

## **SPECIAL PROVISIONS**

These Special Provisions are to be used in conjunction with the ***North Central Texas Council of Governments Public Works Construction Standards, Fourth Edition (October 2004), Division 100 General Provisions, as amended***. Should any discrepancies arise, the governing order shall be: Special Provisions, Plans, Technical Specifications, and General Provisions.

**THE FOLLOWING SPECIAL PROVISIONS HEREBY MODIFY THE *North Central Texas Council of Governments Public Works Construction Standards, Fourth Edition (October 2004), Division 100 General Provisions***. Where reference is made in these specifications to specifications compiled by others, such reference is made for expediency and standardization, and such specifications referred to are hereby made a part of these specifications.

### **SP-1 PROJECT DESCRIPTION:**

This project is for the **STREAM BANK STABILIZATION AND BRIDGE REPLACEMENT PROJECT, SOUTH MESQUITE CREEK, AND CITY CONTRACT NO. 2019-038**

### **SP-2 PRE-BID MEETING:**

A pre-bid conference will be held at 2:00 p.m. on Tuesday, December 11, 2018, at the City of Mesquite Arts Center located at 1527 N. Galloway Avenue, Mesquite, Texas 75149 in the Library. The pre-bid meeting will be held to permit prospective bidders the opportunity to ask questions of the design staff regarding the project, plans and specifications.

### **SP-3 INCENTIVES AND LIQUIDATED DAMAGES:**

This project is a 330 calendar day contract. Liquidated Damages are per the provisions of GP 108.8. This section states the Incentives and Liquidated Damages for this project for the timeliness of reaching milestones described on drawing 004 of 111 Construction Sequence Milestones.

**Milestone 1, February 4, 2019:** Begin construction within area designated for Milestone 1 on Construction Sequence Milestones drawing.

**Milestone 2, April 22, 2019:** Begin construction within area designated for Milestone 2 on Construction Sequence Milestones drawing including construction of compacted fill on Pad Sites East.

**Milestone 3, May 15, 2019:** have completed relocation of 12-inch City water main and 14-inch NTMWD water main at N. Mesquite Drive bridge.

**Milestone 4, May 19, 2019:** have completed rough grading of proposed track and field (most of the grading work can be accomplished without operating of heavy equipment over existing sanitary sewer mains).

An **incentive of \$30,000** is offered for completing all the **Milestone 4** items by **May 19, 2019**. For each and every calendar day all the Work described under **Milestone 4** shall remain uncompleted after **May 19, 2019**, **Liquidated Damages in the amount \$2,500 per calendar day** will be assessed against the Contractor until Final Completion of Milestone 4 Work. These Liquidated Damages are based on per diem cost of transporting high school sports teams to alternate locations caused by delay in opening of the new North Mesquite High School sport facilities.

**Milestone 5, June 23, 2019:** have completed the following items:

- A. Sanitary sewer improvements between N. Mesquite Drive and Town East Boulevard (new sanitary sewer main must be in service before heavy equipment operates on top of old 18-inch and 15-inch sewer mains or stand-by bypass pumping piping and equipment must be provided).
- B. Mass grading of South Mesquite Creek channel banks at and north of N. Mesquite Drive bridge.

- C. Storm drainage improvements within MISD property.
- D. Retaining wall along edge of the baseball field and football practice field.
- E. Rough grading of the baseball field and football practice field including placement of topsoil.

An **incentive of \$50,000** is offered for completing all the **Milestone 5** items by **June 23, 2019**. For each and every calendar day all the Work described under **Milestone 5** shall remain uncompleted after **June 23, 2019**, **Liquidated Damages in the amount \$2,500 per calendar day** will be assessed against the Contractor until Final Completion of Milestone 5 Work. These Liquidated Damages are on the same basis as Milestone 4 Liquidated Damages.

Liquidated Damages for Milestone 4 and Milestone 5 are not cumulative.

**Milestone 6, July 1, 2019:** have completed compacted fill and mass grading on Pad Sites West and East.

For each and every calendar day all the Work described under **Milestone 6** shall remain uncompleted after **July 1, 2019**, **Liquidated Damages in the amount \$2,000 per calendar day** will be assessed against the Contractor until Final Completion of Milestone 6 Work. These Liquidated Damages are based on \$2,000 per diem credit against rent the tenant will receive from the proposed pad site developer for each day the developer's work has not been completed beyond the developer's deadline, caused by delay in Milestone 6 Work.

Liquidated Damages for Milestones 4 and 5, and Milestone 6 are cumulative, not to exceed \$4,500 per calendar day.

**Milestone 7, August 15, 2019:** have completed construction of N. Mesquite Drive bridge and street improvements including all railing, paving, sidewalks and ripraps, fencing and metal beam guard fences, pavement markings and signage, relocation of all affected utilities and storm drains, and all incidental construction items. Have N. Mesquite Drive opened for vehicular and pedestrian traffic.

**Milestone 8, December 31, 2019:** have completed the entire project including all items not specifically listed in previous project milestones. Starting August 15, 2019 construction activities may not encroach into MISD property outside drainage and utility easement.

For each and every calendar day all the Work described under **Milestone 8** shall remain uncompleted after **December 31, 2019**, **Liquidated Damages in the amount \$1,500 per calendar day** will be assessed against the Contractor until Final Completion of Milestone 8 Work. These Liquidated Damages are based on the cost of the Field Inspector and on the City's and third party construction management and administration costs.

Liquidated Damages for Milestones 4, 5 and 6, and Milestone 8 are cumulative, not to exceed \$6,000 per calendar day.

#### **SP-4 SUBMITTALS:**

The Contractor shall provide submittals of the following items to the Owner's Representative at the pre-construction conference:

1. List of Subcontractors and Material Suppliers (including Material's Testing Laboratory and Surveyor for construction staking).
2. Submittals for all materials to be incorporated into the project. A submittal is not required for an item if it is an item is listed on the City of Mesquite Approved Materials list by brand name and model number.
3. Concrete batch designs and paving equipment.
4. Project Schedule.
5. Listing of all testing required by the specifications and plans with frequency requirements.
6. Traffic Control Plan.
7. Completed SWPPP.
8. NOI and CSN.
9. Trench Safety Plan – sealed by a registered engineer.