



SECTION 101

DEFINITION OF TERMS

Wherever the following abbreviations, terms or descriptive words are used in the plans, specifications or other contract documents, the intent and meaning shall be interpreted as follows:

101.1 Abbreviations.

AAN	American Association of Nurserymen
AASHTO	American Association of State Highway and Transportation Officials
AISC	American Institute of Steel Construction
AGC	Associated General Contractors of America
ANSI	American National Standards Institute
AREA	American Railroad Engineering Association
ASME	American Society of Mechanical Engineers
ASTM	ASTM International
AWG	American Wire Gauge
AWPA	American Wood-Preservers' Association
AWS	American Welding Society
AWWA	American Water Works Association
CFR	Code of Federal Regulations
CS	Commercial Standards, U. S. Department of Commerce
CSR	Code of State Regulations
COE	Corps of Engineers
CUF	Commercially Useful Function
DBE	Disadvantaged Business Enterprise
EEl	Electrical Engineer's Institute
EEO	Equal Employment Opportunity

EPA	Environmental Protection Agency
ESAL	Equivalent 18-kip Single Axle Load
FCC	Federal Communications Commission
FHWA	Federal Highway Administration
GGBFS	Ground Granulated Blast Furnace Slag
GRI	Geosynthetic Research Institute
ICEA	Insulated Cable Engineers Association
IMSA	International Municipal Signal Association
ITE	Institute of Transportation Engineers
LED	Light Emitting Diode
MDC	Missouri Department of Conservation
MDNR	Missouri Department of Natural Resources
MHTC	Missouri Highways and Transportation Commission
MoDOT	Missouri Department of Transportation
MSDS	Material Safety Data Sheet
MUTCD	Manual on Uniform Traffic Control Devices
NCHRP 350	National Cooperative Highway Research Program (NCHRP) Report 350, <i>Recommended Procedures for the Safety Performance Evaluation of Highway Features</i>
NEC	National Electrical Code
NEMA	National Electrical Manufacturers Association
NESC	National Electrical Safety Code
NFPA	National Fire Protection Association
NRCS	Natural Resources Conservation
NRMCA	National Ready Mixed Concrete Association
NTPEP	National Transportation Product Evaluation Program
OSHA	Occupational Safety and Health Administration
PAL	Pre-Acceptance List
PS	U.S. Product Standard, U.S. Department of Commerce

PWL	Percent Within Limits
QA	Quality Assurance
QC	Quality Control
RETMA	Radio Electronics Television Manufacturer's Association
RSMo	Revised Statutes of the State of Missouri
SAE	Society of Automotive Engineers
SHPO	State Historic Preservation Office
SSPC	Society of Protective Coatings
UCP	Unified Certification Program
UL	Underwriter's Laboratory
USA	United States of America
USACE	United States Army Corps of Engineers
USC	United States Code
USCG	United States Coast Guard
USFW	United States Fish and Wildlife
VOC	Volatile Organic Compound

101.1.1 Unit Symbols.

h	hour
ppm	parts per million
rpm	revolutions per minute
vpm	vibrations per minute
cf	cubic feet
cy	cubic yards
F	degrees Fahrenheit
ft	foot/feet
in	inch/inches
lb	pound/pounds
lf	linear foot/feet
psf	pounds per square foot
psi	pounds per square inch
sf	square foot/square feet
sy	square yard/square yards

101.2 Definitions of Terms.

Advertisement. The public announcement, as required by law, inviting bids for work to be performed or material to be furnished.

Appreciable Error. Any of the following will be considered an appreciable error: an error resulting in a change in quantity of 10 percent from the original contract quantity of an item; an error resulting in a monetary change of at least \$5,000 from an original contract item amount; or an error in the calculation of a contract item quantity based on the finite dimensions shown on the plans.

Auxiliary Lane. The portion of the roadway adjoining the traveled way and designated for speed change, or for other purposes supplementary to through traffic movement.

Award. The action of the Commission accepting the bid of the lowest responsible bidder for the work, subject to the execution and approval of a satisfactory contract therefore and bond to secure the performance thereof, and to such other conditions as may be specified or as required by law.

Bid. The written offer submitted by the bidder in the required manner on the bid to perform the work provided in the bidding documents at contract bid prices.

Bid Guaranty. The security furnished with a bid to ensure that the bidder will enter into the contract if the bid is accepted.

Bid Records. All writings, working papers, computer printouts, charts and all other data compilation that contain or reflect information, data or calculations used by the bidder to determine each contract unit price in the bid submitted, including but not limited to material relating to the determination and application of:

- labor rates
- equipment rates
- home and field overhead rates and related time schedules
- efficiency or productivity factors
- arithmetic extensions
- subcontractors, truckers and material supplier quotations
- profit
- contingencies

Any manuals standard to the industry that are used by the bidder in determining the bid shall be included in the bid records by reference and shall show the name and date of the publication and the publisher.

Bidder. Any individual, partnership, corporation, joint venturer or other entity submitting a bid to perform the contemplated work.

Bidding Documents. The documents furnished by the Commission comprising the Request for Bid, plans, *Missouri Standard Plans for Highway Construction*, addenda, Supplemental Specifications and General Provisions, *Missouri Standard Specifications for Highway Construction* and all other documents included in or referred to in those documents.

Bridge. A structure having a clear span greater than 20 feet measured on a horizontal plane along the centerline of roadway; also a multiple span structure where the total length of spans is in excess of 20 feet. For both single and multiple span bridges, the clear span shall be construed to mean the total distance from stream face to stream face of end bents or outer walls of the structure.

Business Day. A day that MoDOT is open for business, excluding holidays, Saturdays and Sundays.

Calendar Day. Any day of the calendar year, including holidays, Saturdays and Sundays.

Central Laboratory. The central testing laboratory of the Commission for inspecting and determining the suitability of material.

Change Order. A written order from the engineer to the contractor, as authorized by the contract, directing changes in the work as made necessary or desirable by unforeseen conditions or events discovered or occurring during the progress of the work.

Change in the Work. An item of work not provided for in the contract as awarded, but found essential to the satisfactory completion of the contract. Contract adjustments for changes in work related to differing site conditions shall be determined in accordance with the contract provisions relating to differing site conditions.

Claim. A written request or demand for adjustment to the compensation due or time of performance of the contract made within the time, in the form, and pursuant to the provisions for such contract adjustments specified elsewhere in the contract documents of which these specifications are a part.

Commission. The Missouri Highways and Transportation Commission.

Contract. The written agreement between the Commission and the contractor covering the performance of the work for the proposed construction. The contract will include all contract documents. The contract may cover a single project or a combination of projects awarded as a single unit.

Contract Bond. The form of security approved by the Commission, furnished by the contractor and surety or sureties, guaranteeing complete performance of the contract and the payment of all legal debts pertaining to the construction of the project, or arising from the contract and the duties thereunder, and conditioned as may be required by the laws of the State of Missouri.

Contract Documents. Notice to Contractors, all Bidding Documents, Contract Bond, Contract Agreement, Acknowledgment, Contractor Questionnaire, Notice to Proceed, and all Change Orders.

Contract Time or Completion Date. The number of working days or calendar days shown in the bidding document as the time allowed for the completion of the work contemplated in the contract. If a calendar date for completion is shown in the bidding document, the contemplated work shall be completed by that date.

Contractor. The individual, partnership, corporation or joint venture undertaking performance of the work under the terms of the contract, and acting directly or through the contractor or contractor's agents, employees or subcontractors.

Controversy. A dispute or disagreement between a contractor and the Commission related to interpretation of contract documents or the engineer's decision under contracts entered into by the contractor with the Commission made in writing and in compliance with the requirements for resolutions of controversies under the contract, but which is not a claim under the contract, all as provided elsewhere in the contract documents of which these specifications are a part.

Cost. Cost will mean the actual cost incurred, as distinguished from forecasted cost and determined in accordance with prevailing principles applicable to public contracts including *Contract Cost Principles and Procedures*, 48 CFR, Part 31 and *Government Auditing Standards*, as published by the Comptroller General of the United States.

Crashworthy End Terminal. This term will apply to both crashworthy end terminals and crash cushions.

Culvert. A structure not classified as a bridge that provides an opening under any portion of a roadway.

Days. Days as used in the contract documents will mean calendar days, unless specified otherwise.

Delay. Any event, action, force or factor that causes the established contract time to be exceeded for performance of the contract.

(a) **Compensable Delay.** An excusable delay for which the contractor may be entitled to additional monetary compensation

(b) **Excusable Delay.** A delay to the contract or milestone completion date that was beyond the contractor's control and not caused by the contractor's fault or negligence and for which a contract or milestone time extension may be granted.

(c) **Noncompensable Delay.** An excusable delay for which the contractor may be entitled to an extension of time, but no additional monetary compensation.

(d) **Nonexcusable Delay.** A delay to the contract or milestone completion date that was reasonably foreseeable and within control of the contractor, for which no monetary compensation or time extension will be granted.

Differing Site Conditions. Subsurface or latent physical conditions at the site differing materially from those indicated in the contract, or unknown physical conditions of an unusual nature differing materially from those ordinarily encountered and generally recognized as inherent in the work

Disadvantaged Business Enterprise, or DBE. A contracting firm certified to participate in U.S. Department of Transportation financial assistance programs as a DBE by MoDOT or by the Missouri Unified Certification Program (UCP) pursuant to Title 49 CFR, Part 26, and pursuant to Title 7 CSR Division 10, Chapter 8, governing MoDOT's DBE Program.

Divided Highway. A highway with separated traveled ways for traffic in opposite directions. Traveled ways separated by painted medians will not be considered divided.

Drainage Ditch. An open depression constructed for the purpose of carrying off surface water.

Engineer. The chief engineer or any other authorized representative of the Commission. Where the term chief engineer is used, the term shall mean the chief engineer in person. MoDOT pursues its mission through the functional units defined by law. Where a functional unit is stated in the contract documents, it will mean the engineer of the functional unit or designee.

Equitable Adjustment. An adjustment to the time or price specified in the contract based upon contractor's actual and reasonable costs to perform the work for the reasons and determined by the methods specified elsewhere in the contract documents.

Extent of the Federal Share. The percentage of federal participation in the costs of the project agreed to between USDOT, FHWA and MHTC before the project is awarded. It does

not mean, with regard to contract adjustments, an amount of additional federal participation to be provided regarding the project.

Gender Related Terms. No gender restrictions or limitations are intended or suggested by the use of terms "he", "him", "his", "it" or "its" in these specifications.

Highway. A public way for purposes of vehicular travel, including the entire area within the right of way.

Holidays. Missouri public legal holidays are:

January 1 - New Year's Day
Third Monday in January - Martin Luther King Day
February 12 - Lincoln's Birthday
Third Monday in February - President's Day
May 8 - Truman's Birthday
Last Monday in May - Memorial Day
July 4 - Independence Day
First Monday in September - Labor Day
Second Monday in October - Columbus Day
November 11 - Veterans Day
Fourth Thursday in November - Thanksgiving Day
December 25 - Christmas Day

When any of the above holidays fall on a Sunday, the holiday will be observed on the following Monday; when any of the above holidays fall on a Saturday, the holiday will be observed on the immediately preceding Friday.

Laboratory. The Central Laboratory or any other testing laboratory that may be designated by the engineer for inspecting and determining the suitability of material.

Lead Workers. Hourly employees in direct charge of the specific operations on a project. Formerly referred to as the foremen.

Local Traffic. Traffic that has either its origin or its destination at some point within the limits of the project. Local traffic will also include that traffic on all side roads that lead into the project where such traffic does not have a satisfactory outlet over a public road or street.

Major and Minor Items of Work. Any item having an original value in excess of 10 percent of the original contract amount will be considered as a major item or items. All other original contract items will be considered as minor. Where major contract items are not identified, the original contract item of greatest total cost, computed from the original contract price and estimated quantity, and such other original contract items next in sequence of lower total cost, computed in like manner, necessary to show a total cost at original prices and quantities of no less than 60 percent of the original contract cost will be considered as a major item or items.

Median. The portion of a divided highway separating the traveled ways for traffic in opposite directions.

Notice of Bid Opening. The notification provided prospective bidders, containing a description of the proposed work, instructions, information and the reservation of the right of the Commission to reject any and all bids.

Notice to Contractors. The document contained in the bidding document describing the work to be performed and including information and requirements for the submission of bids.

Notice to Proceed. The written notice from the engineer notifying the contractor of the date on or before which prosecution of the work is to begin.

Outer Roadway Or Service Road. A roadway auxiliary to and located on the side of the thoroughway for service to abutting property and adjacent areas.

Pay Item. An item of work specifically described and for which a price, either unit or lump sum, is provided. It includes the performance of all work and the furnishing of all labor, equipment and material contemplated or described on the plans or in the text of the specification item included in the contract.

Plans. Detailed construction drawings or reproductions thereof, which show the location, character and details of the work. When referenced in the contract documents, plans will include both the project specific drawings and the standard drawings.

Project. The specific section of the highway, including all appurtenances and construction to be performed thereon under the contract.

Request for Bid. The document furnished by the Commission that includes a complete set of bidding forms and appendices, and certain contract terms, which are made a part of the bidding document by reference.

Right of Way. Land acquired by the Commission for the construction and maintenance of a highway.

Roadbed. The graded portion of a highway between the outside shoulder lines, including the base course, surface course, shoulders and median.

Roadway. The portion of the highway within the limits of construction, including bridges and other structures.

Sec. Refers to sections in the standard and supplemental specifications unless specified otherwise in the contract documents.

Shoulder. The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses.

Shall. When used in the contract documents, states a mandatory duty on the part of the contractor.

Significant Change in the Work. When the character of the work, as altered, (1) differs materially in kind or nature from that involved or included in the original proposed construction or (2) when a major item of work as defined elsewhere in the contract is increased in excess of 125 percent or decreased below 75 percent of the original contract quantity.

Specifications. The compilation of provisions and requirements for the performance of prescribed work.

(a) Standard Specifications. A book of specifications approved for general application and repetitive use.

(b) Supplemental Specifications. Approved additions and revisions to the standard specifications.

(c) Special Provisions. Revisions to the standard and supplemental specifications applicable to an individual project.

State. The State of Missouri, acting by and through the Commission.

Subcontractor. Any individual, partnership, corporation, joint venture or other entity to whom the contractor, with the written consent of the engineer, sublets any part of the work under the contract.

Substructure. That part of a bridge structure below the bearings of simple and continuous spans; all buttresses and piers below the skewbacks of arches; all parts of rigid frames, or integral bents below tops of footings or tops of caissons; and also, all parts of the abutments, backwalls and wingwalls, except handrails and handrail posts.

Superstructure. All parts of a bridge structure not defined as substructure.

Surety. A corporate body duly authorized to do business in the State of Missouri, and which has executed a bid bond with the bidder or a contract bond with the contractor.

Temporary Structures. Structures required for the use of traffic while construction is in progress and not designated to remain a part of the permanent roadway.

Throughway. A general term denoting a highway primarily for through traffic, usually on a continuous route.

Through Traffic. Traffic which has neither its origin nor its destination within the limits of the project.

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

Unbalanced Bid, Materially. A bid that generates a reasonable doubt that award to the bidder submitting a mathematically unbalanced bid will result in the lowest ultimate cost to the Commission.

Unbalanced Bid, Mathematically. A bid containing lump sum or unit bid items that do not reflect reasonable actual costs plus a reasonable proportionate share of the bidder's anticipated profit, overhead costs and other indirect costs.

Will. When used in the contract documents, states a mandatory duty on the part of the engineer or department or on the part of both the engineer or department and the contractor, which is indicated by the context of use.

USA. Any of the 50 states, the District of Columbia, Puerto Rico and any other territories and possessions of the United States of America.

Work. The furnishing of all labor, material, equipment and other incidentals necessary or convenient to the successful completion of the project and the carrying out of all of the duties and obligations imposed by the contract.

Working Drawings. Stress sheets, shop drawings, erection plans, falsework plans, framework plans, cofferdam plans, bending diagrams for reinforcing steel or any other supplementary plans or similar data which the contractor will be required to submit to the engineer for approval.