

**KANSAS DEPARTMENT OF TRANSPORTATION  
SPECIAL PROVISION TO THE  
STANDARD SPECIFICATIONS, EDITION 2007**

**SECTION 109  
MEASUREMENT AND PAYMENT**

**Page 100-71, subsection 109.1e.(3).** Add the following to the end of the third bullet ("Check scales..."): The difference in the 2 scales must not exceed 0.25%. If the difference exceeds 0.25%, recertify the scales according to **subsection 152.2**.

**Page 100-74, delete subsection 109.3d.(1) and replace with the following:**

(1) Before beginning the force account work, provide equipment rates. If equipment is rented, provide documented rental rates. If equipment is owned, provide documented company ownership rates. These rates shall be agreed upon in writing for the number of hours the authorized equipment operates.

No rates shall be higher than the monthly rate set forth in the Rental Rate Blue Book for Construction Equipment (Blue Book). The Blue Book rate is calculated by dividing the monthly rate for the equipment by 176 and adjusting that rate by Blue Book age and regional adjustment factors before adding in the Blue Book estimated hourly operating cost. The hourly operating cost includes costs for repairs, fuel, and lubricants used or consumed in the force account work.

**Page 100-74, delete subsection 109.3e. and replace with the following:**

**e. Limitation on Compensation.** The Secretary will not pay superintendents, the use of small tools, or other costs for which no specific allowance is provided in this **subsection 109.3**.

**Page 100-75, subsection 109.4. Delete subsection 109.4a. and replace with the following:**

**a.** Request payment for properly stored nonperishable materials when the value of the stored material is a minimum of \$2,500.00 for each individual item of material, unless otherwise approved by the Engineer. Only include the actual material and shipment costs in the request. Do not include any testing fees, stockpiling costs, sales tax, etc.

- When requesting payment for stored materials, verify the quantity of materials stored and the value of the material. Identify the contract line item numbers (bid items) representing the stored materials and the quantities of stored materials assigned to each designated contract line item number. Provide required certification for all stored materials according to the Contract Documents;
- As the materials are incorporated into the work, the Engineer will measure actual quantities and adjust the stored materials payment by the actual quantities incorporated. Upon receiving each payment voucher (progress payment), verify the accuracy of the stored materials paid for to date and advise the Engineer of any discrepancy; and
- After receiving payment for the stored materials, pay subcontractors and suppliers according to **subsection 109.6**.

**Page 100-75, delete subsection 109.4b. and replace with the following:**

**b.** The Engineer will pay stored materials for nonperishable material the Contractor manufactures using its own forces. Before payment, the Contractor and Engineer shall agree upon and verify the delivery amount and storage location. The Engineer may pay for materials stored properly at a fabricator's or manufacturer's facility if the material is specifically identified for a KDOT project.

**Page 100-76, delete subsection 109.6b. and replace with the following:**

**b. Progress Payments.**

(1) Prior to the first progress payment, submit to the Engineer bid item price sheets for 1<sup>st</sup> tier subcontractors and a copy of material purchase orders for 1<sup>st</sup> tier material suppliers. This information is needed for the Engineer to verify proper payment.

(2) Within 10 calendar days after receiving payment from the Secretary for approved, subcontract work, pay subcontractors for their work.

(3) Within 15 calendar days after receiving payment from the Secretary, submit to the Engineer a "Certificate for Subcontract Work and Payment", KDOT Form No. 1010, containing the following representations:

"I certify that the Contractor received payment from the Secretary on (date) and, within 10 calendar days after this date, paid the subcontractors named below for the work those subcontractors completed on or before the payment voucher's "Paid To Date"." [Signed by Contractor's representative].

Note: More than 1 subcontractor may be shown on KDOT Form No. 1010.

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