

HOW TO USE THE SPECIAL PROVISIONS MENU

All special provisions, both recurring and unique, may be shown as warranted on the Special Provisions Menu. There are 5 basic ways to indicate the need for a special provision on the menu.

1. **RECURRING PROVISION WITHOUT MODIFICATION.** Most recurring provisions may be warranted without modification. If this is the case, place an X next to the provision number and title in the column of brackets on the left hand side of the menu headed "Place In Contract". **Do not attach a copy of the unmodified provision.**

2. **RECURRING PROVISION WHICH MUST BE MODIFIED.** Recurring provisions which cannot stand without modification already have an X shown in the column of brackets on the right hand side of the menu headed "See Attachment". If one of these provisions is warranted, place an X in the appropriate brackets in the left hand column. **Attach a copy of the modified provision to the back of the menu.**

3. **RECURRING PROVISION WHICH REQUIRES MODIFICATION FOR SPECIFIC CONTRACT.** A recurring provision may be warranted though with modified intent for a specific contract. If this is the case, place an X in the appropriate left hand brackets to indicate the need for the provision. Place an X in the appropriate right hand brackets to indicate that a modified copy of the provision is attached. **Attach a copy of the provision showing the modifications. Do not retype or rewrite the recurring provision incorporating the modifications.** If modifications are extensive, attach separate sheets showing the modifications with where they belong in the recurring provision. Reference the modifications by means of asterisks or circled numerals on the recurring provision itself.

4. **UNIQUE PROVISION WITH SAME TITLE AS RECURRING PROVISION.** A provision may be required for a specific contract which must be uniquely written, but does not resemble a recurring provision with the same title. If such is warranted, place an X in the left hand brackets aside the recurring provision number and title. Cross out the recurring provision number. **DO NOT ASSIGN THIS NUMBER OR ANOTHER NUMBER TO THE UNIQUE PROVISION.** Place an X in the corresponding right hand brackets to indicate a unique attachment. Attach a word processed copy of the unique provision. The attached copy should not be a copy of the recurring provision with the recurring wordage crossed out and the unique wordage placed after it.

5. **ALTOGETHER UNIQUE PROVISION.** A special provision may be warranted which does not resemble a recurring provision. If such a provision is warranted, determine the section of the Standard Specifications which would apply if the provision were a Standard Specification. Once this is known, place the title of the provision on a blank line in the menu among provisions whose numbers begin with this Standard Specification number. Place an X in the appropriate left hand brackets to indicate the need for the provision. Place an X in the appropriate right hand brackets to identify an attachment. Attach a copy of the unique provision. **Do not assign a number to the unique provision.** If more than one unique provision is required for the contract,

begin each such provision on a separate sheet.

Place all unique provisions onto a computer disk. You may use the same disk which includes cost estimates and estimates of quantities. Indicate on the disk label that unique provisions are included on the disk. Also, identify the computer software used in preparing the unique provisions.

ATTACHMENTS. Once all modified recurring and all unique provisions copies are compiled, place all attachments into the order in which the X's appear in the right hand columns of brackets. Clip the attachment set to the back of the menu. Do not separate recurring attachments from unique attachments.

When the final word processing of the provision set is completed by the Contract Services Section, all provisions will appear in the contract book in the order they would appear if they were in the Standard Specifications.

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HOW TO USE THE RECURRING PLAN DETAILS MENU

If a recurring plan detail is warranted, indicate so by placing an X in the appropriate brackets on the left hand side of the menu. For a contract with 24 in. x 36 in. plan sheets, attach a copy of the plan detail to the back of the menu. If more than one plan detail is warranted, arrange all copies in the order they appear on the menu. For a contract with 8 1/2 in. x 11 in. plans, place the recurring plan details with the other plan sheets. For both cases, include the Recurring Plan Details Menu and attachments as a separate part of the submission from the Special Provisions Menu and attachments. **Do not place recurring plan details among special provisions.**

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RECOMMENDING CHANGES TO RECURRING SPECIAL PROVISIONS

Recurring special provisions are like Standard Specifications or Supplemental Specifications in that they are considered to be a Department-wide and statewide policy. The requirements specified in these provisions shall therefore apply statewide. However, modifications may be made for individual contracts. Modifications shall not be made to suit a particular type of contract, type of work, district, or route, without regard to the likelihood that such modifications are not being made for all work.

You may recommend a change to the intent of a recurring special provision. Remember, when you recommend such a change, you are recommending a statewide change. Submit the change on a marked-up copy of the recurring provision to Dannie Smith in the Contract Services Section. The Contract Services Section will consider your proposed change with possible input from elsewhere in the Department. If the Contract Services Section and possibly others agree that the change is appropriate, then it will be made.

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USE OF UNIQUE SPECIAL PROVISIONS

Unique special provision use is likely for nearly every contract. However, unique provision submissions for individual contracts must be justified. Include a note with each unique provision which justifies the need for the provision as opposed to the use of recurring provisions, Supplementals, or Standard Specifications. If you cannot determine a justification for a unique provision, use a modified recurring provision, or possibly modified Standard Specifications.

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DOCUMENT SUBMISSION TIPS

Make sure that all originals and copies are legible.

Always submit the current Special Provisions Menu and, if required, the current Recurring Plan Details Menu. Make sure that the modified recurring special provisions copies which are attached to the menu are the current versions.

Make sure that all originals may be photocopied such that the photocopies are legible. The photocopies should be legible if made with the photocopier set at a normal darkness/brightness setting. Test the originals yourself by this method. If the copies are too light, then the originals are too light. The copy on originals of 8 1/2 in. x 11 in. plan sheets shall be darkened. Set the photocopier on a darker-copy setting for light computer-generated unique provisions or estimate originals.

Remember, the originals which you submit as 8 1/2 in. by 11 in. construction plans will be photocopied by the Contract Services Section for use in preparation of the Proposal books. Such photocopies will be photocopied again by the Central Office printing unit. These second-generation photocopies will become the copies which are placed into the Proposal books.

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WRITING CLEAR, CONCISE, CONSISTENT SPECIFICATIONS

THE BIG 5. There are 5 ways to specify. We call them the Big 5. They are:

- 1.DESCRPTION OF THE WORK
- 2.MATERIAL REQUIREMENTS
- 3.CONSTRUCTION REQUIREMENTS
- 4.METHOD OF MEASUREMENT
- 5.BASIS OF PAYMENT

This order is the order in which the work is done. All specifications shall be written in this order. The whole Standard Specifications book, Supplemental Specifications, and Recurring Special Provisions set are written and arranged in this order.

SPECIFICATIONS VS. PLANS. Special provisions are a form of specification. They are not a form of plans. Specifications state the Big 5 noted above in words more readily than plans can show them as drawings. Always keep specifications separate from plans. If it says one or more of the Big 5, it's a specification, and therefore doesn't belong on the plans. Do not mix specifications and plans in the same document. An easy way to hide specifications in plans is by way of "general notes." If they're among the Big 5, make these notes part of the special provisions. If a drawing is required, incorporate it into the plans, and make a specification reference to such drawing as being "shown on the plans."

STYLE. There is no specification writing style which has been mandated by law, the FHWA, AASHTO, or even the Department. The FHWA and AASHTO have, however, made style recommendations which the Department has tried to follow with the Standard Specifications, Supplementals, and recurring provisions. We will explain some of this style technique here.

THE LAW AND SPECIFICATION WRITING. Who are we writing specifications for? No, not our supervisors, and no, not some court of law. The specifications are written for the contractor to build in accordance with, and for Department personnel involved with the contract to enforce. Since we're writing for the contract, let's get to the point of each specification and keep it simple. Laws may be written in a specified style, but no law states the style in which specifications are to be written.

GETTING STARTED. Avoid legal-sounding, trite gobbledygook rambling statements like "the Bidder's attention is directed to the fact that...." or "The Contractor's attention is called to the fact that....". These statements say zero. You spent time writing it, a clerk spent time typing it, others will spend time reading it. The statements don't get to the point. Go ahead and start your specification with it if you must, but there's a better than even chance it will get edited out.

Always remember that the Contractor shall and the Engineer will. Most specification statements may be written with just the word shall or will without using the word contractor or engineer. If it is unclear as to who shall or will without using the word contractor or engineer, use them. Subcontractors, suppliers, fabricators, manufacturers, or others hired by the

contractor also "shall." The Department, the State, the project engineer, the project supervisor, the inspector or others who enforce the contract requirements also "will." Utilities or railroads "shall" only when they have been hired by the contractor to do work on the contract. Otherwise, they "will."

POOR: the Contractor shall place....
 PREFERRED: shall be placed.
 POOR: the Engineer will measure....
 PREFERRED: will be measured.
 POOR: placed as directed by the Engineer.
 Placed as directed by the Project Engineer/Project
 Supervisor.
 Placed as directed by the PE/PS.
 PREFERRED: placed as directed.

Use shall or will instead of "is to"

POOR: This work is to be done
 This work is to be paid for
 PREFERRED: This work shall be done
 This work will be paid for

PHRASEOLOGY. Certain phrases have been adopted in Standard Specifications, Supplementals, and recurring provisions for the sake of consistency. The following is a listing of preferred phrases and the poorly worded phases they shall take the place of.

USE....	INSTEAD OF....
all	any any and all
as shown on the plans	as shown in the plans as detailed on the plans as shown on the detail sheets as shown on the standard drawings as shown on sheet __ of the plans
broken line	skip line
calendar day	day
contract unit price	contract unit price bid
Department	Indiana Department of Transportation INDOT
each	each and every
ensure	insure assure

guardrail	guard rail
in accordance with	in conformance with
milling	scarifying
surface milling	
or	and/or
pay item	bid item
	item
	line item
project limits	contract limits
Schedule of Pay Items	Itemized Proposal
	Proposal
shall be in accordance with	shall conform to
State	State of Indiana
	Indiana
with no additional payment	at the Contractor's expense
work day	working day

Phraseology and abbreviations which are used in the Standard Specifications are permitted and expected to be used in all other specifications written for an individual contract. So if it's in the book, it's fair game. Remember, recurring special provisions and unique special provisions are forms of specifications, so they shall therefore be written similarly to Standard Specifications.

REFERENCES. References to the Standard Specifications or other association specifications may always be made.

POOR:.... in accordance with section 105.05 of the Indiana Department of Transportation Standard Specifications dated 1995.

PREFERRED: in accordance with 105.05.

POOR: in accordance with ASTM A123.

.... In accordance with AASHTO T 89.

PREFERRED: in accordance with ASTM A 123.

.... In accordance with AASHTO T 89.

Note there is no longer any spacing differences between letters and numbers in ASTM and AASHTO references.

If an entire referenced specification does not apply, use this phrase:
.... in accordance with the applicable requirements of _____.

NUMERALS. Use numerals instead of written out names for all numbers

that are united. Use numerals in fractions and decimals. Write out all names for numerals between one and nine, inclusive, that are not united. Use numerals instead of written out names for all numbers 10 and above that are not united. Do not begin a sentence with a number.

POOR: There shall be 1 sign ...
There shall be five liters ...
There shall be three and one half turns...
.... shall submit 5 sets of shop drawings....
....shall be ten wires per conduit...
14 signs will be required
Fourteen signs will be required
PREFERRED: There shall be one sign
There shall be 5 L (18.9 Gal)....
There shall be 3 1/2 turns....
.... shall submit five sets of shop drawings...
...shall be 10 wires per...
.... will require 14 signs.

Do not spell out numbers then follow up with a parenthetical numeral. All specification readers can count and can recognize both forms, so only one form is necessary.

POOR:....shall be placed one and one half (1 1/2) m (5 feet)
from....
PREFERRED:shall be placed 1.5 m (5 ft) from....

UNITS OF MEASURE. Write out units of metric measure within sentences when not accompanied by a quantity. Units of measure may be abbreviated when used in tabular form or when accompanied by a quantity. **English equivalents must appear immediately following metric measures.** Such english equivalents are shown in parentheses. The correct symbol is used in the english equivalent. The english unit therefore need not be written out.

POOR: ...shall be placed 1.5 meters (5 feet) from....
...shall be placed 6 mm (1/4 inch) from...
...shall be placed 6 mm (1/4"), from....
...will be measured by the m (ft)....
PREFERRED: ...shall be placed 1.5 m (5 ft) from....
...shall be placed 6 mm (1/4 in.) from....
...will be measured by the meter (linear foot)....

EMPHASIS. Individual words, phrases, sentences, or even paragraphs in special provisions need not be emphasized. Emphasis has been shown by way of capitals, underlining, or boldface. If the text is there in ordinary type, it is enforceable without emphasis. We don't have to hit specification readers over the head with emphasizing certain passages. They will read it, and they'll get the message.

POOR: THIS WORK SHALL NOT CONTINUE AFTER DECEMBER 1.
This work shall not continue after December 1.
This work shall not continue after December 1.

PREFERRED: This work shall not continue after December 1.

PARENTHETICAL PHRASES. Practically all parentheses may be eliminated without loss of sentence clarity. The only permitted parenthetical phrases are english equivalents which follow metric measurement units, or parenthetical letters or numerals used to identify subsection headings.

Otherwise, parentheses have a tendency to hide or deemphasize genuinely important statements. No part of a specification is less important than others.

POOR: The spot painting shall include an undercoat (min. 64/m (2.5 mils)) of vinyl.

The finish coat (vinyl) shall be placed....
....for each intersection by type (i.e. traffic signal or flasher).

PREFERRED: The spot painting shall include a vinyl undercoat of a minimum thickness of 64 /m (2.5 mils).
The vinyl finish coat shall be placed....
....for each intersection by type such as traffic signal or flasher.

CAPITALIZATION. The only phrases which require full capitalization are special provision titles and subsection headings. The only words which require an initial capital letter without regard to their location in the sentence are Department, Engineer, Contractor, titles of individuals such as District Traffic Engineer, titles of reference publications, traffic sign copy, or other proper nouns if their use is required. Capitalization shall not be used to emphasize certain words, phrases, pay item names, or pay units.

POOR:will be paid for at the contract unit price per METER (LINEAR FOOT) for Geocomposite Pavement Edge Drain.
....in accordance with AASHTO standard specifications for highway bridges....
The sign copy shall be "mowing crews next 8 kilometers (5 miles)."
Breaking pavement WILL NOT be permitted.

PREFERRED:will be paid for at the contract unit price per meter (linear foot) for geocomposite pavement edge drain.
....in accordance with AASHTO Standard Specifications for Highway Bridges.
The sign copy shall be "Mowing Crews Next 8 km" ("Mowing Crews Next 5 miles").
Breaking pavement will not be permitted.

QUOTATION MARKS. Types, classes, or groups of guardrail, joints, pipe, or other pay item descriptions which require these shall not have such designations set off in quotation marks. Pay item names shall not be fully enclosed in quotation marks. Quotation marks shall be used only when designating copy which is required on a traffic sign.

POOR: guardrail end treatment, "MS"
pipe, group "A"
structural expansion joint, "SS"
....contract unit price per kg (ton) for "Bituminous Base 5C,

HV".

The sign copy shall be Mowing Crews Next 8 km (5 miles).

PREFERRED: guardrail end treatment, MS
pipe, group A
structural expansion joint, SS
....contract unit price per kg (ton) for bituminous base 5C,
HV

The sign copy shall be "Mowing Crews Next 8 km" ("Mowing Crews Next 5 miles").

FORMAT. When writing a special provision which does not directly revise the Standard Specifications, use the following format:

TITLE OF PROVISION

FIRST SUBHEADING. Begin copy here for the introductory statements like this. If this subsection must be divided further, continue in the following manner similar to the Standard Specifications.

(a) FIRST DIVISION. This is first division copy following a heading like this.

(b) SECOND DIVISION. The copy follows....

1. FURTHER DIVISION. More copy follows....

2. ANOTHER DIVISION. More copy follows....

a. STILL ANOTHER. Even more specific....

b. STILL MORE. Getting down to it....

(c) THIRD DIVISION. Now the indentation is back out here....

SECOND SUBHEADING. Now you've got the idea of the subsections are titled. Now here is how to format untitled subsections.

(a) Since there is no title, the text just starts right after the parenthetical letter. Note that entire untitled subsection is left-justified as you see here.

1. This untitled subsection needs to be divided up even more like this. Note the further left justification of these sentences.

Now this paragraph is still under the second subheading. Since you're out of the specific copy, go back to regular left justification as you see here.

Center justify the provision title in caps. Show all subheading titles in caps, with no underlines or boldface type. Most unique provisions which you write from scratch will not require subheadings like this. Subtitle the longer ones as you see fit. When you reach the end of the provision, draw or type a double line like this.

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When writing a special provision which directly revises the Standard Specifications, use the same format used in the Supplementals. Use red ink or red pencil to line out existing wordage you don't want to apply. Use red ink or red pencil to indicate insertions. **The last word on a line of Standard Specifications text must remain the last word of your revised line, even if the word is lined out.** Begin this type of special provision as follows:

TITLE OF PROVISION

The Standard Specifications are revised as follows:

SECTION 001, BEGIN LINE 000, DELETE AS FOLLOWS:
 SECTION 001, BEGIN LINE 000, INSERT AS FOLLOWS:
 SECTION 001, BEGIN LINE 000, DELETE AND INSERT AS FOLLOWS:
 SECTION 001, AFTER LINE 000, INSERT AS FOLLOWS:

The revised specification copy begins here. One, and only one, of the above section and line references may be used for each Standard Specifications section to be revised. The section and line reference shall be in capital letters. No space is to follow the reference line and the first line of specifications text. More than one part of a Standard Specifications section, or more than one section, may be revised in the same special provision. Line numbers which appear in the left hand margin of Standard Specifications text must be correctly shown in the revised text. Place the double line at the end of this type of provision also.

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SAMPLE SPECIAL PROVISION WORDAGE INCLUDING ALL OF THE BIG 5.

TITLE OF PROVISION

This work shall consist of _____ as shown on the plans or as directed.

Materials shall be in accordance with _____.

[Construction requirements shall be written in accordance with the guidelines shown above.]

This work will be measured by the _____ (______). [Pay unit: Metric units followed by United States equivalent standard measure units]

This work will be measured by the number of _____ placed.
 [Pay unit: each]

This work will not be measured for payment. [Pay unit: lump sum]

This work will be paid for at the contract unit price per _____ (_____) for _____. [Pay unit: Metric measure units followed by United States equivalent standard units, or each]

This work will be paid for at the contract lump sum price for _____. [Pay unit: lump sum]

Payment will be made under:

Unit	Pay Item	Pay
	Name of First Pay Item With Capitals	Metric Unit (U.S.
Unit)	Name of Second Pay Item With Capitals	Metric Unit (U.S.
Unit)		

The costs of _____, _____, and _____ shall be included in the costs of the pay items.

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