

TO: Director, Preliminary Plan Review Bureau	<h1>ENGINEERING INSTRUCTION</h1> <p>NEW YORK STATE DEPARTMENT OF TRANSPORTATION</p>
Distribution: <input checked="" type="checkbox"/> Main Office <input checked="" type="checkbox"/> Regions <input type="checkbox"/> Special	SUBJECT: OPTIONAL BORROW AREAS WITHIN HIGHWAY RIGHT OF WAY Subject Code: 7.26-2-9.00 Code: <u>EI 78-5</u> Date: <u>1/17/78</u> Supersedes: EI 74-92
APPROVED: <u><i>Robert A. Edwards</i></u> DEPUTY CHIEF ENGINEER, FACILITIES DESIGN SUBDIVISION	

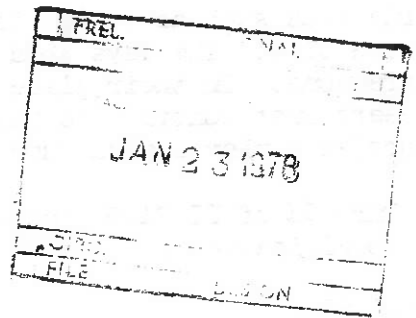
Recent laws on Mined Land Reclamation and the Adirondack Park Agency as well as other state and local laws and ordinances are causing delays and, in some situations, even prohibiting contractors from obtaining local borrow material. Legal restrictions have had the effect of increasing the cost of earthwork to the Department. It is important that all designers are aware of this trend.

It shall be the policy of this Department to make optional borrow areas within the highway right of way available to contractors wherever practicable and to show all such areas on the plans. When an optional borrow area is designated, the contractor will be permitted to excavate material subject to any restrictions imposed by the State. The designation of optional borrow areas should have the effect of reducing earthwork cost and minimizing the hauling of materials over local roads outside the project limits.

Ideally, balancing of earthwork is most effectively accomplished by adjustments to line and grade in early stages of plan development consistent with established criteria. Projects that require borrow should be carefully examined by the designer to determine if optional borrow areas can be designated without detriment to the project objectives.

Some ideas are illustrated on the attached sheet:

- A. Removal of mounded medians and gores.
- B. Excavation of oversized ditches.
- C. Flattening or lateral shifting of cut slopes.
- D. Flattening rock cut slopes. Daylight side hill cuts.



Optional Borrow Areas Within Highway Right of Way

If one or more of these concepts appears beneficial and does not adversely affect aesthetic, or environmental conditions, a designer should:

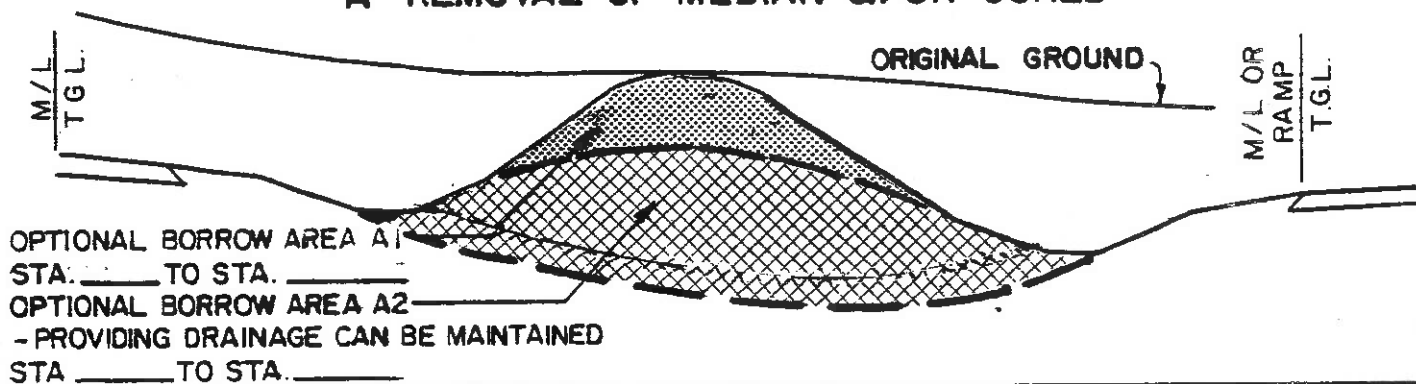
- I - Consult with the Soils Engineer or other appropriate functional unit representative.
- II - Include sketches or other appropriate details as a part of the plans. This information should be tailored by the Designer to the individual project location. The objective of the sketches should be to establish the limiting conditions to which an optional borrow source can be used.
- III - In order to make these optional borrow areas compatible with the Specifications, a note similar to the following shall be included in the contract:
 - a) The Contractor's request to use the optional borrow area(s) for this project will be approved by the Engineer provided the Contractor:
 - 1) Designates the locations and limits of his intended use.
 - 2) Agrees to conform with the requirements of Specification sub-sections 107-11 and 107-12 of the Jan. 3, 1978 Standard Specifications in the utilization of these areas.
 - b) In the event the Contractor chooses to use an optional borrow area:
 - 1) A royalty will not be required from the Contractor by the State for material obtained from these areas.
 - 2) Payment will be made for such additional excavation beyond the design slope only when the extra material qualifies and is utilized as borrow for a project item which is paid for in its original position. No payment for excavation will be made when the material is used for an item paid for in its final compacted position. In this case, the material will be paid for under the item for which it is used.
 - 3) The cost of any additional seeding, mulching, drainage appurtenances, fencing or other items of work related to the optional borrow areas shall be borne by the Contractor.

Restrictions such as stated in the opening sentence have become the rule rather than the exception. The days when a designer might believe Contractors can balance any job are gone. In their place we have another situation where the Department's Design Engineers must continue to make beneficial value judgements on a day by day basis for the projects they are entrusted with completing.

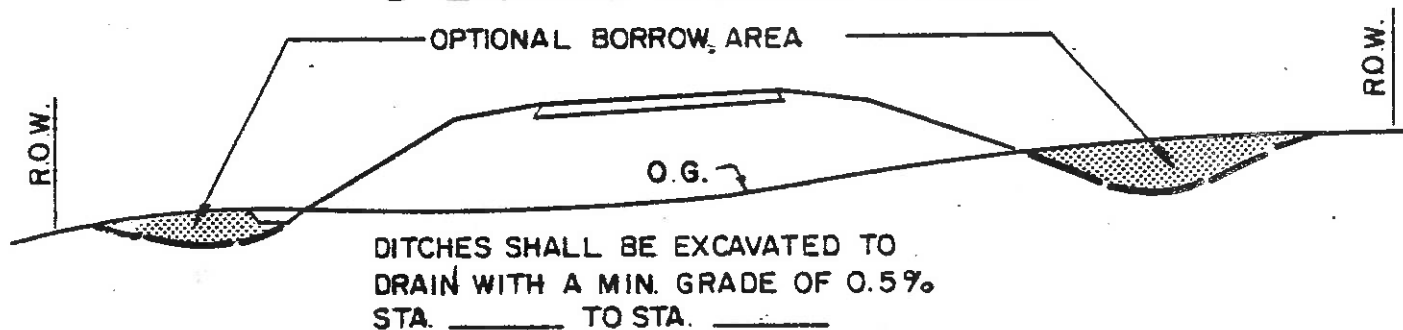
PS: Part II of EI 74-92 construction is now sub-section 203-1.16 of the Standard Specifications.

SUBJECT: OPTIONAL BORROW AREAS FOR HIGHWAYS PROJECTS

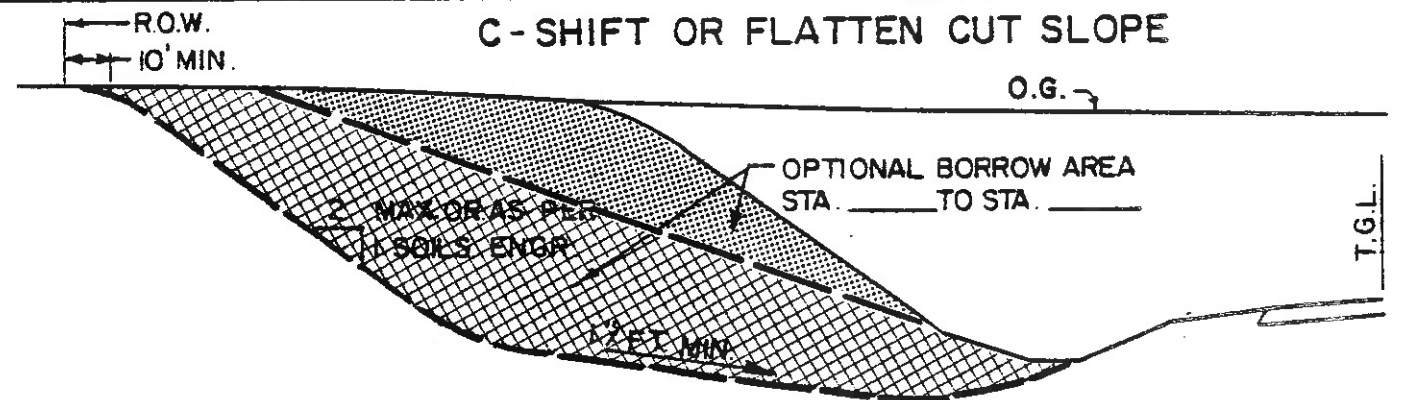
A REMOVAL OF MEDIAN &/OR GORES



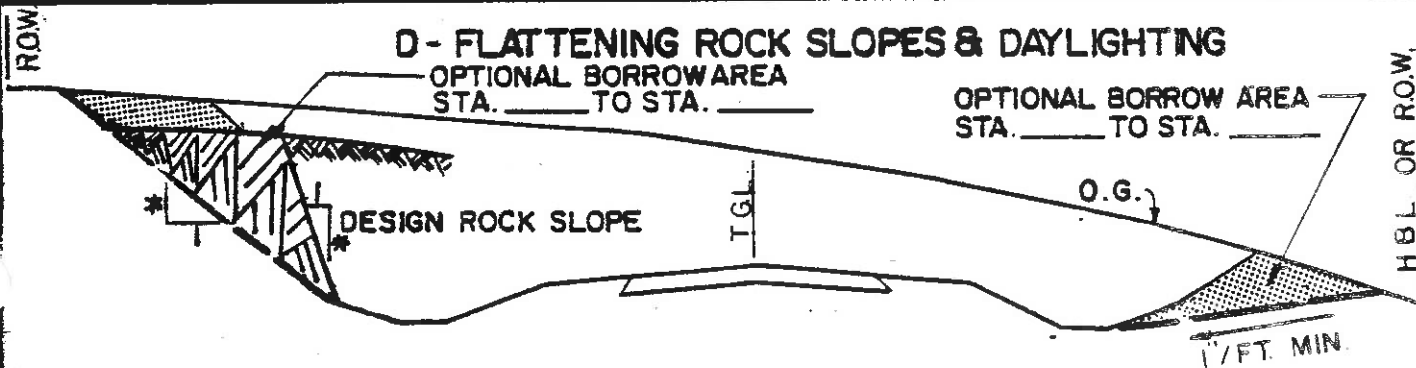
B- EXCAVATE OVERSIZE DITCHES



C- SHIFT OR FLATTEN CUT SLOPE



D- FLATTENING ROCK SLOPES & DAYLIGHTING



* CONSULT SOIL MECHANICS BUREAU FOR ANY ROCK SLOPE CHANGE