

Amend **Section 101 - Definitions and Terms** to read as follows:

"SECTION 101 - TERMS, ABBREVIATIONS, AND DEFINITIONS

101.01 Meaning of Terms. The specifications are generally written in the imperative mood. In sentences using the imperative mood, the subject, "the Contractor shall", is implied. In the material specifications, the subject may also be the supplier, fabricator, or manufacturer supplying material, products, or equipment for use on the project. The word "will" generally pertains to decisions or actions of the Department and/or Engineer.

101.02 Abbreviations. Meanings of abbreviations used in the specifications, on the plans, or in other contract documents are as follows:

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| AAN | American Association of Nurserymen |
| AASHTO | American Association of State Highway and Transportation Officials |
| ACI | American Concrete Institute |
| ADA | Americans with Disabilities Act |
| ADAAG | Americans with Disabilities Act Accessibility Guidelines |
| AGC | Associated General Contractors of America |
| AIA | American Institute of Architects |
| AISC | American Institute of Steel Construction |
| AISI | American Iron and Steel Institute |
| ANSI | American National Standards Institute |
| APA | American Plywood Association |
| ARA | American Railway Association |
| AREA | American Railway Engineering Association |
| ASA | American Standards Association |
| ASCE | American Society of Civil Engineers |
| ASLA | American Society of Landscape Architects |

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| ASTM | American Society for Testing and Materials |
| AWG | American Wire Gauge |
| AWPA | American Wood Preserver's Association |
| AWS | American Welding Society |
| AWWA | American Water Works Association |
| CCO | Contract Change Order |
| CFR | Code of Federal Regulations |
| CRSI | Concrete Reinforcing Steel Institute |
| DOT | Department of Transportation |
| EPA | U.S. Environmental Protection Agency |
| FHWA | Federal Highway Administration, U.S. Department of Transportation |
| FSS | Federal Specifications and Standards, General Services Administration |
| HAR | Hawaii Administrative Rules |
| HRS | Hawaii Revised Statutes |
| ICEA | Insulated Cable Engineers Association (formerly IPCEA) |
| IMSA | International Municipal Signal Association |
| ITE | Institute of Transportation Engineers |
| MUTCD | Manual on Uniform Traffic Control Devices for Streets and Highways, FHWA, U.S. Department of Transportation |
| NCHRP | National Cooperative Highway Research Program |
| NEC | National Electric Code |
| NEMA | National Electrical Manufacturers Association |
| NFPA | National Forest Products Association |

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| NPDES | National Pollutant Discharge Elimination System |
| OSHA | Occupational Safety and Health Administration/Act, U.S. Department of Labor |
| SAE | Society of Automotive Engineers |
| SI | International Systems of Units |
| UFAS | Uniform Federal Accessibility Standards |
| UL | Underwriter's Laboratory |
| USGS | U.S. Geological Survey |

101.03 Definitions. Definitions of words or phrases used in the specifications, on the plans, or in other contract documents, except for other definitions found in the individual sections, are as follows:

Advertisement - A public announcement (Notice to Bidders) inviting bids for work to be performed or materials to be furnished.

Agency - The State Highway or Transportation Department, Commission or other organization, constituted under State laws, that administers highway or transportation work.

Award - Written notification to the bidder that the bidder has been awarded a contract.

Base Course - The layer or layers of specified material or selected material of a designed thickness placed on a subbase or subgrade to support a surface course.

Basement Material - The material in excavation or embankments underlying the lowest layer of subbase, base, pavement, surfacing or other specified layer.

Bidder - An individual, partnership, corporation, or other legal entity who submits a proposal for the work contemplated and acts either directly or through a properly authorized representative.

Bridge - A single or multiple span structure, including supports that carries vehicles, trains, pedestrians, or utilities on a roadway, walk, or track over water, highway, railroad, or other depression.

Calendar Day. Days shown on the calendar, beginning at midnight and ending at midnight of the following day. If there is no designation of calendar or working day, "day" shall mean calendar day.

Certificate of Compliance - A document clearly identifying specific lots of material signed by a person having legal authority to bind the manufacturer or supplier.

Contract - A written agreement between the Department and the Contractor setting forth the obligations of the parties for the performance of the prescribed work.

The contract includes the Notice to Bidders; instructions to bidders; proposal; contract form and contract bond; notice to proceed; specifications; supplemental specifications; special provisions; general, detailed, and standard plans; contract change orders; and supplemental agreements.

Contract Change Order - A written order to the Contractor covering changes in the contract, establishing the basis of payment, and adjusting time for the work influenced by the changes. Also, a contract change order is a written order concerning the performance of work and the furnishing of materials involving extra work. Such extra work may be done at agreed prices or on a force account basis as provided elsewhere in the Contract. A contract change order signed by the parties to the Contract is a supplemental agreement.

Contract Item (Pay Item) - A specific unit of work for which there is a price in the Contract.

Contract Payment Bond. The security executed by the Contractor and Surety or Sureties furnished to the Department or appropriate Agency to guarantee payment according to the terms of the contract.

Contract Performance Bond. The security executed by the Contractor and the Surety or Sureties furnished to the Department to guarantee the completion of the work according to terms of the contract.

Contract Time - The number of working or calendar days provided in the Contract for completion of the Contract, exclusive of authorized time extensions.

Contractor - The individual, partnership, corporation or other legal entity that has entered into a contract with the Department.

Culvert - A pipe, a reinforced concrete box, or a series of pipes or boxes that provide an opening under the ground for passage of water or other uses.

Department - The Department of Transportation of the State of Hawaii.

Director - The Director of the Hawaii Department of Transportation acting directly or through their duly authorized representatives.

Effective Dates and Laws - Reference to government laws, ordinances, regulations, standard specifications, and rules includes amendments thereto

effective as of the date of the call for sealed tenders.

Engineer - The Administrator of the Highways Division acting directly or through a duly authorized representative. Also, Officer-in-Charge and Engineer are interchangeable.

Equipment - All machinery, tools, and apparatus needed to complete the contract.

Extra Work - (See Subsection 104.03 - Extra Work.)

Highway, Street, or Road - A public way for vehicular travel.

Highways Division - The Highways Division of the Hawaii Department of Transportation constituted under the laws of Hawaii for the administration of highway work.

Holidays - The days of each year set apart and established as State holidays according to Chapter 8, HRS, as amended.

Inspector - The Engineer's authorized representative assigned to make detailed inspections of contract performance, prescribed work, and materials supplied.

Laboratory - The testing laboratory of the Highways Division or other testing laboratories that may be designated by the Engineer.

Law - Any Federal, State, County law, ordinance, code, regulation, or rule.

Leveling Course - An aggregate mixture course of variable thickness used to restore horizontal and vertical uniformity to existing pavements or shoulders.

Material - Any natural or manmade substance or item specified in the contract for use in the construction of the project.

Notice to Bidders - The advertisement for proposals for work or materials requiring bids. Such advertisement will show the location of the work to be done or the character of the material to be furnished. Also the advertisement will show the time and place for the opening of proposals.

Notice to Proceed - Written notice to the Contractor showing the date on which the Contractor may begin the contract work. Also this date is the beginning of contract time.

Officer-in-Charge - See "Engineer".

Pavement - The uppermost layer of material placed on the traveled way or shoulders or both. Pavement and surfacing may be interchangeable.

Pavement Structure - The combination of subbase, base, pavement, surfacing or other specified layer of a roadway constructed on a subgrade to support the traffic load.

Plans - The contract drawings that show the location, type, dimensions, and details of the work to be done under the contract. Also, the current and applicable portions of the Standard Plans shall be part of the contract drawings.

Profile Grade - The elevation or gradient of a vertical plane intersecting the top surface of the proposed pavement.

Project - The specific property on which the contract work is to be performed as described in the contract.

Proposal - The written offer by a bidder on forms furnished by the Department to do the work required at the prices quoted.

Proposal Guaranty - The proposal bond or security furnished with a proposal to assure that the bidder will enter into the contract if the proposal is accepted.

Proposal Schedule - The prescribed schedule on which a bidder submits its proposal.

Public Traffic - Vehicular or pedestrian movement on a public way.

Right-of-Way - Land, property, or property interests acquired for or devoted to transportation purposes.

Roadbed - The graded portion of a highway within top and side slopes, prepared as a foundation for the pavement structure and shoulders.

Roadside - The area between the outside edges of the shoulders and the right-of-way boundaries. Unpaved median areas between inside shoulders of divided highways and infield areas of interchanges are included.

Roadside Development - Those items situated on or within the roadside that provide for the preservation of landscaped materials and features. Also, the rehabilitation and protection against erosion of areas disturbed by construction. This includes seeding, sodding, mulching and the placing of other ground covers.

Also, roadside development includes planting and other improvements designed to increase the effectiveness and enhance the appearance of the highway.

Roadway - The portion of a highway, street or road within the limits of construction.

Section and Subsection - Section or subsection shall be understood to refer to these specifications unless otherwise specified.

Shoulder - The portion of the roadway next to the traveled way for: accommodation of stopped vehicles, placement of underground facilities, emergency use, and lateral support of base and surface courses.

Sidewalk - That portion of the roadway primarily constructed for use by pedestrians.

Special Provisions - Additions and revisions to the standard specifications covering conditions peculiar to an individual project.

Specialty Items - Work items identified in the contract which are not normally associated with highway construction and require highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid on the contract; in general, these items are to be limited to minor components of the overall contract.

Specifications - The directions, provisions, and requirements contained in these standard specifications as supplemented by the Special Provisions.

Specified Completion Date - The date specified for completion of the prescribed contract work.

Standard Plans - Detailed drawings for specific items of work approved for repetitive use and considered as part of the contract plans.

State - The State of Hawaii acting through its authorized representative(s).

Structures - Bridges, culverts, catch basins, drop inlets, retaining walls, cribbing, manholes, endwalls, buildings, sewers, service pipes, underdrains, foundation drains, and other such features that may be encountered in the work.

Subbase - A layer of specified material of specified thickness between the subgrade and a base.

Subcontractor. An individual, partnership, corporation, or joint venture to whom the Contractor subcontracts part of the contract.

Subgrade - The top surface of completed earthwork on which subbase, base, surfacing, pavement, or a course of other material is to be placed.

Substructure - Those parts of a structure which support the superstructure, including bents, piers, abutments, and integrally built wingwalls, up to the surfaces on which bearing devices rest. Substructure also includes portions

above bearing surfaces when those portions are built integrally with a substructure unit (e.g. backwalls of abutments). When substructure and superstructure elements are built integrally, the division between substructure and superstructure is considered to be at the bottom soffit of the longitudinal or transverse beam, whichever is lower. Culverts and rigid frames are considered to be entirely substructure.

Superintendent - Contractor's authorized representative responsible for the contract work.

Superstructure - Those part of a structure above the substructure, including bearing devices.

Surety - Properly authorized corporation, partnership, individual, or other legal entity, other than the Contractor, who executes a bond furnished by the Contractor.

Surfacing - The uppermost layer of material placed on the traveled way or shoulders. This term is used interchangeably with pavement.

Traveled Way - The portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

Unsuitable Material - Materials that contain organic matter, muck, humus, peat, sticks, debris, chemicals, toxic matter, or other deleterious materials not suitable for use in earthwork unless otherwise specified.

Utility - A line, facility, or system for producing, transmitting, or distributing communications, power, electricity, heat, gas, oil, water, steam, waste, storm water not connected with highway drainage, or any other similar commodity, district, or cooperative, including any wholly owned or controlled subsidiary.

Wetlands - Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Work - The furnishing of all labor, materials, equipment, and other incidentals necessary to successfully complete any individual item or the entire contract and the execution of duties and obligations imposed by the contract.

Working Day - Calendar days, exclusive of:

- (1) Saturdays, Sundays, and State recognized legal holidays,
- (2) days required by the contract to suspend construction operations,

and

(3) days prevented by or resulting from inclement weather to permit the normal work force to proceed with construction operations for at least five hours. Also, the Contractor shall be performing the current controlling item or items of work.

Working Drawings - Documents furnished by the Contractor including stress sheets; shop drawings; bending diagrams for reinforcing steel, and plans for erection, falsework, framework, cofferdam(s); and other items or such other similar data required for the successful completion of the work."

END OF SECTION