SECTION 00180 - PROSECUTION AND PROGRESS

(Follow all instructions and make all edits with "Track Changes" turned on. If there are no instructions [orange text] above a subsection, paragraph, sentence, or bullet, then include it in the Project. Delete all orange text before preparing the final document. All other modifications to this Section will require State Specifications Engineer approval and the State Specifications Engineer will obtain approval from the Department of Justice.)

Comply with Section 00180 of the Standard Specifications modified as follows:

(Use the following lead in sentence and subsection .40(c) when limitations are included in the Special Provision. Delete the limitations that do not apply.)

Add the following subsection:

00180.40(c) Specific Limitations - Limitations of operations specified in these Special Provisions include, but are not limited to, the following:

Limitations	Subsection
Cooperation with Utilities	00150.50
Cooperation with Other Contractors	00150.55
Railways	00170.01(e)
Contract Time	00180.50(h)
Right-of-Way and Access Delays	00180.65
Closed Lanes	00220.40(e)(1)
Special Events	00220.40(e)(2)(b)
Limited Duration Road Closure	00220.40(f)
Road Closure Using Rolling Slowdown Method	00220.40(g)
Regulated Work Areas	00290.34(a)
Noise Control	00290.32
Maintenance Under Traffic	00620.43
Opening Sections to Traffic	00744.51
Opening Sections to Traffic	00745.51

(Use the following paragraphs when the Project is within irrigation districts. Obtain information from the Region Utilities Specialist.)

[Begin irrigation paragraphs]

When submitting the supplemental "look ahead" Project Work schedule, the Contractor shall show all Work that impacts the __(insert irrigation district name)__ canals and channels.

Irrigators have legal rights to use irrigation water from the canals and channels of the __(insert irrigation district name)__ in __(insert contact office location of the irrigation district for the project)__ .

During the irrigation season of __(insert date: example April 1)__ through __(insert date: example October 31)__, the Contractor shall not restrict the flow of water or contaminate the water of the __(insert irrigation district name)__ .

During the non-irrigation season of __(insert date: example November 1)__ through __(insert date: example May 31)__, the Contractor shall allow a __(insert number of days)__ Dday stock water run approximately every 30 Days. The Contractor shall contact the __(insert irrigation district name)__ for the stock water run times.

[End irrigation paragraphs]

The Contractor shall be aware of and subject to schedule limitations in the Standard Specifications that are not listed in this subsection.

00180.41 Project Work Schedules -

(Use the following paragraphs and bullets on Projects that have curb ramps.)

After the paragraph that begins "The Contractor shall submit a Project Work schedule meeting the requirements…" add the following paragraphs:

Submit an overall sequencing and phasing plan showing the timeline for construction of all curb ramps. Submit a list of individual curb ramps or groups of curb ramps not to exceed 32 curb ramps to include in the schedule for approval by the Engineer.

The Contractor shall include the following curb ramp tasks in the Project Work schedule:

- Contractor initial site visit(s) for ramp existing conditions;
- Submittal of Working Drawings for each ramp, submitted to the Agency according to 00759.03(c);
- Submittal of Curb Ramp Plan(s); and
- Preplacement Conference(s).

(Use the following paragraph and bullets on Projects that have curb ramps.)

In the paragraph that begins "The Contractor shall submit a supplemental “look ahead” Project Work schedule each week to the Engineer.” add the following bullets to the end of the bullet list:

- Identify date of curb ramp site visit to include Contractor and Agency, to review Working Drawings;
- Identify curb ramp resubmittal of Working Drawings, as required according to 00759.03;
- Identify the anticipated date of curb ramp closure;
- Identify the field markings for excavation limits for curb ramps;
- Identify when the curb ramp formwork begins;

- Identify when the curb ramp Concrete placement begins; and
- Identify the anticipated opening curb ramp date.

(Insert the type of schedule ("A", "B", or "C") in the blank. Use the following guidelines for selecting type of schedule:

- ***Type "A" - Single season, simple, small, or short projects***
- ***Type "B" - Projects with several major construction items or moderately complex traffic staging***
- ***Type "C" - Critical Path Method projects, largest / most complex projects with complex staging. Required for any alternative contracting methods.***

Obtain the schedule type from the project Scheduler and the Project Manager. Consult with the ODOT Sr. Cost Engineer or the ODOT Construction Claims Engineer, as needed.)

After the paragraph that begins "One of the following Type…" add the following paragraph:

In addition to the "look ahead" Project Work schedule, a Type _____ schedule as detailed in the Standard Specifications is required on this Contract.

(Use the following subsection .42 when requested by the Utility Coordinator or the Region Environmental Coordinator.)

00180.42 Preconstruction Conference - Add the following to the end of this subsection:

(Use one of the following options when requested by the Utility Coordinator. Delete the option that does not apply.)

[Option 1 - Use the following paragraph when requested by the Utility Coordinator.]

[Begin Option 1]

The Contractor shall conduct a group Utilities scheduling meeting with representatives from the Utility companies involved with this Project and the Engineer before the preconstruction conference. The Contractor shall incorporate the Utilities time needs into the Contractor's schedule submitted at the preconstruction conference.

[End Option 1]

[Option 2 - Use the following paragraphs and bullet lists when requested by the Utility Coordinator for large projects with complex utility issues. Be sure to also include subsection 00150.50(c). Delete the language in orange parentheses that does not apply and delete all orange parentheses.]

[Begin Option 2]

Before beginning On-Site Work and before the preconstruction conference, the Contractor shall conduct a Utility scheduling meeting with representatives from the Utilities involved with this Project and with the Engineer. The Contractor shall incorporate the time needs of the Utilities into the Contractor's schedule submitted at the preconstruction conference.

The Contractor shall submit a written Utility Coordination Report to the Engineer not later than seven Calendar Days after the Utility scheduling meeting. The Utility Coordination Report shall:

- Identify each specific Utility;
- Identify Utility contact names and numbers;
- Identify dates for Utility scheduling for the entire Project;
- Contain documents showing that the Contractor has accomplished Utility locates; and
- Contain documents showing that Utility locates, along with applicable construction activities, have been reviewed and discussed on-site with Utility representatives.

The Contractor shall hold monthly Utility coordination meetings with Utilities and the Engineer to coordinate Project activities with Utilities and on-going Utility relocation work. The Contractor shall hold monthly Utility coordination meetings in the office or in the field, as appropriate. The Utility coordination meetings shall include, but not be limited to:

- Detailed discussions of existing and abandoned Utilities,
- Detailed discussions of de-energizing and re-energizing service lines,
- Detailed discussions of critical locations for potholing of Utilities,
- Detailed discussions of Project activities, and
- Detailed discussions of on-going Utility relocations in upcoming Project activity areas.

During the monthly Utility coordination meetings, the Utilities will provide Utility drawings and discuss the scope, extent, locations, and significance of all Utility facilities before the Contractor begins work in a new activity area. The Contractor shall incorporate this information into the Project schedules and furnish the Utilities copies of the updated Project schedules.

The Contractor shall plan and schedule all Utility adjustment operations well in advance of On-Site Work. When the Contractor becomes aware of Utility conflicts not previously identified, the Contractor shall notify the applicable Utilities in writing the same Calendar Day. The Contractor shall allow Utilities at least *(*___ week*(*s*))(*___ Calendar Day*(*s*))* to relocate (adjust) the Utility conflicts not previously identified.

[End Option 2]

(Use the following paragraph and bullet list when sensitive cultural sites require protection during construction.)

At the preconstruction conference, or at a mutually agreed upon time at least 10 Calendar Days prior to beginning ground disturbing activities, the Contractor shall meet with the Engineer to discuss sensitive cultural sites on the Project. In attendance at this conference shall be:

- The Contractor's supervisory personnel.
- Any Subcontractors (including contract archaeological monitors) and supervisory personnel who will be involved in ground disturbing activities.

- Agency archaeology representative or region environmental coordinator.
- When applicable, tribal representative(s) or monitor(s).

Add the following subsection:

(Use one of the following .50(h) lead-in sentence options, according to the number of completion times to be used.

<u>This subsection requires State Specification Engineer approval on ALL Projects.</u>

Note: If either durable pavement markings (00865) or high performance pavement markings (00866) are required, and the completion date is after September 15, check with the Scheduler and request multiple completion times.

Note: If permanent seeding (01030) or planting (01040) is required, and the completion date is outside the planting seasons (see 01030.43(b) or 01040.41 and .42), check with the Scheduler and request multiple completion times.)

[Begin lead-in sentence options]

[Option 1 - Use to specify one completion time.]

00180.50(h) Contract Time - There is one Contract Time on this Project as follows:

[Option 2 - Use to specify two completion times.]

00180.50(h) Contract Time - There are two Contract Times on this Project as follows:

[Option 3 - Use to specify three completion times.]

00180.50(h) Contract Time - There are three Contract Times on this Project as follows:

[End lead-in sentence Options]

(Use one or more of the following paragraphs as needed to specify one or more INTERIM completion dates. Fill in the blanks. Copy one of the paragraphs if needed for Projects with two interim completion times. Delete paragraphs that do not apply. Replace "X" with a sequential number, starting with "1" for the first paragraph used.)

[Begin interim completion date options.]

(X) The Contractor shall complete all Work to be done under the Contract, except for _____, not later than _____.

(X) The Contractor shall complete all Work to be done under the Contract required to _____ not later than _____.

(X) The Contractor shall complete all Work to be done under the Contract, except for _____, before the elapse of ___ Calendar Days, or not later than _____, whichever occurs first.

(X) The Contractor shall complete all Work to be done under the Contract required to _____ before the elapse of ___ Calendar Days, or not later than _____, whichever occurs first.

[Example: "The Contractor shall complete all Work to be done under the Contract required to remove and replace Span 5 of Bridge No. 02025, including reinstalled end panel, final ACP wearing course, and permanent bridge rails; and reopen the Santiam Highway (US20) to two traffic lanes, before the elapse of 110 Calendar Days, or not later than July 31, 2016, whichever occurs first."]

[End interim completion date options.]

(Use ONE of the following paragraphs to specify a single completion time, or as the FINAL paragraph for Projects with multiple completion times. Fill in the blanks. Delete paragraphs that do not apply. Remove parentheses. Replace "X" with a sequential number when there are multiple completion times, or delete "(X)" entirely when there is only one completion time.)

[Begin final completion date options.]

(X) The Contractor shall complete all Work to be done under the Contract, except for (seeding establishment) (and) (plant establishment), before the elapse of ___ Calendar Days, or not later than _____, whichever occurs first.

(X) The Contractor shall complete all Work to be done under the Contract before the elapse of ___ Calendar Days, or not later than _____, whichever occurs first.

(X) The Contractor shall complete all Work to be done under the Contract, except for (seeding establishment) (and) (plant establishment), not later than _____.

(X) The Contractor shall complete all Work to be done under the Contract not later than _____.

[End final completion date options.]

(Use the following subsection .65 when right-of-way access delays are necessary. Fill in the blanks with the appropriate information.)

00180.65 Right-of-Way and Access Delays - Add the following paragraph and bullet to the end of this subsection:

It is anticipated that the ending date of an anticipated delay for the following properties will be as shown:

- File ___(R/W file number) (Stations right and left)_____ not later than ___(Date)___.

(Use the following subsection .85(b)(1) when the Project has been identified as 100% preservation.)

00180.85(b)(1) Single Contract Time - Replace this subsection, except for the subsection number and title, with the following:

The Liquidated Damages per Calendar Day* are 15.0 percent of C divided by T as defined in this Section.

C = The Contractor's Bid amount for the Contract.
T = The total Calendar Days between the latest completion date or time listed under 00180.50(h) in the Solicitation Documents and the Bid Opening that will result in the greatest value for T.

* Calendar Day amounts are applicable when the Contract time is expressed on the Calendar Day or fixed date basis.

(Use the following subsection .85(b)(2) when the Project has multiple Contract Times in 00180.50(h).)

00180.85(b)(2) Multiple Contract Times - Add the following paragraph and bullet list to the end of this subsection:

The Agency determined percentages of the value of Work required to be complete by the Contract Times listed under 00180.50(h) are as follows:

[Include one of the following bullets for each Contract Completion Time in 00180.50(h). Fill in the blank with the percentage of all Work to be done, calculated based on the preliminary Engineer's Estimate and for each listed Contract Time. Show percentages to the nearest 1% and ensure that the last percentage listed is 100 percent.)

- For Contract Time 00180.50(h)(1) the Agency determined percentage of Work is _____ percent.
- For Contract Time 00180.50(h)(2) the Agency determined percentage of Work is 100 percent.

(Use the table below to fill in the dollar amount in the blank in .85(c), (d), or (e).

Facility Type	*AADT Volumes*	*LD per lane, per 15 or 20 minute period*
Freeway	*> 50,000*	*$ 2000*
Freeway	*< 50,000*	*$ 1000*
Other Highways	*> 30,000*	*$ 1500*
Other Highways	*< 30,000*	*$ 500*

(Use the following lead-in paragraph and subsection .85(c) on Projects that have lane restrictions and where there is a need to have Liquidated Damages to encourage the Contractor to finish the work within the time limits. Standard lane restrictions are listed in the Standard Specs subsection 00220.40(e)(1). Any Project

Specific restrictions for all appropriate closures must be inserted in the Special Provisions subsection 00220.40(e)(1) Lane Restrictions.

Delete the orange parentheses and use the references to 00220.40(f) only when 00220.40(f) is included in the Project. Otherwise, delete the references and orange parentheses.

DO NOT USE .85(c) for full road closures that are more than 24 hours. Liquidated damages for full road closures require an interim completion time in 00180.50(h).)

Add the following subsection:

00180.85(c) Lane Closures - Lane closures beyond the limits specified will inconvenience the traveling public and will be a cost to the Agency.

It is impractical to determine the actual damages the Agency will sustain in the event Traffic Lanes are closed beyond the limits listed in 00220.40(e) *(*or 00220.40(f)*)*. Therefore, the Contractor shall pay to the Agency, not as a penalty, but as liquidated damages, $____ per 15 minutes, or for a portion of 15 minutes, per lane, for any lane closure beyond the limits listed in 00220.40(e) *(*or 00220.40(f)*)*.

The Engineer will determine when it is safe to reopen lanes to traffic. Assessment of liquidated damages will stop when all lanes have been safely reopened. Any liquidated damages assessed under these provisions will be in addition to those listed in 00180.85(b).

(Use the following lead-in paragraph and subsection .85(d) on Projects that have limited access roadways, allow the Rolling Slowdown Method of traffic control listed in 00220.40(g), and where there is a need to have Liquidated Damages to encourage the Contractor to finish the work on time. Normal limits (weekend closure limitations) are listed in the Standard Specs subsection 00220.40(e)

If subsection .85(c) Lane Closures is not used, delete ", but not in addition to 00180.85(c) above for closure of the same lanes***". Delete all orange parentheses.)***

Add the following subsection:

00180.85(d) Rolling Slowdown Closures - Rolling slowdown closures beyond the limits specified will inconvenience the traveling public and will be a cost to the Agency.

It is impractical to determine the actual damages the Agency will sustain in the event Traffic Lanes are closed by the Rolling Slowdown Method. Therefore, the Contractor shall pay to the Agency, not as a penalty, but as liquidated damages, $____ per 20 minutes, or for a portion of 20 minutes, per lane, for any lane closure beyond the 20-minute limit listed in 00220.40(g).

The Engineer will determine when it is safe to reopen lanes to traffic. Assessment of liquidated damages will stop when all lanes have been safely reopened. Any liquidated damages assessed under these provisions will be in addition to those listed in 00180.85(b)*(*, but not in addition to 00180.85(c) for closures of the same lanes*)*.

(Use the following lead-in paragraph and subsection .85(e) on Projects that will be stopping or holding traffic and where there is a need to have Liquidated Damages to encourage the Contractor not to delay traffic in long queues. Use when requested by the traffic designer or Project Manager.)

Add the following subsection:

00180.85(e) Traffic Delays Beyond 20 Minutes - Stopping or holding vehicles beyond the limits specified will inconvenience the traveling public and will be a cost to the Agency.

It is impractical to determine the actual damages the Agency will sustain in the event traffic is stopped or held longer than the 20-minute limit listed in 00220.02. Therefore, the Contractor shall pay to the Agency, not as a penalty, but as liquidated damages, $____ per 20 minutes, or for a portion of 20 minutes, for stopping or holding traffic longer than 20 minutes.

Assessment of liquidated damages will stop when the Engineer determines that traffic is no longer stopped or held beyond the 20-minute limit. Any liquidated damages assessed under these provisions will be in addition to those listed in 00180.85(b).