**Three-Party Design Contract Special Provisions**

*January 03, 2017*

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**THREE PARTY DESIGN CONTRACT SPECIAL PROVISIONS**

Revised 05/26/16

The following are recommended special provisions for the design contract to be inserted behind the standard provisions.

**VI. SPECIAL PROVISIONS**

Section(s)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_is (are) amended to substitute the DEPARTMENT for the MUNICIPALITY.

#  SCOPE OF SERVICES

## A. DESIGN REPORTS

 (1) Request for Exceptions to Design Standards

 Prepare a request for exception(s) to design standards in accordance with the MANUAL. Three copies of the request shall be submitted to the DEPARTMENT for approval.

 (2) Encroachment Report

 Prepare an encroachment report as directed by the MUNICIPALITY. Submit three copies to the MUNICIPALITY for approval.

 (3) Other Reports:

 Prepare the following engineering reports/analyses as directed by the MUNICIPALITY:

## B. ENVIRONMENTAL DOCUMENTATION

 Execute a disclosure statement as required by 40 CFR 1506.5(c).

 Prepare an EIS, EA, ER, or PER Environmental document for the PROJECT as specified in the MANUAL and Chapter TRANS 400, Wisconsin Administrative Code. Furnish the required number to the MUNICIPALITY for approval.

 Prepare an environmental document that evaluates reasonable alternatives to the PROJECT and consider other reasonable actions or activities that may achieve the same or similar goals of the proposed highway PROJECT, including other or additional transportation alternatives and intermodal opportunities and the alternative of taking no action. Evaluate alternative courses of action based upon a balanced consideration of the environment, public comments, and the need for safe and efficient transportation consistent with local, state, and national environmental goals. Prepare environmental documents that are concise and emphasize significant environmental issues and plausible alternatives. Comply with requirements specified in the MANUAL and TRANS 400, Wisconsin Administrative Code. In the event of a conflict between the MANUAL and TRANS 400, Wisconsin Administrative Code, the administrative rule supersedes.

 (1) Environmental Assessments:

1. Publish the notification of the availability of the Environmental Assessment as specified in the MANUAL and Chapter TRANS 400, Wisconsin Administrative Code.

 (b) Revise the Environmental Assessment to address comments received during the public availability period.

 (2) Environmental Impact Statements:

 (a) Prepare an Environmental Impact Statement, draft and final versions, as specified in the MANUAL and Chapter TRANS 400, Wisconsin Administrative Code.

 (b) Revise the Environmental Impact Statement to address comments received during the public availability period.

 (c) Furnish an original copy of the Environmental Impact Statement, suitable for reproduction, to the MUNICIPALITY for endorsement on the title sheet. Arrange for printing the necessary number of endorsed copies of this document as required in the MANUAL and Chapter TRANS 400, Wisconsin Administrative Code.

 (d) Circulate the copies of the Draft and Final Environmental Impact Statements.

 (e) Publish a public notice of availability of the Environmental Impact Statement as required by the MANUAL and Chapter TRANS 400, Wisconsin Administrative Code.

 (3) Agricultural Impact Notice:

 Prepare an Agricultural Impact Notice, as specified in the MANUAL, for all lands from farm operations which may be acquired for this PROJECT. Submit Agricultural Impact Notice to the Wisconsin Department of Agriculture, Trade, and Consumer Protection.

 (4) Section 4(f) Evaluation:

 Describe the impact of this PROJECT upon lands protected under Section 4(f) of the Federal-Aid Highway Act of 1968, as amended, and the findings to the MUNICIPALITY for evaluation by the DEPARTMENT and the FHWA. Prepare a Section 4(f) evaluation in accordance with the MANUAL.

 (5) Section 6(f) Evaluation:

 Prepare a Section 6(f) evaluation in accordance with the MANUAL.

 (6) Historical and Archaeological Surveys and Studies:

 (a) Identify the Area of Potential Effect for the PROJECT. Conduct a reconnaissance survey as specified in the MANUAL. Submit the results of the archaeological and historical reconnaissance and evaluation studies to the region project manager. Obtain recommendations from SHPO, the historian and the Project Manager regarding historical/architectural reconnaissance surveys. Obtain recommendations from the archaeologist, Bureau of Environment and the Project Manager prior to conducting evaluation studies when further work is needed.

 (b) Prepare a report as required in the "Guidelines for Preparation of Formal Report on Archaeological Materials or Sites" in accordance with the MANUAL. Document the results of the reconnaissance survey for architecture/history using the “Architecture/History Survey Form”.

 (c) Conduct further study(ies), in accordance with the MANUAL, to document the eligibility of site(s) for inclusion in the National Register of Historic Places.

 (d) Prepare a Determination of Eligibility for each property that is recommended for consideration as eligible for inclusion in the National Register of Historic Places using Determination of Eligibility Form HP-02-10(06/01/94). Preparing a Determination of Eligibility for archaeological sites using either the National Register Form NPS 10-900 or Form HP-02-10.

 (e) Prepare documentation for the determination of effects (No Effect, No Adverse Effects, Adverse Effects) as appropriate. Prepare Documentation for Consultation in accordance with the MANUAL and in consultation with the FHWA, SHPO, and BOE. When appropriate, Native Americans will also be included in the consultation process. Prepare a Data Recovery Plan as part of the Documentation for Consultation for Archaeological properties.

 (f) Prepare a Memorandum of Agreement in accordance with the MANUAL in consultation with the FHWA, SHPO, and the BOE.

 (7) Noise Analysis:

 Complete noise analysis in accordance with the MANUAL and Chapter TRANS 405, Wisconsin Administrative Code. Findings of the noise analysis shall be incorporated into the environmental document prepared for the PROJECT.

 (8) Air Quality:

 (a) If this PROJECT is located in a nonattainment area for ozone (O3) or particulate matter (PM), or is part of the federal Congestion Mitigation and Air Quality (CMAQ) program, certain restrictions may apply. Appropriate sections of the Clean Air Act should be consulted.

 NOTE: On May 21, 2012, United States Environmental Protection Agency (EPA) published in the Federal Register the final rule for Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards (pages 30088–30169). On June 11, 2012, EPA also published in the Federal Register the final rule for Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards for Several Counties in Illinois, Indiana, and Wisconsin; Corrections to Inadvertent Errors in Prior Designations (pages 34221–34228). These documents designate the following areas in Wisconsin as not attaining the 2008 8-hour ozone standard:

 Kenosha County (part) Nonattainment (Marginal)

Pleasant Prairie Township and Somers Township:

 http://www.gpo.gov/fdsys/pkg/FR-2012-06-11/pdf/2012-14097.pdf

 Sheboygan County Nonattainment (Marginal)

 http://www.gpo.gov/fdsys/pkg/FR-2012-05-21/pdf/2012-11618.pdf

 NOTE: On November 13, 2009, EPA published in the Federal Register the final rule for Air Quality Designations for the 2006 24-Hour Fine Particle (PM2.5) National Ambient Air Quality Standards (pages 58688–58781). EPA designated three Wisconsin counties as not attaining the 2006 24-hour PM2.5 standard. In April 2014, EPA redesignated the three-county area in southeastern Wisconsin as attaining the 2006 24-hour standard for fine particulate matter, or PM2.5. As a result of this action, all counties in Wisconsin now meet the National Ambient Air Quality Standards (NAAQS) for particle pollution.

 Milwaukee County Maintenance

 Racine County Maintenance

 Waukesha County Maintenance

 Some of these counties are likely to be designated by USDOT as transportation management areas. The Secretary of USDOT is required to designate all urbanized areas over 200,000 population as transportation management areas, and additional areas upon the request of the Governor and the metropolitan planning organization designated for such area or the affected local officials. On April 16, 1992, the Milwaukee and Madison urbanized areas were designated as transportation management areas by FHWA.

 (9) Hazardous Materials/Contamination Assessments

 (a) Conduct a Phase I investigation for the PROJECT in accordance with the MANUAL.

 (b) Obtain direction from the Project Manager and the Region environmental coordinator prior to conducting further evaluation studies when Phase 1 indicates further work is needed.

 (c) Conduct a Phase 2 - Environmental Sampling, in accordance with the MANUAL, at the following sites:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (d) The MUNICIPALITY acknowledges that the CONSULTANT is not, by virtue of this CONTRACT, the owner or generator of any waste materials generated as a result of the Hazardous Materials/ Contamination Assessments services performed by the CONSULTANT under this CONTRACT. Dispose of investigative waste in accordance with the MANUAL.

## C. AGENCY COORDINATION

 (1) Section 401 and 402 Certifications:

 Evaluate the effects of the PROJECT on water quality, in accordance with the provisions of the Clean Water Act and Chapter TRANS 400, Wisconsin Administrative Code and the MANUAL; and prepare the necessary application.

 (2) Section 404 Permits:

 Evaluate the potential for discharge of fill materials into the waters of the United States, in accordance with the provisions of the Clean Water Act and Chapter TRANS 400, Wisconsin Administrative Code and the MANUAL; and prepare the necessary permit application.

 (3) Section 9 and 10 Permits:

 Evaluate the effects of the PROJECT on commercial navigation, in accordance with the Rivers and Harbors Act of 1894 and the MANUAL; and prepare the necessary permit application(s).

## D. RAILROAD/ UTILITY INVOLVEMENTS

 (1) Railroad Negotiations/Agreements

 Prepare all statements and documentation and present testimony at proceedings before the Office of the Commissioner of Transportation, or such other forum as may be designated by the DEPARTMENT.

 (2) Utility Coordination

 Perform all utility coordination in accordance with:

 a) The MANUAL

 b) TRANS 220

 c) The WisDOT “Guide to Utility Coordination”

 d) The “Utility Coordination Task List for Design Consultant Contracts” as agreed upon \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(date)

(3) The DEPARTMENT/MUNICIPALITY will provide the CONSULTANT with a list of known utilities on the PROJECT and a list of contact personnel for utility coordination. This list is not warranted to be complete, but is furnished to assist the CONSULTANT. Verify and update the list.

(4) Confer on an ongoing basis with all utility facility owners in the project vicinity to establish mutual understanding on design features of the project affecting utility facilities, and shall keep the MUNICIPALITY informed of all such coordination activities. Provide the MUNICIPALITY with plans and information that will allow it to meet its planned utility coordination schedule.

 (5) Utility Negotiations/Agreements

 Prepare statements, exhibits, and documentation for and present testimony at proceedings before the Public Service Commission or such other forum as may be designated by the MUNICIPALITY.

## E. PUBLIC INVOLVEMENT

 (1) Public Involvement Meetings:

 (a) Conduct or assist the MUNICIPALITY in holding \_\_\_\_\_\_\_ public involvement meeting(s) and explain to the public concepts and probable impacts of this PROJECT.

 (b) Prepare all exhibits and supplementary handout material and provide the equipment necessary to conduct the public involvement meeting(s).

 (c) Prepare a summary report after the public involvement meeting(s).

 (d) Discuss with the MUNICIPALITY the comments received and recommend the possible disposition of these comments and suggestions after the public involvement meeting(s).

 (e) Make all the necessary arrangements for scheduling the public involvement meeting(s) and provide notices and press releases for the MUNICIPALITY’S use.

 (f) Provide the MUNICIPALITY with copies of all public involvement correspondence and file notes.

 (g) Coordinate meeting schedules with the MUNICIPALITY'S representative.

 (2) Formal Public Hearing:

 (a) Assist the MUNICIPALITY in preparing for and holding \_\_\_\_\_\_ formal Public Hearing(s) as set forth in the MANUAL.

 (b) Prepare the necessary exhibits, PROJECT statement, and printed handout material for use by the MUNICIPALITY in conducting the Public Hearing, in accordance with the MANUAL.

 (c) Be represented at the Public Hearing and be prepared to assist and provide information as requested by the MUNICIPALITY.

 (d) Retain a court reporter and provide a public hearing transcript.

 (e) Evaluate the transcript of testimony received at the Public Hearing and make written recommendations to the MUNICIPALITY as to the possible disposition of the comments received.

 (f) Incorporate into the SERVICES for this PROJECT those changes or modifications brought about as the result of the Public Hearing as directed by the MUNICIPALITY.

 (3) Open Forum Public Hearing:

 (a) Conduct or assist the MUNICIPALITY in holding \_\_\_\_\_\_\_\_\_\_ open forum Public Hearing(s) as specified in the MANUAL.

 (b) Prepare the notice of public hearing and the list of newspapers in which it is to be published.

 (c) Prepare all necessary exhibits, PROJECT statement, printed handout material and provide the equipment necessary to conduct or assist the MUNICIPALITY in conducting the Public Hearing, in accordance with the MANUAL.

 (d) Retain a court reporter and provide a public hearing transcript.

 (e) Evaluate the transcript of the testimony received at the Public Hearing and make written recommendations to the MUNICIPALITY as to the possible disposition of the comments received.

 (f) Incorporate into the SERVICES for this PROJECT those changes or modifications brought about as the result of the Public Hearing as directed by the MUNICIPALITY.

 (4) Project Mailings, Newsletters:

 Prepare a pre-formatted database in Microsoft Access 7.0 for project mailings, newsletters, or any contact lists. The MUNICIPALITY will supply the format on disk or by electronic mail for the CONSULTANT.

## F. MEETINGS

(1) Attend or hold an Operational Planning Meeting to discuss the organization and processing of the Services under this CONTRACT.

 (2) \_\_\_\_\_\_\_\_\_\_\_\_ meeting(s) shall be held with local officials approximately \_\_\_\_\_\_\_\_\_\_\_\_ weeks prior to the Public Informational Meeting(s).

 (3) \_\_\_\_\_\_\_\_\_\_ meeting(s) shall be held with the MUNICIPALITY'S staff approximately two weeks ahead of the local official's meeting for the purpose of reviewing exhibits, handouts, and presentations.

 (4) A Final Plan Review Meeting with the MUNICIPALITY shall be held approximately 45 - 60 days ahead of the P.S. & E. submittal date.

 (5) Attend the pre-construction conference as scheduled by the MUNICIPALITY.

 (6) Meet with the DEPARTMENT’S Region Technical Services Soils Engineer to coordinate soils and sub-surface investigation work efforts.

 (7) \_\_\_\_\_\_\_\_\_ meeting(s) shall be held to plan, review, and coordinate the PROJECT with the MUNICIPALITY'S staff.

 (8) Conduct \_\_\_\_\_\_\_ coordination meeting(s) with utilities having facilities on the PROJECT.

## G. LOCATING

 (1) Conduct the necessary investigation of an area to determine the location of the highway between the following designated termini \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (2) Locating is the development of an alignment within a corridor such that the feasibility, practicality, and costs of the location can be fully evaluated. When appropriate to consider a new location or a relocation, \_\_\_\_\_\_\_\_ reasonable alternatives shall be developed to enable selection of the most suitable alternate for further development.

 (3) Evaluate location alternatives described as the following:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (4) Locating shall include the preparation of displays drawn to a suitable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ scale of feasible potential alternate alignments and projects. Such displays shall portray the alternate alignments and profiles, and topographical, geological, and cultural features which may have an influence on the geometrics of the highway, costs of right of way, environmental aspects, construction, future operation, maintenance, and traffic services, among others necessary for the computation of the quantities of work items embraced in the construction of the PROJECT, and to yield the physical information necessary for the acquisition of rights-of-way.

 (5) Prepare a Location Study Report in accordance with the MANUAL. Submit three copies of this report to the MUNICIPALITY for approval.

## H. SURVEYS

 (1) Temporarily mark existing right-of-way for coordination with affected utilities and property owners.

 (2) Locate the necessary section corners for the right-of-way plat. It is estimated that \_\_\_\_\_\_\_\_ section corners need to be located and established and tied to state plane coordinates. Do not apply for reimbursement from the applicable county for these costs.

 (3) Conduct surveys that provide information necessary for the preparation of plats and acquisition of rights of way and property. Provide right-of-way monumentation information. All such information shall be provided in an electronic file in accordance with the MANUAL.

 (4) Tie surveys to section corners, quarter section corners, and to street lines or block corners in platted areas. Ties shall be in sufficient detail to permit the preparation of proper legal descriptions of the lands acquired.

 (5) Submit all survey data (including description, measured, and computed data) to the MUNICIPALITY in the AASHTO SDMS format, in accordance with the MANUAL. Copies of original notes or printouts from other systems which may be used in lieu of the SDMS Collector software shall also be provided.

## I. SOILS AND SUBSURFACE INVESTIGATIONS

 (1) Perform \_\_\_\_\_\_\_\_\_\_\_ borings of the existing pavement structure, including base courses and shoulders, in order to determine quantities and qualities of materials available for project needs.

 (2) Investigations of subsurface soil conditions for foundations at the sites of proposed bridges or other structures are required. They shall consist of not less than one machine powered boring within the approximate limits of each substructure unit.

 Foundation borings shall be performed to yield sufficient detailed data to enable an engineering design of the structure and its foundation per DEPARTMENT standards.

 Foundation investigations shall be coordinated with the MUNICIPALITY, with a minimum of three working days prior notice, to enable the MUNICIPALITY to make provisions for on-site observations and to evaluate conditions during drilling.

 When borings have reached the depth of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ without providing necessary data, the driller is authorized to continue drilling until depths reach 120 percent of the planned depths. When necessary data is obtained for any individual boring, prior to borings reaching the planned depth, the drilling for that individual boring shall be terminated.

 When completion of drilling to 120 percent of the depth of any individual boring as set forth above is not sufficient to adequately assess subsurface conditions, or otherwise determine all the required foundation information, the CONSULTANT shall recommend revised boring depths or a revised boring program for verbal authorization by the MUNICIPALITY. The extent of all subsurface foundation investigations performed shall be fully justified in the Soils Report for the PROJECT.

 All boreholes and monitoring wells shall be backfilled as per the April 20, 1992 guidelines titled "Wisconsin Department of Transportation Geotechnical Unit -Drilled Borehole and Monitoring Well Abandonment Procedures".

 Record final borehole location; station and referenced offset and elevation. CONSULTANT shall provide final boring location GPS coordinates and provide a Google Earth image of project site showing coordinate correct as-drilled boring locations.

 (3) Perform subsurface investigations to analyze project geotechnical concerns and provide full detailed recommendations. The soils shall be classified by pedological means to provide pavement design parameters.

 (4) Transmit to the DEPARTMENT gINT software boring logs for all completed borings, using the DEPARTMENT’S gINT template (contact Dan Reid for the template, 608-246-7946). Send these to the following email location at the time of PSE submittal: DOTDTSDGeotechnicalgINT@dot.wi.gov.

 (5) Transmit to the DEPARTMENT all soils laboratory testing summary and testing data sheets for tests performed on the soil and rock samples collected during the investigation. In addition, transmit the results of any field tests including vane shear tests, pressure meter tests and cone penetrometer tests. Send this in a .pdf format that references the DEPARTMENTS design project I.D., and send them to the followings email location at the time of PSE submittal: DOTDTSDGeotechnicalSirLab@dot.wi.gov.

 (6) Transmit to the DEPARTMENT all Soil Reports relating to structures, roadways, pavements and environment. Send this in a .pdf format that references the DEPARTMENTS design project I.D., and send them to the followings email location at the time of PSE submittal: DOTDTSDGeotechnicalSirLab@dot.wi.gov

## J. ROAD PLANS

 Section II C (9) in the Standard Provision of the CONTRACT is amended to include the following plans:

 Wetland Mitigation Plan

 Marking and Signing Plan

 Waste Disposal Plan

 Traffic Signal Plans

 Lighting Plans

 Construction staging plans (include earthwork quantities for each stage)

 Landscaping Plan

 Storm sewer Plan

 Grading/Utility Plan

 Project Overview - Single Sheet Schematic Drawing

## K. STRUCTURE PLANS

 (1) Prepare a Structure Survey Report/Hydraulic Report, which includes a discussion of structure sizing, in accordance with the MANUAL. The completed preliminary plan shall show the structure plan, elevation, and typical cross section, and all pertinent data shall appear on the first sheet(s) of the completed structure plans. Four prints of this plan and the Structure Survey Report/Hydraulic Report shall be submitted to the MUNICIPALITY for review. The MUNICIPALITY will review this preliminary plan and the Structure Survey Report/Hydraulic Report and return one print to the CONSULTANT showing requested revisions, if any.

 (2) Plans for Structures shall be fully dimensioned besides showing controlling elevations. The plans shall be prepared with such precision and detail to allow for the convenient layout in the field with customary degree of accuracy, and to allow for the production of an accurate estimate of quantities for all pertinent items of work to be performed in the PROJECT.

 (3) Plans for Structures shall include schedules for bar steel reinforcement. Such schedules shall provide all of the necessary detail required for the fabrication of the reinforcement without the necessity of making separate shop drawings for that purpose.

 (4) When the plans for a structure have been completed the CONSULTANT shall furnish the MUNICIPALITY with three sets of prints of such plans for review and examination.

 (5) Submit three copies for review and examination of all specifications for items of work in the Structure Plans which are not covered by the STANDARD SPECIFICATIONS and such amendments to or revisions of the STANDARD SPECIFICATIONS as may be required to properly cover the work contemplated by the plans.

 (6) Prepare or check the shop drawings for the fabrication of structural steel.

 (7) Plans will be subject to review and examination by the MUNICIPALITY. Such review and examination may be made on the site of the PROJECT.

 (8) Along with the plans for structures submit one copy or reproduction of the design computations for the MUNICIPALITY'S review and permanent file.

 (9) When the plans for structures are to be prepared by others, the MUNICIPALITY and the CONSULTANT(S) shall provide each other with the necessary pertinent information to effect the proper correlation between the Road Plans and the Structure Plans.

 (10) Furnish such other pertinent information and data with respect to the plans and design as the MUNICIPALITY may request.

 (11) In the design and development of the Structure Plans, develop \_\_\_\_\_\_\_\_\_\_\_\_\_ alternative structure types or other geometric configurations to enable selection of the design that provides the best balance between practical construction considerations, right of way requirements, aesthetics and blending with the topography, and costs.

## L. PLATS

 (1) Prepare Right-of-Way Plats in accordance with the MANUAL.

 (2) The DEPARTMENT shall provide to the CONSULTANT preparing a Right-of-Way Plat on all State Trunk, United States and Interstate Highways the following information for those parcels to be acquired on the Plat. A copy of the last deed of record and copies of any referenced documents delineated in the last deed, all documented easements of record, appropriate quarter section maps and tax roll listings and if applicable subdivision plats or certified survey maps. The DEPARTMENT does not contract for title commitments until the preliminary Right-of-Way Plat is submitted to the DEPARTMENT. Review all title commitments, when delivered the DEPARTMENT, update name changes, utility easements and other documents of record and update the Right-of-Way Plat.

 (3) A right of way descriptions shall be provided for all individual parcels of land to be acquired as Right of Way for the PROJECT. An individual legal description shall be provided for each parcel, or an envelope description that does not cover more than one page of the plat. Descriptions shall be by metes and bounds in accordance with the provisions as set forth in the MANUAL, or in the case of platted property by suitable reference to the platted data. For all unplatted property the descriptions shall be referenced to and tied into the pertinent section or quarter section corners. The CONSULTANT shall submit the legal descriptions on a hard copy and on a CD/DVD or an electronic e-mail file to the DEPARTMENT.

 (4) The CONSULTANT shall prepare the descriptions in line item format using IBM compatible PC-DOS-Word Perfect software and provide a copy of this diskette to the DEPARTMENT and MUNICIPALITY.

 (5) Field locate and temporarily mark the new right of way boundaries in a manner which will facilitate the appraisal of all affected parcels.

 (6) Monument the new and existing right of way boundaries in accordance with the procedures outlined in the MANUAL.

 (7) Prepare an Acquisition Stage Relocation Plan in accordance with the procedures as set forth in the MANUAL.

 (8) Provide on the Right-of-Way Plat, point numbers for all new right-of-way points to be monumented and all existing right-of-way points. A CD/DVD or electronic e-mail file with point numbers in SDMS format, in ground coordinates, is to be provided to the REGION.

 (9) A 4 mil full size mylar shall be submitted to the DEPARTMENT for the initial relocation order and for revisions when requested by the DEPARTMENT. A table shall be assigned to every Right-of-Way Plat sheet stating the historical basis for dimensioning the existing highway right-of-way, to also include intersecting side roads. The coordinate basis for the plat shall be on the title sheet and each detail sheet.

 (10) Be responsible for all changes to the plat sheets and legal descriptions until the Real Estate Certification is completed. Changes on the R/W plat that occur following the initial relocation order (excluding hardship or protective purchase) are to be anticipated and are part of this contract.

 (11) Submit the Right-of-Way Plat electronically in accordance with the MANUAL to be reproduced by the DEPARTMENT for each relocation order or when requested by the DEPARTMENT.

 (12) For CONSULTANT design contracts having real estate acquisition: Supply the DEPARTMENT with full size sets of plan/profile and cross sections, including r/w plat if developed as part of this contract, for the department’s use in real estate acquisition at the time required in the project schedule. Revised full size sheets shall be supplied to the DEPARTMENT as such revisions are made throughout the acquisition process.

## M. HIGHWAY SYSTEM CHANGES

 Prepare all documentation for all state trunk highway changes, county trunk highway changes, and local road alternatives associated with the PROJECT, in accordance with the MANUAL. Submit \_\_\_\_\_\_\_ copies of all such documentation to the DEPARTMENT AND MUNICIPALITY for approval.

## N. TRAFFIC

(1) Collect (average-day, 24 hour, etc.) traffic counts and develop traffic projections for the year(s) \_\_\_\_\_\_\_\_\_\_\_\_\_ at the following locations:

 a)

 b)

## O. SERVICES PROVIDED BY THE MUNICIPALITY

 The MUNICIPALITY will provide to the CONSULTANT the following for the PROJECT:

 1.

 2.

# PROSECUTION AND PROGRESS

 (1) The MUNICIPALITY shall report on the progress of the PROJECT as stipulated in the contract agreement. Standard benchmarks, consistent with DEPARTMENT’S internal staff benchmarks, will be reported monthly to the DEPARTMENT. The actual start, projected or actual finish date, and percent of work complete will be included for all relevant benchmarks on any project report required for delivery to DEPARTMENT staff. The report can be delivered in electronic format consistent with current DEPARTMENT standards (Microsoft Project), or on paper.

 (2) The CONSULTANT proposes to sublet these services to

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (3) The following items of work will be completed and submitted to the MUNICIPALITY by the indicated dates, if CONSULTANT has received the Notice to Proceed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (Date)

|  |  |
| --- | --- |
| **Report Title** | **Date** |
| Structure Survey Reports |  |
| Preliminary Structure Plan |  |
| Initial Project Review |  |
| Environmental Document |  |
| Preliminary Road Plan |  |
| Soils Report |  |
| Pavement Design Report |  |
| Exceptions to Standards Report |  |
| Traffic Study Report |  |
| Design Study Report |  |
| Slope Intercepts & Preliminary Plat |  |
| Right-Of-Way Plat(s) |  |
| Right-Of-Way Descriptions |  |
| Acquisition Stage Relocation Plan |  |
| Final Road Plans |  |
| Final Structure Plans |  |
| Final P.S. & E. |  |