

## SECTION 105 – CONTROL OF WORK

Make the following amendments to said Section:

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

**“105.01 Authority.**

**(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:

- (1) Interpretation of the contract documents.
- (2) Acceptability of the materials furnished and work performed.
- (3) Manner of performance and rate of progress of the work.
- (4) Acceptable fulfillment of the contract on the part of the Contractor.
- (5) Compensation under the contract.

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

The Engineer may delegate specific authority to act for the Engineer to a specific person or persons. Such delegation of authority shall be established in writing and shall become effective upon delivery to the Contractor.

**(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.”  
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53 **(II) Amend Subsection 105.02 - Submittals** by revising the first paragraph  
54 from lines 52 to 61 to read as follows:  
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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.”  
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66 **(III) Amend Subsection 105.08 (A) - Furnishing Drawings and Special**  
67 **Provisions** to read as follows:  
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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.”  
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77 **(IV) Amend 105.16(A) – Subcontract Requirements** by adding the following  
78 paragraph after line 483:  
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80 The 'Specialty Items' of work for this project are as follows:

Section No.	Description
401	Contract Item No. 401.0100 under Section 401 – Hot Mix Asphalt Pavement
622	All Contract Items under Section 622 – Roadway and Sign Lighting System

94                    629            All Contract Items under Section 629 – Pavement Markings  
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96                    645            Contract Item No. 645.0100 under Section 645 – Work Zone  
97                    Traffic Control”

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**END OF SECTION 105**