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(I) Amend 105.01 – Authority to read as follows:

(A) Authority of the Engineer. The Engineer is the representative of the Director and has all the authority of the Director with respect to the contract. The Engineer will make decisions on all questions that may arise regarding the contract, such as, but not limited to:

- The Engineer's decisions on questions, claims, and disputes will be final and conclusive subject to Subsection 107.15 – Disputes and Claims.

(B) Authority of the Inspectors. Inspectors, as a representative of the Engineer or other agencies, will inspect the work done and materials furnished. Such inspection may extend to the preparation, fabrication or manufacture of the materials to be used. The Inspector does not have authority vested in the Engineer unless specifically delegated in writing. The Inspector may not alter or waive the provisions of the contract, issue instructions contrary to the contract, or act as agent or representative of the Contractor.

Failure of an Inspector at any time to reject non-conforming work shall not be considered a waiver of the State's right to require work in strict conformity with the contract documents as a condition of final acceptance.

47 **(C) Authority of the Consultant and Construction Management.**

48 The State may engage consultants and construction managements to
49 perform duties in connection with the work. Unless otherwise specified
50 in writing to the Contractor, such retained consultants and construction
51 managements shall have no greater authority than an Inspector.”
52

53 **(II) Amend Subsection 105.02 - Submittals** by revising the first paragraph
54 from lines 52 to 61 to read as follows:
55

56 **“105.02 Submittals.** The contract contains the description of various
57 items that the Contractor must submit to the Engineer for review and acceptance.
58 The Contractor shall review all submittals for correctness, conformance with the
59 requirements of the contract documents and completeness before submitting
60 them to the Engineer. The submittal shall indicate the contract items and
61 specifications subsections for which the submittal is provided. The submittal
62 shall be legible and clearly indicate what portion of the submittal is being
63 submitted for review. The Contractor shall provide six copies of the required
64 submissions at the earliest possible date.”
65

66 **(III) Amend Subsection 105.08 (A) - Furnishing Drawings and Special**
67 **Provisions** to read as follows:
68

69 **“(A) Furnishing Drawings and Special Provisions.** The State will
70 furnish the Contractor 12 sets of the project plans and special provisions.
71 The project plans furnished will be the same size as that issued for bidding
72 purposes except as noted in Section 648 – Field-Posted Drawings. The
73 Contractor shall have and maintain at least one set of plans and
74 specifications on the work site, at all times.”
75

76 **(IV) Amend Subsection 105.14(D) – No Designated Storage Area** from lines
77 421 to 432 to read as follows:
78

79 **“(D) No Designated Storage Area.** If no storage area is designated
80 within the contract documents, materials and equipment may be stored
81 anywhere within the State highway right-of-way, provided such storage
82 and access to and from such site, within the sole discretion of the
83 Engineer, does not create a public or traffic hazard or an impediment to
84 the movement of traffic.”
85

86 **(V) Amend 105.16(A) – Subcontract Requirements** by adding the following
87 paragraph after line 483:
88

89 The 'Specialty Items' of work for this project are as follows:
90

91 Section	Description
92 No.	

94 621 Contract Item No. 621.0100 under Section 621 – EVC Traffic
95 Counting Station
96
97 629 All Contract Items under Section 629 - Pavement Markings
98
99 631 Contract Item No. 631.0110 under Section 631 – Traffic
100 Control, Regulatory, Warning, and Miscellaneous Signs
101
102 632 All Contract Items under Section 632 – Markers
103
104 641 Contract Item No. 641.0100 under Section 641 – Hydro-mulch
105 Seeding
106
107 645 Contract Item No. 645.0100 under Section 645 – Work Zone
108 Traffic Control”
109

110 **(VI) Amend Subsection 105.16(B) – Substituting Subcontractors** by
111 revising the second sentence from line 490 to line 493 to read:
112

113 “Contractors may enter into subcontracts only with subcontractors listed in the
114 proposal or with non-listed joint contractors/subcontractors permitted under
115 Subsection 102.06 – Preparation of Proposal.”
116
117
118
119
120
121

END OF SECTION 105