
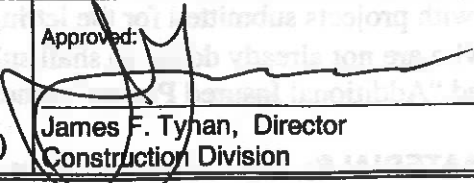


To:  <p style="text-align: center;"><b>SUPERSEDED BY</b>  <u>  EI 05-011  </u>  <b>EFFECTIVE 05/05/05</b></p>		<i>New York State</i> <i>Department of</i> <i>Transportation</i> <b>ENGINEERING</b> <b>INSTRUCTION</b>	<b>EI</b>  <b>05-005</b>
<b>Title: REVISIONS TO STANDARD SPECIFICATIONS SECTION 100 – PHASE 5</b>			
Distribution: <input checked="" type="checkbox"/> Manufacturers (18) <input checked="" type="checkbox"/> Local Govt. (31) <input checked="" type="checkbox"/> Agencies (32)		Approved:  _____ James F. Tyhan, Director Construction Division	_____ 2-16-05 Date
<input checked="" type="checkbox"/> Surveyors (33) <input checked="" type="checkbox"/> Consultants (34) <input checked="" type="checkbox"/> Contractors (39) <input type="checkbox"/> _____ ( )			

**ADMINISTRATIVE INFORMATION:**

- This Engineering Instruction (EI) is effective with projects submitted for the letting of 05/05/05.
- This EI supersedes EI 98-034, EI 02-013, EI 03-006, EI 03-022, EI 04-010, and EI 04-026.
- This EI supersedes portions of EI 99-033 and portions of EI 04-032.
- The revisions issued with this EI will be incorporated into the next update of the Standard Specifications.

**PURPOSE:** This EI issues a revised Section 100 of the Standard Specifications of January 2, 2002. Additional revisions are made to the remainder of the Standard Specifications necessitated by the revisions to Section 100 beginning on page 139 of 145.

**TECHNICAL INFORMATION:**

- In accordance with revisions to §109-06, the Department will no longer separately reimburse Low Bidders for the cost of a set of purchased contract documents.
- Attached is a commentary that describes changes.
- This EI supersedes the following proposal inserts:
 

M9L	§102-22
M9R3	D/M/WBE Goals
M10L	§102-21
M11	Specialty Items (by Category)
M14	Certification for Federal-Aid Contracts
M18R1	Non-FA Jurat
M19R1	FA Jurat
M20	Bid Bond
M21R1	Insurance
M25	Fraud Hotline Numbers
M30L	EEO Goals
M35L	Y2K Warranty
- The following revised proposal inserts are issued:
  - Return with Bid Documents
  - Combined EEO and D/M/WBE Goals
  - Jurat (FA & Non FA)
  - Required Contract Provisions
  - Bid Bond
  - Insurance

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- The portions of EI 99-033 that revise standard specifications and overtime requirements are superseded
- The portions of EI 04-032 containing revisions to §107-05 and §619-2.11 are superseded.

### **IMPLEMENTATION:**

- Main Office Design Quality Assurance Bureau will insert the standard specification shelf note beginning with projects submitted for the letting of 05/05/05.
- Designers who are not already doing so shall submit a list of additional insured parties on a special note entitled "Additional Insured Parties" rather than on the "Insurance" proposal insert.

**TRANSMITTED MATERIALS:** Due to the size of the revisions, a shelf note for Section 100 – Phase 5 is not attached to this EI. The full text of the revisions can be found on the Department website at [www.dot.state.ny.us](http://www.dot.state.ny.us). Select Site Index > E > Engineering Directives, Instructions, Bulletins and the EIB Program > Engineering Instructions > Issued in 2005 > EI 05-005.

**BACKGROUND:** While this issuance is extremely voluminous, it does not contain a comparatively large number of significant changes to the specifications. We have taken the opportunity presented by the forthcoming printing of a new Standard Specifications book to make significant editorial and organizational changes.

**CONTACT:** Direct questions regarding this issuance to Brian DeWald of the Construction Division via e-mail at [BDeWald@dot.state.ny.us](mailto:BDeWald@dot.state.ny.us) or at (518) 457-6472.

## Section 100 Phase 5 Commentary

- §101-02 - Added Definitions
- §102-02 - From 102-03/05 Clarify proposal segments, Add Std Sheets
- §102-03 - From 102-09
- §102-04 - From 102-03
- §102-05 - From 102-02
- §102-06 - From 102-07
- §102-07 - From 102-06
- §102-09 - From 102-24/25
- §102-10 - Clarifications of wage rates only from NYSDOL Bureau of Public Works
- §102-12 - Combined 102-21/22
- §102-13 - From 102-23
- §102-14 - From 102-12
- §102-15 - Proposal/JURAT
- §102-16 - Sample of new contract pay item format
- §102-17 - From 102-13/14
  
- §103-01 - Added paragraphs from 102 and 106-11
- §103-03 - From 103-04 Bond/Surety Rating Requirement – A.M. Best (A-)
- §103-04 - From 103-01
- §103-05 - From 103-02A
- §103-06 - From 102-17
- §103-07 - From 102-18
- §103-08 - From 102-19
  
- §104-03 - From 109-16A.1
- §104-04 - From 109-16A.3.
- §104-05 - From 109-16A.2
- §104-06 - Coherent Notice and Recordkeeping Provisions (from 105-14 & 109-16)
- §104-07 - From 104-06
- §104-08 - From 104-04/05
- §104-09 - Added 109-15
  
- §105-02 - Dismissal of Unruly/Disorderly Employees – Combined 105-02/08
- §105-03 - Combined 104-07/105-12
- §105-04 - From 105-03/06
- §105-05 - From 105-04
- §105-06 - From 102-09 /
- §105-08 - From 105-11C
- §105-11 - Added disclosure of SSPC disciplinary actions
- §105-13 - From 105-17
- §105-14 - Rewrite of Dispute Provisions, added Gatekeeper Criteria, added §109-05E & F
- §105-15 - From 107-14
- §105-17 - From 105-05
- §105-18 - From 104-08
- §105-19 - From 105-18
- §105-20 - From 107-13
- §105-21 - Added Civil Rights Reporting Requirement

## Section 100 Phase 5 Commentary

- §106-03 - Added Plant Inspected Materials (most from 106-02)
- §106-05 - Added Recycled Materials
- §106-06 - From 106-05/06
  
- §107-05 - Drug and Alcohol Policy
- §107-05A. - High-Visibility Apparel
- §107-05D. - Accident reports provided to Contractor
- §107-05I. - Working over water
- §107-05K. - From 107-05T
- §107-05N. - Drilling & Blasting Requirements revised
- §107-05Q - From 107-05K
- §107-06 - Updated Terminology
- §107-08 - Combined 107-08/10/11
- §107-10 - From 107-16 – Added Para A & B
  
- §108-03 - Combined 108-03/04
- §108-04 - Time-Related Provisions from 109-16A & 109-16B
- §108-05 - Subs must have CCA-1 on file. CONR 5 for all subs
- §108-07 - From 108-02
  
- §109-02 - From 109-05A
- §109-05 - Simplified "Labor Burden" of 15% for FICA, Medicare, SUI, FUTA, Holidays
  - Added FHWA equipment rate, deleted others
  - Added Geographic Adjustment for equipment rates
  - Hours "used or required to be present"
  - Deleted 50% equipment rate for time-related compensation
  - 75% Equip Rate for subsequent shifts
  - Deleted redundant equipment portion
  
- §109-07 - From 109-12
- §109-08 - From 109-17
- §109-09 - Added Form FHWA-47M req. (7 days after Final Acceptance)
  - Added survey notes/comps to Final Agreement paperwork (electronic files)
- §109-10 - Added general requirements to be completed prior to UWA