

## 100 GENERAL PROVISIONS

### 101 - DEFINITIONS AND TERMS

Whenever in these specifications or in other contract documents the following terms or pronouns in place of them are used, the intent and meaning shall be interpreted as follows:

**101.01 Abbreviations.** Whenever the following abbreviations are used in these specifications or on the plans, they are to be construed the same as the respective expressions represented:

<b>AAN</b>	<b>American Association of Nurserymen</b>
<b>ASHTO</b>	<b>American Association of State Highway and Transportation Officials</b>
<b>ACI</b>	<b>American Concrete Institute</b>
<b>AISC</b>	<b>American Institute of Steel Construction</b>
<b>AISI</b>	<b>American Iron and Steel Institute</b>
<b>ANSI</b>	<b>American National Standards Institute</b>
<b>AREA</b>	<b>American Railway Engineering Association</b>
<b>ASA</b>	<b>American Standards Association</b>
<b>ASCE</b>	<b>American Society of Civil Engineers</b>
<b>ASME</b>	<b>American Society of Mechanical Engineers</b>
<b>ASTM</b>	<b>American Society for Testing and Materials</b>
<b>AWG</b>	<b>American Wire Gage</b>
<b>AWS</b>	<b>American Welding Society</b>
<b>AWWA</b>	<b>American Water Works Association</b>
<b>BUSTR</b>	<b>Bureau of Underground Storage Tank Regulations</b>
<b>CCC</b>	<b>Columbus City Codes, 1959</b>
<b>CMSC</b>	<b>Construction and Material Specifications - City of Columbus</b>
<b>EI</b>	<b>Edison Electric Institute</b>
<b>EPA</b>	<b>Environmental Protection Agency</b>
<b>FHWA</b>	<b>Federal Highway Administration, Department of Transportation</b>
<b>FSS</b>	<b>Federal Specifications and Standards, General Services Administration</b>
<b>IEEE</b>	<b>Institute of Electrical and Electronic Engineers</b>
<b>IES</b>	<b>Illuminating Engineering Society</b>
<b>IME</b>	<b>Institute of Makers of Explosives</b>
<b>IMSA</b>	<b>International Municipal Signal Association</b>
<b>IPCEA</b>	<b>Insulated Power Cable Engineering Association</b>
<b>ISSA</b>	<b>International Slurry Seal Association</b>
<b>ITE</b>	<b>Institute of Transportation Engineers</b>
<b>NEMA</b>	<b>National Electrical Manufacturers Association</b>
<b>ODOTCMS</b>	<b>Ohio Department of Transportation Construction and Material Specifications</b>
<b>OMUTCD</b>	<b>Ohio Manual of Uniform Traffic Control Devices</b>
<b>ORC</b>	<b>Ohio Revised Code</b>

<b>OSHA</b>	<b>Occupation Safety &amp; Health Act</b>
<b>PCI</b>	<b>Precast/Prestressed Concrete Institute</b>
<b>SSPC</b>	<b>Steel Structures Painting Council</b>
<b>UL</b>	<b>Underwriters' Laboratories, Inc.</b>

Unless otherwise stated in special provisions or in a drawing note, the latest revision of the above standards shall apply.

References made to dated Specifications and Standards for Water Supply and Distribution shall govern, unless later revisions are approved by the Director.

**101.02 Addendum or Addenda.** Written instructions issued by the City prior to bid for the purpose of varying, modifying, rescinding or adding to portions of the Contract Documents .

**101.03 Advertisement (Invitation for Bids).** The public announcement, as required by law, inviting bids for work to be performed or materials and equipment to be furnished.

**101.04 Award.** The written acceptance by the Director of a bid.

**101.05 Bidder.** Any individual, firm, partnership, or corporation submitting a Proposal for the advertised work, acting directly or through a duly authorized representative.

**101.06 Bid Submittal Documents.** The bound manual which includes the advertisement for bids, special provisions, the proposal forms, proposal guaranty, contract forms, supplemental specifications, standard drawings and other notices.

**101.07 Borrow Area.** The term borrow area as used in this section refers to locations outside the right-of-way from which natural materials are removed for use in the work.

**101.08 Bridge.** A structure, including supports, erected over a depression or an obstruction, as water, highway, or railway, and having a track or passageway for carrying traffic or other moving loads and having a length measured along the center of roadway of more than 10 feet (3.0 m) between the center line of bearing of abutments or extreme limits of openings for multiple boxes. The length of a bridge structure is the over-all length measured between centerline of abutments. The roadway width of a bridge structure is the clear width measured at right angles to the longitudinal centerline of the bridge between the bottom of curbs or guardrails or, in the case of multiple height of curbs, between the bottoms of the lower risers. For curb widths of one foot or less, the roadway width shall be measured between parapets or railings.

**101.09 Calendar Day or Day.** Every day shown on the calendar.

**101.10 Certified Test Data.** A test report from a manufacturer's laboratory or independent laboratory listing test data for the specified requirements for the samples tested and a statement by a person having legal authority to act for the supplier and/or manufacturer of the material that the test report furnished represents the material delivered to the City of Columbus project. The certification shall include the Laboratory Report No. and the name of the project

to which the material is delivered. Laboratory reports signed by a Registered Professional Engineer and those signed by other personnel and notarized will be accepted for this purpose.

**101.11 Change Order.** A written order issued by the Director to the Contractor, covering changes in the plans or quantities or both, within or beyond the scope of the contract and establishing the basis of payment and/or completion time for the work affected by the changes.

**101.12 City.** The City of Columbus, acting through its Director or properly authorized agents thereof; such agents acting severally within the scope of the particular duties entrusted to them.

**101.13 Completion Date.** The date, as set forth in the Notice to Proceed, on which the work contemplated shall be completed.

**101.14 Completion Time.** The number of calendar days, as shown in the Bid Submittal Documents, within which the work contemplated shall be completed.

**101.15 Conduit.** Any pipe or similar passageway for electricity, gas, water or other utility.

**101.16 Contract.** The written agreement between the City and the Contractor setting forth the obligations of the parties thereunder, including but not limited to, the performance of the work, the furnishing of labor and materials, and the basis of payment.

The contract includes the advertisement for bids, proposals, affidavits, contract forms and contract an performance and payment bond, specifications (CMSC), supplemental specifications, and standard drawings as he same are published or may be published and amended by the several Divisions of the City, special provisions, general and detailed plans, notices to Contractor, and any change orders and supplemental agreements that are required to complete the construction of the work in an acceptable manner, including authorized extensions of the completion date, all of which constitutes one instrument.

**101.17 Contract Performance and Payment Bond.** The approved form of security, executed by the Contractor and its surety or sureties, guaranteeing complete performance of the contract and all supplement agreements pertaining thereto and the payment of all legal debts pertaining to the construction of the project.

**101.18 Contract Item (Pay Item).** A specifically described unit of work for which a price is provided in the contract.

**101.19 Contract Modification.** A properly approved and authorized alteration of the executed contract incorporating any change order(s) into the existing terms and conditions, which may also provide for an increase or decrease in the basis of payment and/or completion time.

**101.20 Contractor.** The individual, firm, partnership, corporation, or other entity

contracting with the City for performance of prescribed work, acting directly or through a duly authorized representative.

**101.21 County.** The designated county in which the work specified is to be done.

**101.22 Culvert.** Any structure not classified as a bridge which provides an opening under the roadway.

**101.23 Department.** The Department of the City of Columbus under which the Project is being performed.

**101.24 Director.** The Director of the contracting department of the City of Columbus under which the Project is being performed.

**101.25 Engineer.** The Project Engineer of the City of Columbus working under the supervision of the Administrator of the *Transportation* Division or the Administrator of the Division under which the project is being performed.

**101.26 Engineer's Estimate.** The City's estimated cost of the improvement.

**101.27 Equipment.** All machinery and equipment, together with the necessary supplies for upkeep and maintenance, and also tools and apparatus necessary for the proper construction and acceptable completion of the work.

**101.28 Extra Work.** An item of work not provided for in the contract as awarded but found essential to the satisfactory completion of the contract within its intended scope.

**101.29 Extra Work Contract.** A contract concerning the performance of work or furnishing of materials involving extra work. Such extra work may be performed at agreed prices or on a force account basis.

**101.30 Fabricator.** The individual, firm, or corporation that fabricates structural metals or prestressed concrete members as an agent of the Contractor.

**101.31 Inspector.** The Engineer's authorized representative assigned to make detailed inspections of contract performance.

**101.32 Laboratory.** A reputable testing laboratory that is designated by or acceptable to the Director for rendering testing and inspection services on a Contract where these specifications govern.

**101.33 Materials.** Any materials specified for use in the construction of the project and its appurtenances.

**101.34 Metrication.** Throughout these specifications, the English units are used as the primary unit with the metric equivalents shown in parentheses. The metric equivalents were arrived at using "soft conversion" where the metric equivalent to the standard English unit is a straight mathematical conversion. The conversions shown are for information and training

purposes only, and should not be regarded as the standards. Industry standard metric values have not been used in these specifications.

**101.35 National Holidays.** New Years Day, January 1; Martin Luther King's Birthday - the Third Monday in January; Presidents' Day, the Third Monday in February; Memorial Day, the last Monday in May; Independence Day, July 4; Labor Day, the First Monday in September; Thanksgiving Day, the fourth Thursday in November; Christmas Day, December 25.

**101.36 Notice of Award.** Written notice by the City to the apparent successful bidder stating that upon compliance with the conditions enumerated therein, within the time specified, the City will enter into a contract. This notice will only be issued after the apparent successful bidder obtains a contract compliance certification and Columbus City Council approval.

**101.37 Notice of Commencement.** Legal notice by the City indicating the beginning of Construction on a public improvement.

**101.38 Notice of Intent to Award.** Written notice by the City to the apparent successful bidder indicating the City's intent to award the contract subject to contract compliance certification and approval by Columbus City Council.

**101.39 Notice to Proceed.** Written notice to the Contractor, by the Director or the Director's authorized representative authorizing the beginning of work and setting forth the completion date.

**101.40 Owner.** That Division of the City of Columbus which invited bids and is financially responsible for the Project.

**101.41 Plans.** The plans, profiles, typical cross-sections, contract drawings and supplemental drawings, approved by the Director, or exact reproductions thereof, which show the location, character, dimensions and details of the work.

**101.42 Profile Grade.** The trace of a vertical plane intersecting the top of curb, centerline of roadway, or as indicated on the plans. Profile grade means either elevation or gradient of such trace according to the context.

**101.43 Project.** The specific section of the work together with all appurtenances and construction to be performed thereon under the contract.

**101.44 Proposal.** The offer of a bidder, on the prescribed form properly signed and guaranteed, to perform the work and to furnish the labor and materials at the prices quoted.

**101.45 Proposal Form.** The approved form on which the Department requires bids to be prepared and submitted for the work.

**101.46 Proposal Guaranty.** The approved form of security furnished with a bid to guarantee that the bidder will enter into the contract if its bid is accepted.

**101.47 Questionnaire.** The specified forms on which the bidder is required to furnish information concerning qualifications, experience, plant, equipment, financial, labor, management or other resources.

**101.48 Reasonably Close Conformity.** Compliance with reasonable and customary manufacturing and construction tolerances whether specified in the contract documents or not.

**101.49 Right-of-Way.** A general term denoting land, property, or interest therein, usually in a strip, acquired for or devoted to transportation purposes and extending to the limits under the control of the state or local authority.

**101.50 Road.** A general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way.

**101.51 Roadbed.** The graded portion of a highway within top and side slopes, prepared as a foundation for the pavement structure and shoulder.

**101.52 Roadway.** The portion of a highway or street within limits of construction.

**101.53 Sewer.** Pipe or conduit intended for carrying storm drainage or sanitary drainage.

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

**101.55 Sidewalk.** The facility within the public right-of-way primarily constructed for the use of pedestrians.

**101.56 Special Provisions.** Additions and revisions to the standard and supplemental specifications covering conditions peculiar to an individual project.

**101.57 Specialty Items.** Work specified by the contract documents that requires specialized knowledge and/or equipment and materials to perform.

**101.58 Specifications (CMSC).** The directions, provisions and requirements contained herein as supplemented by the supplemental specifications and special provisions.

**101.59 State.** The State of Ohio acting through its authorized representative.

**101.60 Street.** A general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way.

**101.61 Structures.** Bridges, culverts, catch basins, curb inlets, drop inlets, retaining walls, cribbing, manholes, endwalls, buildings, curbs, pavements, sewers, water mains, service pipes, underdrains, foundation drains and other features which may be encountered in the work and not otherwise classed herein.

**101.62 Subcontractor.** The individual, firm, partnership or corporation to whom the Contractor sublets part of the contract with the written approval of the City.

**101.63 Subgrade.** The surface upon which a structure or work and appurtenances are to be constructed.

**101.64 Substructure.** All of that part of a bridge or culvert below the bearings of simple and continuous spans, skewbacks of arches and tops of footings of rigid frames, together with backwalls and wings.

**101.65 Superintendent.** The Contractor's authorized representative in responsible charge of the work.

**101.66 Superstructure.** The entire structure except the substructure.

**101.67 Supplemental Specifications.** Detailed specifications supplemental to or superseding these specifications.

**101.68 Surety.** The corporation, partnership or individual, other than the Contractor, executing a bond furnished by the Contractor.

**101.69 Titles (or Headings).** The titles or headings of the sections and subsections herein are intended for convenience of reference and shall not be considered as having any bearing on their interpretation.

**101.70 Water line.** Conduit for carrying public water supply.

**101.71 Work.** The furnishing of all labor, services, materials, equipment, and other incidentals necessary or convenient to the successful completion of the project and the carrying out of all duties and obligations imposed by the Contract.

**101.72 Work Days.** Wherever indicated inside these specifications, workdays are defined as: Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday, excluding national holidays.

**101.73 Working Drawings.** Stress sheets, shop drawings, erection plans, falsework plans, cofferdam plans, bending diagrams for reinforcing steel, or any other supplementary plans or similar data which the Contractor is required to submit for approval.

**101.74 Interpretations.** In order to avoid cumbersome and confusing repetition of expressions in these specifications, it is provided that whenever anything is, or is to be, done, if, as, or when, or where "contemplated, required, determined, directed, specified, authorized, ordered, given, designated, indicated, considered necessary, deemed necessary, permitted, reserved, suspended, established, approval, approved, disapproved, acceptable, unacceptable, suitable, accepted, satisfactory, unsatisfactory, sufficient, insufficient, rejected, or condemned," it shall be understood as if the expression were followed "by the Engineer" or "to the Engineer".