 1, 2000	
3426I	46	Railroad Protective Liability Insurance	Dec. 1, 1986	Jan. 1, 2006

<u>File Name</u>	<u>#</u>	<u>Special Provision Title</u>	<u>Effective</u>	<u>Revised</u>
80157	47	Railroad Protective Liability Insurance (5 and 10)	Jan. 1, 2006	
80172	48	Reclaimed Asphalt Pavement (RAP)	Jan. 1, 2007	Aug. 1, 2007
80183	49	✓ Reflective Sheeting on Channelizing Devices	April 1, 2007	
80151	50	Reinforcement Bars	Nov. 1, 2005	Jan. 2, 2008
80164	51	Removal and Disposal of Regulated Substances	Aug. 1, 2006	Jan. 1, 2007
80184	52	Retroreflective Sheeting, Nonreflective Sheeting, and Translucent Overlay Film for Highway Signs	April 1, 2007	
80131	53	Seeding	July 1, 2004	Aug. 1, 2007
80152	54	Self-Consolidating Concrete for Cast-In-Place Construction	Nov. 1, 2005	Jan. 1, 2007
80132	55	Self-Consolidating Concrete for Precast Products	July 1, 2004	Jan. 1, 2007
80197	56	Silt Filter Fence	Jan. 1, 2008	
80127	57	Steel Cost Adjustment	April 2, 2004	April 1, 2007
80203	58	Steel Inserts and Brackets Cast into Concrete	April 1, 2008	
80153	59	Steel Plate Beam Guardrail	Nov. 1, 2005	Aug. 1, 2007
80191	60	Stone Gradation Testing	Nov. 1, 2007	
80143	61	Subcontractor Mobilization Payments	April 2, 2005	
80075	62	Surface Testing of Pavements	April 1, 2002	Jan. 1, 2007
80087	63	Temporary Erosion Control	Nov. 1, 2002	Jan. 1, 2008
80176	64	Thermoplastic Pavement Markings	Jan. 1, 2007	
80161	65	Traffic Signal Grounding	April 1, 2006	Jan. 1, 2007
20338	66	Training Special Provisions	Oct. 15, 1975	
80185	67	Type ZZ Retroreflective Sheeting, Nonreflective Sheeting, and Translucent Overlay Film for Highway Signs	April 1, 2007	
80162	68	Uninterruptable Power Supply (UPS)	April 1, 2006	Jan. 1, 2007
80149	69	Variable Spaced Tining	Aug. 1, 2005	Jan. 1, 2007
80163	70	Water Blaster with Vacuum Recovery	April 1, 2006	Jan. 1, 2007
80071	71	Working Days	Jan. 1, 2002	
80204	72	Woven Wire Fence	April 1, 2008	

The following special provisions have been deleted from use:

80187 Legal Requirements to be Observed

The following special provisions are in the 2008 Supplemental Specifications and Recurring Special Provisions:

<u>File Name</u>	<u>Special Provision Title</u>	<u>New Location</u>	<u>Effective</u>	<u>Revised</u>
80168	Errata for the 2007 Standard Specifications	Supplemental	Jan. 1, 2007	Aug. 1, 2007
80142	Hot-Mix Asphalt Equipment, Spreading and Finishing Machine	Article 1102.03	Jan. 1, 2005	Jan. 1, 2007
80148	Planting Woody Plants	Section 253	Jan. 1, 2006	
80160	Reflective Crack Control Treatment	Section 443, Article 1062.04	April 1, 2006	Jan. 1, 2007
80154	Turf Reinforcement Mat	Section 251	Nov. 1, 2005	Jan. 1, 2007

The following special provisions require additional information from the designer. The additional information needs to be included in a separate document attached to this check sheet. The Project Development and Implementation section will then include the information in the applicable special provision. The Special Provisions are:

- Building Removal-Case I
- Building Removal-Case II
- Building Removal-Case III
- Building Removal-Case IV
- Completion Date
- Completion Date Plus Working Days
- DBE Participation
- Material Transfer Device
- Railroad Protective Liability Insurance
- Training Special Provisions
- Working Days

EQUIPMENT RENTAL RATES (BDE)

Effective: August 2, 2007

Revised: January 2, 2008

Replace the second and third paragraphs of Article 105.07(b)(4)a. of the Standard Specifications with the following:

"Equipment idled which cannot be used on other work, and which is authorized to standby on the project site by the Engineer; will be paid for according to Article 109.04(b)(4)."

Replace Article 109.04(b)(4) of the Standard Specifications with the following:

"(4) Equipment. Equipment used for extra work shall be authorized by the Engineer. The equipment shall be specifically described, be of suitable size and capacity for the work to be performed, and be in good operating condition. For such equipment, the Contractor will be paid as follows.

- a. Contractor Owned Equipment. Contractor owned equipment will be paid for by the hour using the applicable FHWA hourly rate from the "Equipment Watch Rental Rate Blue Book" (Blue Book) in effect when the force account work begins. The FHWA hourly rate is calculated as follows.

FHWA hourly rate = (monthly rate/176) x (model year adj.) x (Illinois adj.) + EOC

Where: EOC = Estimated Operating Costs per hour (from the Blue Book)

The time allowed will be the actual time the equipment is operating on the extra work. For the time required to move the equipment to and from the site of the extra work and any authorized idle (standby) time, payment will be made at the following hourly rate: 0.5 x (FHWA hourly rate - EOC).

All time allowed shall fall within the working hours authorized for the extra work.

The rates above include the cost of fuel, oil, lubrication, supplies, small tools, necessary attachments, repairs, overhaul and maintenance of any kind, depreciation, storage, overhead, profits, insurance, and all incidentals. The rates do not include labor.

The Contractor shall submit to the Engineer sufficient information for each piece of equipment and its attachments to enable the Engineer to determine the proper equipment category. If a rate is not established in the Blue Book for a particular piece of equipment, the Engineer will establish a rate for that piece of equipment that is consistent with its cost and use in the industry.

- b. Rented Equipment. Whenever it is necessary for the Contractor to rent equipment to perform extra work, the rental and transportation costs of the equipment plus five percent for overhead will be paid. In no case shall the rental rates exceed those of established distributors or equipment rental agencies.

All prices shall be agreed to in writing before the equipment is used."

80189

PAYMENTS TO SUBCONTRACTORS (BDE)

Effective: June 1, 2000

Revised: January 1, 2006

Federal regulations found at 49 CFR §26.29 mandate the Department to establish a contract clause to require Contractors to pay subcontractors for satisfactory performance of their subcontracts and to set the time for such payments.

State law also addresses the timing of payments to be made to subcontractors and material suppliers. Section 7 of the Prompt Payment Act, 30 ILCS 540/7, requires that when a Contractor receives any payment from the Department, the Contractor shall make corresponding, proportional payments to each subcontractor and material supplier performing work or supplying material within 15 calendar days after receipt of the Department payment. Section 7 of the Act further provides that interest in the amount of two percent per month, in addition to the payment due, shall be paid to any subcontractor or material supplier by the Contractor if the payment required by the Act is withheld or delayed without reasonable cause. The Act also provides that the time for payment required and the calculation of any interest due applies to transactions between subcontractors and lower-tier subcontractors and material suppliers throughout the contracting chain.

This Special Provision establishes the required federal contract clause, and adopts the 15 calendar day requirement of the State Prompt Payment Act for purposes of compliance with the federal regulation regarding payments to subcontractors. This contract is subject to the following payment obligations.

When progress payments are made to the Contractor according to Article 109.07 of the Standard Specifications, the Contractor shall make a corresponding payment to each subcontractor and material supplier in proportion to the work satisfactorily completed by each subcontractor and for the material supplied to perform any work of the contract. The proportionate amount of partial payment due to each subcontractor and material supplier throughout the contracting chain shall be determined by the quantities measured or otherwise determined as eligible for payment by the Department and included in the progress payment to the Contractor. Subcontractors and material suppliers shall be paid by the Contractor within 15 calendar days after the receipt of payment from the Department. The Contractor shall not hold retainage from the subcontractors. These obligations shall also apply to any payments made by subcontractors and material suppliers to their subcontractors and material suppliers; and to all payments made to lower tier subcontractors and material suppliers throughout the contracting chain. Any payment or portion of a payment subject to this provision may only be withheld from the subcontractor or material supplier to whom it is due for reasonable cause.

This Special Provision does not create any rights in favor of any subcontractor or material supplier against the State or authorize any cause of action against the State on account of any payment, nonpayment, delayed payment, or interest claimed by application of the State Prompt Payment Act. The Department will not approve any delay or postponement of the 15 day requirement except for reasonable cause shown after notice and hearing pursuant to Section

| 7(b) of the State Prompt Payment Act. State law creates other and additional remedies available to any subcontractor or material supplier, regardless of tier, who has not been paid for work properly performed or material furnished. These remedies are a lien against public funds set forth in Section 23(c) of the Mechanics Lien Act, 770 ILCS 60/23(c), and a recovery on the Contractor's payment bond according to the Public Construction Bond Act, 30 ILCS 550.

80022

REFLECTIVE SHEETING ON CHANNELIZING DEVICES (BDE)

Effective: April 1, 2007

Revise the seventh paragraph of Article 1106.02 of the Standard Specifications to read:

"At the time of manufacturing, the retroreflective prismatic sheeting used on channelizing devices shall meet or exceed the initial minimum coefficient of retroreflection as specified in the following table. Measurements shall be conducted according to ASTM E 810, without averaging. Sheeting used on cones, drums and flexible delineators shall be reboundable as tested according to ASTM D 4956. Prestriped sheeting for rigid substrates on barricades shall be white and orange.

Initial Minimum Coefficient of Retroreflection candelas/foot candle/sq ft (candelas/lux/sq m) of material				
Observation Angle (deg.)	Entrance Angle (deg.)	White	Orange	Fluorescent Orange
0.2	-4	365	160	150
0.2	+30	175	80	70
0.5	-4	245	100	95
0.5	+30	100	50	40"

Revise the first sentence of the first paragraph of Article 1106.02(c) of the Standard Specifications to read:

"Barricades and vertical panels shall have alternating white and orange stripes sloping downward at 45 degrees toward the side on which traffic will pass."

Revise the third sentence of the first paragraph of Article 1106.02(d) of the Standard Specifications to read:

"The bottom panels shall be 8 x 24 in. (200 x 600 mm) with alternating white and orange stripes sloping downward at 45 degrees toward the side on which traffic will pass."

State of Illinois
Department of Transportation
Bureau of Local Roads and Streets

SPECIAL PROVISION
FOR
RAILROAD PROTECTIVE LIABILITY INSURANCE FOR LOCAL LETTINGS

Effective: March 1, 2005
Revised: January 1, 2006

All references to Sections or Articles in this specification shall be construed to mean a specific Section or Article of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation.

Railroad Protective Liability Insurance. The contractor will be required to carry Railroad Protective Liability and Property Damage Liability Insurance in accordance with Article 107.11 of the Standard Specifications. A separate policy is required for each railroad indicated on the attached form unless otherwise noted. The limits of liability for each policy are listed on the attached form. The minimum limits of liability shall be in accordance with Article 107.11 of the Standard Specifications.

Basis of Payment. The costs for providing insurance, as noted above, will be paid for at the contract unit price per Lump Sum for RAILROAD PROTECTIVE LIABILITY INSURANCE.

APPROVAL OF INSURANCE: The ORIGINAL and one CERTIFIED copy of each required policy shall be submitted for approval to the following address:

Norfolk Southern Railway Company

Three Commercial Place

Norfolk, VA 23510-2191

The contractor will be advised when approval of the insurance has been received from the railroad(s). Before any work begins on railroad right-of-way, the Contractor shall submit to the Resident Engineer evidence that the required railroad protective liability insurance has been approved by the railroad(s). The Contractor shall also provide the Resident Engineer with expiration date of each required policy.

RAILROAD PROTECTIVE LIABILITY INSURANCE FORM

<u>NAMED INSURED & ADDRESS</u>	<u>NUMBER & SPEED OF PASSENGER TRAINS</u>	<u>NUMBER & SPEED OF FREIGHT TRAINS</u>
	No passenger trains	10 trains @ 49 mph

DOT/AAR Number: 475 005W RR Mile Post: 350.90-NL
Liability Limits: Combined Single Limit \$ 2,000,000.00 Aggregate Limit \$ 6,000,000.00
For Freight/Passenger Information Contact: Richard Smoot Phone: 217-425-2060
For Insurance Information Contact: David Fries Phone: 757-629-2701

DOT/AAR Number: _____ RR Mile Post: _____
Liability Limits: Combined Single Limit \$ _____ Aggregate Limit \$ _____
For Freight/Passenger Information Contact: _____ Phone: _____
For Insurance Information Contact: _____ Phone: _____

DOT/AAR Number: _____ RR Mile Post: _____
Liability Limits: Combined Single Limit \$ _____ Aggregate Limit \$ _____
For Freight/Passenger Information Contact: _____ Phone: _____
For Insurance Information Contact: _____ Phone: _____

DOT/AAR Number: _____ RR Mile Post: _____
Liability Limits: Combined Single Limit \$ _____ Aggregate Limit \$ _____
For Freight/Passenger Information Contact: _____ Phone: _____
For Insurance Information Contact: _____ Phone: _____

State of Illinois
Department of Transportation
Bureau of Local Roads and Streets

SPECIAL PROVISION
FOR
INSURANCE

Effective: February 1, 2007
Revised: August 1, 2007

All references to Sections or Articles in this specification shall be construed to mean specific Section or Article of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation.

The Contractor shall name the following entities as additional insured under the Contractor's general liability insurance policy in accordance with Article 107.27:

McLean County

Cheney's Grove Road District

The entities listed above and their officers, employees, and agents shall be indemnified and held harmless in accordance with Article 107.26.

State of Illinois
DEPARTMENT OF TRANSPORTATION
Bureau of Local Roads & Streets

SPECIAL PROVISION
FOR
SUBSTANCE ABUSE PREVENTION PROGRAM

Effective: January 1, 2008
Revised: January 8, 2008

In addition to all other labor requirements set forth in this proposal and in the Standard Specification for Road and Bridge Construction, adopted by the Department, 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:

Substance Abuse Prevention Program. Before the Contractor and any Subcontractor commences work, the Contractor and any Subcontractor shall have in place a written Substance Abuse Prevention Program for the prevention of substance abuse among its employees which meets or exceeds the requirements in P. A. 95-0635 or shall have a collective bargaining agreement in effect dealing with the subject matter of P. A. 95-0635.

The Contractor and any Subcontractor shall file with the public body engaged in the construction of the public works: a copy of the substance abuse prevention program along with a cover letter certifying that their program meets the requirements of the Act, or a letter certifying that the Contractor or a Subcontractor has a collective bargaining agreement in effect dealing with the subject matter of this Act.
