

**KANSAS DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION TO THE
STANDARD SPECIFICATIONS, EDITION 2015**

SECTION 103

AWARD AND EXECUTION OF CONTRACT

**Page 100-22, delete subsection 103.4a. and replace with the following:
103.4 EXECUTING THE CONTRACT**

a. Within 10 business days after notice of the award of contract or within any time extension the Bureau Chief of Construction and Materials has granted:

(1) Provide to the Secretary the contract bond, certificate(s) of insurance, authorization to do business in Kansas, and other documents the Proposal Form requires. To obtain authorization to do business in Kansas, register with the appropriate state agencies. If the Bidder is not domiciled in Kansas then appoint an individual or organization, other than a government employee, as the Bidder's resident agent in Kansas for service of process.

See **subsection 107.10** for liability insurance requirements that must be in place before the parties execute the contract.

See **subsection 107.11** for railroad protective liability insurance requirements. Though not a prerequisite to contract execution, the railroad protective liability policy must be in place and approved before the Contractor begins work at railroad crossings, work adjacent to railroad right-of-way, or work within 50 feet of the centerline of a railroad track; and

(2) Sign and return to KDOT the contract and contract bond. Persons with the Contractor's Power of Attorney may sign the contract, contract bond, or both in lieu of an authorized Contractor representative. Persons with the Surety's Power of Attorney may sign the contract bond in lieu of an authorized Surety's representative. Submit the required Powers of Attorney with the contract and contract bond. Select one of the following methods and advise the Contract and Proposal Coordinator in the KDOT Bureau of Construction and Materials of the method the Bidder has selected.

- Sign the contract and contract bond at the Office of the Bureau of Construction and Materials.
- Request that KDOT electronically transmit the contract and contract bond to an e-mail address the Bidder has designated. Print the contract and contract bond. Sign and return by mail the contract and contract bond to the Contract and Proposal Coordinator in the Bureau of Construction and Materials.

(3) Send submittals to the Bureau of Construction and Materials, ATTN: Plans and Proposals Section.

SECTION 107

LEGAL RELATIONS AND RESPONSIBILITY TO THE PUBLIC

Page 100-61, delete subsection 107.10d.(1) and replace with the following:

d. General Insurance Requirements.

(1) Certificates of Insurance. Before signing the contract, provide to the Secretary Certificates of Insurance showing the Contractor carries insurance in the amounts and type this **subsection 107.10** requires and showing the effective and expiration dates of such insurance. Such certificates shall identify any and all endorsements to the policy. Such certificates shall provide the insurance company endeavor to give KDOT, any LPA, or both, thirty days' notice of policy cancellation, policy non-renewal, or a material change in the policy. At the Engineer's request, submit copies of the Contractor's insurance policies. For projects involving work on Railroad right-of-way, the Certificates of Insurance shall show Railroad property as part of the designated job site. Send submittals to the Bureau of Construction and Materials, ATTN: Plans and Proposals Section.