

SPECIAL CONTRACT REQUIREMENT DEVELOPMENT GUIDELINES

These guidelines explain how to develop Special Contract Requirements (SCRs).

SCRs are project-specific revisions to the *Standard Specifications For Construction Of Roads And Bridges On Federal Highway Projects* (FP). They are a single document containing Unique Project Specifications (UPSs), written by the designer, and clauses copied from the Library Of Specifications (LOS). SCRs are written to reference and modify specific sections or subsections of the FP, unless State standard specifications are being used.

LOS. The LOS is divided into several Microsoft Word documents. Each document is named to match a Section of the FP-03 (101, 151, 201, etc), or a Division of the FP-96 (100, 200, 300, etc.) and contains all of the standard clauses for that Section. There is also a single document for the FP-03 LOS, consolidating all the individual Section files.

The latest revision date to a particular Section is indicated by the **red font color date** below the Section title (FP-03 entirely, FP-96 is being added as Sections are revised). A revision history (RevisionIndex.xls, RevisionIndex96Eng.xls, RevisionIndex96SI.xls) provides additional specifics about which sections or clauses were modified, when, and how.

LOS clauses are preceded by **yellow highlighted and italicized text** that gives instructions explaining when to include an LOS clause in the SCRs. An LOS clause may consist of a single sentence or be as large as an entire Subsection of numerous paragraphs. In some cases, a series of clauses from different subsections may be controlled by the same **yellow highlighted and italicized instructions**. Within a Section, the **yellow highlighted and italicized instructions** will remain in effect until the next **yellow highlighted and italicized instructions** or the end of the Section. Some Sections do not contain these **instructions**, as the entire Section is to be included when any pay items or work covered by that Section are included in the project.

Some LOS clauses contain instructions regarding specifications the designer must modify or add. These are also **yellow highlighted and italicized**. Once the information is added, change the font and highlighting to **nonitalicized, turquoise highlighting**, as this information qualifies as unique project specifications, see UNIQUE PROJECT SPECIFICATIONS below.

The LOS clauses are written to apply to both the USC and Metric Versions of the FP-03. There is not a separate LOS for each. Information that applies exclusively to the Metric Version is indicated in **bright green**. Delete USC information that precedes metric equivalent information, if desired. If the USC Version is being used, delete anything in **bright green**, if desired.

Each LOS clause is preceded by numbers in the left margin. These numbers track the origin of the clause (for FP-96) and provide a means of reference for review and comment. Include these clause numbers when developing project SCRs. Do not alter the clause numbers, they are used for reference purposes until the project is advertised. They will be deleted by the PS&E Review Team prior to advertising.

The clause number consists of several parts:

\$\$ - indicates that the LOS clause was developed by the EFL LOS committee.

- indicates that the LOS clause is an FLHO Supplemental Specification adopted by FLH, and is typically a correction to the FP-96. FLHO clauses, correcting and revising the FP-03, are assembled in the FP-03 Errata.

Numbers - The three digits before the period correspond to the Section number. The three digits after the period correspond to the Subsection number.

Letter - indicates the chronological order in which clauses were added to the LOS for each Subsection.

Example:

 \$\$401.19B \$\$-This clause was developed by EFL personnel,
 401.19 – This clause addresses the 401 Section, Subsection 19,
 B – Indicates this is the second change to the 401.19 Subsection.

UNIQUE PROJECT SPECIFICATIONS (UPSs). Unique Project Specifications are those specifications written by the designer that apply only to the specific project. When a clause from the LOS is modified, it becomes a UPS.

Write the UPSs in the 1st person imperative mood, active voice (where possible).

Clearly indicate the FP section being revised:

- At the beginning of the revision, cite the paragraph and lowest subsection letter or number, but never cite less than an entire sentence:

 108.04. (*Revision text*),

 204.16(a)(2)(k). (*Revision text*)

- UPSs are not given clause numbers as are the LOS clauses.
- In the FP, the beginning and end of a paragraph is indicated by a double space, with the following exception: If a paragraph ends with a colon (:) and is followed by lettered (c) or numbered (2) sections, these sections are considered to be part of that paragraph.

To revise an FP section, use the following phrases:

- To add to an FP section use “**Add the following:**.”
- To delete an FP section use “**Delete the text of this subsection**” or “**Delete the (first, second, last, etc.) sentence of this subsection.**”

- To replace or modify an FP section use “**Delete the text of this subsection and substitute the following:**” or “**Delete the (first, second, last, etc.) sentence of this subsection and substitute the following:**.”
- Only modify the Measurement Subsection within a Section, when the desired unit of measurement differs from the definitions of Subsection 109.02, or to accurately define the work that is included in the pay item unit of measure.

Acceptable examples of revision statements:

- 102.06. Add the following:
- 106.01. Add the following after the fourth paragraph:
- 101.01. Delete the last paragraph.
- 703.05(a). Delete items (3) and (4).
- 152.03. Delete the text of paragraphs (), (), and ().
- 108.04. Delete the second and third paragraphs and substitute the following:
- 101.04. Delete the definition for "Substantial Completion" and substitute the following:
- 152.03(c). Delete the last sentence and substitute the following:
- 204.16(a)(2)(k). Delete the text and substitute the following:
- 408.08. Delete the text except for Table 408–1 and substitute the following:
- 609.04. Delete the second sentence of the first paragraph and substitute the following:

Writing and Formatting SCRs. The LOS is formatted to match the FP. Do not reformat clauses from the LOS used in the SCRs. The following shows how the FP is indented at each successive subsection:

909.01 Subsection number and title. The top echelon of Subsections is full margin width. Each subsequent subsection is indented an additional ¼ inch from the left margin. See 401.03 (b) of the FP for a formatting example.

(a) bold numbering & subparagraph title. The paragraph itself is not further indented. It aligns with the subparagraph number.

(1) bold numbering & subparagraph title. The paragraph itself is not further indented. It aligns with the subparagraph number.

(a) italicized lettering, not bold. The paragraph itself is not further indented. It aligns with the subparagraph number.

(1) italicized numbering, not bold. The paragraph itself is not further indented. It aligns with the subparagraph number.

Tabs are uniformly spaced at ¼ inch increments. The LOS is left justified.

Do not break tables across pages. Notes for tables may cross pages.

Spell out “percent” and measurement units (foot, feet, inch, square foot/feet, square inch, pounds square inch, etc.) when used in the main body of the text. Measurement units may be abbreviated and % symbols used in tables.

Do not spell out numbers unless at the beginning of a sentence. Plural measurement units (inches, feet, meters) are used for numbers greater than and less than 1. The only time a measurement unit is singular is for a value of 1, or as an adjective to an item description, such as a ¼-inch radius.

Correct use of Latin abbreviations i.e. and e.g. I.e., id est, means “that is.” It is used when explaining something. E.g., exempli gratia, means “for example.” Its use is indicated by its translation. The English equivalent of these Latin phrases is also acceptable.

The plus/minus (\pm) symbol is: Alt 0177. The degree symbol ($^{\circ}$) is: Alt 0186.

The format for degrees of temperature is:

##(space) $^{\circ}$ F or ## \pm ##(space) $^{\circ}$ C

When replacing or rewriting the .01 Subsection, use the following text:

This work consists of....

When adding to the existing .01 Subsection, use the following text:

This work includes....

Place material specifications in the appropriate 700 Section or Subsection. The .02 Material Subsection is for referencing material specifications. The .02 Subsection may also be used when identifying a specific material to be used, where the FP doesn't provide a material specification and the item of that material is commonly available. Where materials are designated in the .01 Subsection, such as Section 633, these are defining how the materials are named. To designate a specific material for a project, where a choice of materials exists, use the .03, or General Subsection, or the Subsection specific to that item.

Example:

In Section 633, the FP 96 states:

Posts are designated as wood, aluminum, or steel.

To specify that posts must be steel:

633.04. Add the following:

Use steel posts.

In some cases, we don't have an appropriate 700 Section or Subsection. Where the material specifications are brief, they may be placed in the .02 Subsection.

Example:

636.02. Add the following:

Furnish a traffic counter with the following characteristics:

Measurement. This is defined in 109.02. The measurement subsection only needs expanded if you are modifying how the measurement is to be made or to define what is included.

Traffic control specifications / requirements go in Section 156 – Public Traffic. Section 108 – Prosecution and Progress contains clauses concerning how the contractor will conduct the work, in general. As indicated by the LOS 96 clause:

\$\$108.01G

Limitations of operations for temporary traffic control are specified in Subsection 156.06.

Finally, clearly identify, by highlighting in **Turquoise**, those sections of the SCRs that are UPSs, including clauses, or portions of clauses, from the LOS that were revised for the specific project. This allows ease of review by the Project Manager, Design Quality Coordinator, PSERT, the COE, and other reviewers. Highlighting will be removed by the PS&E Review Team prior to advertisement.

- The reviewers check the highlighted text to ensure the SCRs are appropriate, applicable, clearly written, properly formatted, and address the resolution comments.
- The reviewers also monitor the extent that UPSs are included in each project and recommend any needed revisions to the LOS.