

## **QUESTIONS & ANSWERS for Technical Bulletin TSB10-B-001**

- Q. When we change the Special Provisions via contract change order, do stamping requirements apply? If so, should it be the Professional of Record or the Project Manager?
- A. Changes to special provisions that occur via contract change order are to be handled similar to addenda as described on page 3 of 5 of the Technical Bulletin under *Addenda to Solicitation Documents*. There needs to be documented concurrence with the change by the POR, except for “corrections of a clerical nature and/or adjustments to bid item quantities.”
- Q. Top of page 3 of 5 shows [www.oregon.gov/ODOT/HWY/SPECS/index.shtml](http://www.oregon.gov/ODOT/HWY/SPECS/index.shtml) as website that the required format will be posted on - not clear when this website is opened where one can find this. Can you advise please?
- A. To get to the signature page format follow these steps:
- From Technical Services web page MENU, <http://www.oregon.gov/ODOT/HWY/TECHSERV/index.shtml>, click on "Sections"
  - From "Sections of Technical Services," click on "Roadway Engineering Section"
  - From Roadway Engineering MENU, click on "Specifications"
  - From Specifications MENU, click on "Special Provisions (SP)"
  - On the "2002 Special Provisions" page, click on "Part 00000" then scroll down to: "SIG" Signature Page 05-25-06
  - Clicking on this last hyperlink will bring up the special provision signature page for use with the new professional stamping format.
- Q. Do environmental special provisions need to be stamped and sealed by an environmental POR?
- A. Whether environmental special provisions need to be stamped for a given project will depend on the specific content of the specification.
- In general, the state does not license or regulate professional certification in the environmental sciences in a manner comparable to professionals covered by the Technical Bulletin TSB10-B-001 and ODOT Policy DES 05-02.
- However, the current ODOT Policy DES 05-02 requires P.E. stamping of bio-stabilization designs; erosion control plans; engineering studies, reports or other design work product that involves the mitigation of noise impacts; and hazardous materials remedial action plans. Therefore, special provisions related to these engineering work products would need to be

stamped to comply with ODOT policy. For example, specifications for traffic noise abatement measures must be stamped by a professional engineer. The specifications for an erosion control plan must be stamped by a P.E. or a registered landscape architect (R.L.A.) in accordance with DES 05-02.

Project-specific questions regarding the stamping of environmental special provisions should be referred to the Chief Engineer. Specific issues may call for consultation with OSBEELS.

Q. The “Responsibilities” section of the Technical Bulletin references a 2002 Department of Justice letter (*Modified Exemption from DOJ Legal Sufficiency Review and Approval for ODOT Highway Construction Contracts, dated January 25, 2002*). This letter refers to a 1998 DOJ letter. Would you post a copy of the 1998 DOJ letter online?

A. The 1998 DOJ exemption letter is now available on the web via a hyperlink embedded in the current 2002 letter. Signed copies of these letters are not available for posting at this time; however, the posted letters are to be used for the purposes stated in the Bulletin.