

CLAY COUNTY HIGHWAY DEPARTMENT



PROPOSAL

FOR

SAP 014-634-031

BITUMINOUS MILL & OVERLAY

LETTING: MARCH 18, 2025

BIDS WILL BE ACCEPTED UNTIL @ 9:00 A.M.

BIDS WILL BE OPENED DURING THE MEETING

CLAY COUNTY DEPARTMENT OF HIGHWAYS
2951 41½ STREET SOUTH
MOORHEAD, MN 56560

***** **PROPOSAL** *****

FOR HIGHWAY CONSTRUCTION PROJECTS WITH
ELECTRONIC BIDS RECEIVED UNTIL 9:00 A.M. ON MARCH 18, 2025

PROPOSAL OF _____

(NAME OF FIRM)

(ADDRESS)

(AREA CODE) PHONE NUMBER

TO FURNISH AND DELIVER ALL MATERIALS AND TO PERFORM ALL WORK IN ACCORDANCE WITH THE CONTRACT, THE PLANS AND THE APPROVED DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2020 EDITION" (USING English UNITS), ON FILE IN THE OFFICE OF THE COMMISSIONER OF TRANSPORTATION EXCEPT AS STATED OTHERWISE IN THE SPECIAL PROVISIONS, WHICH ARE PART OF THIS PROPOSAL, FOR:

STATE AID PROJECT NO. SAP 014-634-031

LOCATION: On CSAH 34 from the east limits of Ulen MN. thence east 2.8 miles to the east County line.

TYPE OF WORK: Bituminous Mill & Overlay

LENGTH: 2.8 Miles

Starting Date: After contract has been awarded and after spring road restrictions have been lifted.

Completion Date: September 19, 2025.

NOTICE TO BIDDERS: Bidders have one option for submitting bids.

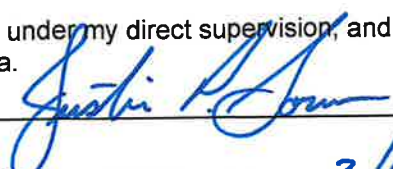
Contractors must be Registered Planholders to bid on Projects.

To submit an electronic bid, contractors can access information, bidding documents and plans electronically through the County's OneOffice website at

<https://mn-co-clay.app.rtvision.com/oneoffice>.

To proceed you must click on Bidding and then select SAP 014-634-031 under Contracts in Bidding. See instructions for downloading. Plans and Proposals are available for viewing at the Clay County Highway Department, 2951 41 1/2 St S, Moorhead MN. 56560.

I certify that this Proposal was prepared by me or under my direct supervision, and that I am a Licensed Professional Engineer under the laws of the State of Minnesota.



License Number 58043

Date: 2/12/25

.....
BID RIGGING IS A SERIOUS CRIME. IF YOU HAVE ANY INFORMATION CONCERNING COLLUSIVE BIDDING, EVEN A REQUEST TO SUBMIT A COMPLIMENTARY BID, PLEASE CALL THE MINNESOTA ATTORNEY GENERAL'S OFFICE AT TELEPHONE NO. [651-296-1796](tel:651-296-1796).

PROPOSAL INDEX

SAP 014-634-031

GENERAL REQUIREMENTS

- Ad for Bid
- Project Location Maps
- To the Clay County Board of Commissioners
- Affirmative Action Certificate
- Notice to All Bidders – Bid Rigging
- Notice to Bidders – Minnesota Suspensions/Debarments
- Withholding Fact Sheet 12, Surety Deposits for Non-Minnesota Construction Contractors
- Withholding Fact Sheet 13, Construction Contracts with State or Local Government Agencies
- Contractor Affidavit (IC134) with Instructions
- Exemption from Surety Deposits for Non-Minnesota Contractors (SDE) with Instructions
- State Funded Construction Contracts - Special Provisions Division A – Labor
- Notice to Bidders – Prompt Payment to Subcontractors
- State Wage Rates
- Minnesota Truck Rental Rates

DIVISION – S

ATTACHMENTS

- Fuel Escalation Clause
- 2024 SALT Schedule of Materials Control – Local Government Agency
- Equal Employment Opportunity (EEO) State and Federal Laws, Policies and Rules
- Certification of Aggregates and Granular Materials
- Abbreviations of Schedule of Prices

DIVISION - SOP

SOP SCHEDULE OF PRICES

ATTACHMENTS

- Non-Collusion Affidavit
- Equal Pay Certificate Information
- Workforce Certificate Information
- Attachment A - Responsible Contractor Verification and Certification of Compliance

COUNTY PROJECT - BIDS CLOSE
Tuesday, March 18, 2025
CLAY COUNTY
MOORHEAD, MINNESOTA 56560

NOTICE TO CONTRACTORS - Electronic bids will be received until 9:00 A.M., Tuesday, March 18, 2025, by Clay County through BidVault, Clay County's OneOffice website. Bids will be opened and read publicly by Justin Sorum, County Engineer, or a designated representative, on behalf of the Clay County Board of Commissioners. Bids will be opened during the Clay County Commissioners meeting at the Clay County Courthouse, 807 11th Street North, Moorhead, MN 56560, after the hour set for receiving bids, for the construction project listed below.

SAP 014-634-031

Located on CSAH 34 from the east limits of Ulen MN. Thence east to the East County line.

Major quantities of work include Mill Bituminous Surface (2.0"), SY. 67,406; Type SP 12.5 Wearing Course Mix (3,B), Ton. 12,071; 6" Solid Line Multi Comp, LF. 28,868.

Bidders have one option for submitting bids.

Contractors must be registered planholders to bid on projects.

To submit an electronic bid, contractors can access information, bidding documents and plans electronically through the County's OneOffice website at <https://mn-co-clay.app.rtvision.com/oneoffice>.

To proceed you must click on Bidding and then select SAP 014-634-031 under Contracts in Bidding. See instructions for downloading. Plans and Proposals are available for viewing at the Clay County Highway Department, 2951 41 1/2 St S, Moorhead, MN 56560.

Electronic Bids must be accompanied by a corporate surety bond in an amount which is at least equal to 5% of the total bid and may be submitted electronically with BidVault using Surety 2000, SurePath or as a hard copy by mail or other delivery method, either as a corporate surety bond or a certified check made payable to the Clay County Treasurer. If not submitted electronically, the proposal guarantee must be received at the Clay County Highway Department, 2951 41 1/2 St S, Moorhead, MN 56560, in a sealed envelope clearly marked with the name of the bidder, type of work and project number by 4:30pm CST, the business day prior to the specified date of bid opening.

The Clay County Board of Commissioners reserves the right to accept any bid or reject any or all bids, waive any irregularities, and award the contract in the best interest of Clay County.

Justin Sorum
Clay County Engineer

PROJECT LOCATION CLAY COUNTY MINN.



To Clay County Board of Commissioners:

According to the advertisement of Clay County inviting proposals for the improvement of the section of highway hereinbefore named, and in conformity with the Contract, Plans, Specifications and Special Provisions pertaining thereto, all on file in the office of the Auditor of Clay County:

(I)(We) hereby certify that (I am)(we are) the only person(s) interested in this proposal as principal(s); that this proposal is made and submitted without fraud or collusion with any other person, firm or corporation at all; that an examination has been made of the site of the work and the Contract form, with the Plans, Specifications and Special Provisions for the improvement.

(I)(We) understand that the quantities of work shown herein are approximate only and are subject to increase or decrease; that all quantities of work, whether increased or decreased within the limits specified in MnDOT 1903 and 1402, are to be done at the unit prices shown on the attached schedule; that, at the time of opening bids, totals only will be read, but that comparison of bids will be based on the correct summation of item totals obtained from the unit prices bid, as provided in MnDOT 1301.

(I)(We) propose to furnish all necessary machinery, equipment, tools, labor and other means of construction and to furnish all materials specified, in the manner and at the time prescribed, all according to the terms of the Contract and Plans, Specifications, and the Special Provisions forming a part of this.

(I)(We) further propose to do all Extra Work that may be required to complete the contemplated improvement, at unit prices or lump sums to be agreed upon in writing before starting such work, or if such prices or sums cannot be agreed upon, to do such work on a Force Account basis, as provided in MnDOT 1904.

(I)(We) further propose to execute the form of Contract within 7 days after receiving written notice of award, as provided in MnDOT 1306.

(I)(We) further propose to furnish a Payment Bond and a Performance Bond each equal to the Contract Amount as required by MN Statute § 574.26, as security for the construction and completion of the improvement according to the Plans, Specifications and Special Provisions as provided in MnDOT 1305.

(I)(We) further propose to do all work according to the Plans, Specifications and Special Provisions, and to renew or repair any work that may be rejected due to defective materials or workmanship, before completion and acceptance of the Project by Clay County.

(I)(We) agree to all provisions of Minnesota Statutes, Section 181.59.

(I)(We) further propose to begin work and to prosecute and complete the same according to the time schedule set forth in the Special Provisions for the improvement.

(I)(We) assign to Clay County all claims for overcharges as to goods and materials purchased in connection with this Project resulting from antitrust violations that arise under the antitrust laws of the United States and the antitrust laws of the State of Minnesota. This clause also applies to subcontractors and first tier suppliers under this Contract.

Clay County – Affirmative Action Certification

If your response to this solicitation is or could be in excess of \$100,000.00, complete the information requested below to determine whether you are subject to the Minnesota Human Rights Act (Minnesota Statutes 363A.36) certification requirement, and to provide documentation of compliance if necessary. It is your sole responsibility to provide this information and—if required—to apply for Human Rights certification prior to the due date and time of the bid or proposal and to obtain Human Rights certification prior to the execution of the contract. The State of Minnesota is under no obligation to delay proceeding with a contract until a company receives Human Rights certification.

BOX A – For companies which have employed more than 40 full-time employees within Minnesota on any single working day during the previous 12 months. All other companies proceed to BOX B.

Your response will be rejected unless your business:

Has a current Certification of Compliance issued by the Minnesota Department of Human Rights (MDHR)

-or-

Has submitted an affirmative action plan to the MDHR, which the Department received prior to the date and time the responses are due.

Check one of the following statements if you have employed more than 40 full-time employees in Minnesota on any single working day during the previous 12 months:

- ☐ We have a current Certificate of Compliance issued by the MDHR. **Proceed to Box C. Include a copy of your Certification with your response**
- ☐ We do not have a current Certificate of Compliance; However, we submitted an Affirmative Action Plan to the MDHR for approval, which the Department received on _____ (date). If the date is the same as the response due date, indicate the time your plan was received: _____ (time). **Proceed to Box C.**
- ☐ We do not have a Certification of Compliance, nor has the MDHR received an Affirmative Action Plan from our company. We acknowledge that our response will be rejected. Proceed to Box C. Contact the MDHR for assistance. (See below for contact information)

Please note: Certificates of Compliance must be issued by the MDHR. Affirmative Action Plans approved by the Federal government, a county or a municipality must still be received, reviewed and approved by the MDHR before a Certification can be issued.

BOX B – For those companies not described in BOX A

Check below

- ☐ We have not employed more than 40 full-time employees on any single working day in Minnesota within the previous 12 months. **Proceed to BOX C.**

BOX C – For all companies

By signing this statement, you certify that the information provided is accurate and that you are authorized to sign on behalf of the responder. You also certify that you are in compliance with federal affirmative action requirements that may apply to your company. (These requirements are generally triggered only by participating as a prime or subcontractor on federal projects or contracts. Contractors are alerted to these requirements by the federal government.)

Name of Company: _____ Date: _____

Authorized Signature: _____ Telephone number: _____

Printed Name: _____ Title: _____

For assistance with this form, contact:

Minnesota Department of Human Rights, Compliance Services Section

Mail: 190 East 5th St., Suite 700 St. Paul, MN 55101

TC Metro: (651) 296-5663

Toll Free: 800-657-3704

Web: www.humanrights.state.mn.us

Fax: (651) 296-9042

TTY: (651) 296-1283

Email: employerinfo@therightspplace.net

NOTICE TO ALL BIDDERS

To report bid rigging activities call:

1-800-424-9071

The U.S. Department of Transportation (DOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to 5:00 p.m., eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities.

The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

**MINNESOTA DEPARTMENT OF TRANSPORTATION
NOTICE TO BIDDERS:
SUSPENSIONS/DEBARMENTS
THIS NOTICE APPLIES TO STATE-FUNDED AND FEDERALY-FUNDED PROJECTS**

Do not use suspended or debarred parties as subcontractors or material suppliers on this project!

Both the federal government and the State of Minnesota suspend and debar vendors. Review the list of suspended and debarred vendors before submitting a bid or a request to sublet. If your bid is based on using a suspended or debarred vendor, you will not be entitled to additional compensation for replacing the suspended or debarred vendor with a qualified vendor.

State Suspensions and Debarments

The State of Minnesota's list of suspended and debarred vendors is maintained by the Minnesota Department of Administration, Office of State Procurement, and can be found at this link: <https://mn.gov/admin/osp/government/suspended-debarred/index2.jsp> . This list includes parties suspended and debarred by the Minnesota Department of Transportation and the Minnesota Department of Administration.

Federal Suspensions and Debarments

The federal government maintains a searchable database of suspensions and debarments, called the System for Award Management (SAM), which is found at this link: <https://www.sam.gov/SAM/> . You can use the "Search Records" function without registering for an account.

September 29, 2023

Surety Deposits for Non-Minnesota Construction Contractors

Withholding Fact Sheet 12

This fact sheet explains surety deposits requirements, including filing and paying, for out-of-state construction contractors performing work in Minnesota.

Surety Deposit Requirements

If you hire or contract with a non-Minnesota contractor to perform construction work in Minnesota, you must withhold 8% of their compensation as a Minnesota surety deposit. Payments are subject to 8% withholding only if the work was performed in Minnesota and the value of the contract exceeds \$50,000.

You deposit this cash surety with the Minnesota Department of Revenue. We use the surety to guarantee that the contractor fulfilled the requirements for Minnesota withholding, sales and use, franchise, and income taxes.

For details, see Minnesota Statute 290.9705.

Exemption

A non-Minnesota construction contractor may qualify for an exemption from the surety deposit if any of these are true:

- The contractor gives us a bond secured by an insurance company licensed in Minnesota and equal to 8% of the contract. The bond remains in effect until the contractor satisfies all tax liabilities. You may choose to complete and send us [Form SDB, Non-Minnesota Contractor's Bond](#).
- The contractor gives us a cash surety. A cash surety is evidence of a savings account, deposit or certificate of deposit in, or issued by, a state bank, national bank, or savings and loan association doing business in Minnesota. The contractor may keep interest and dividends earned on the principal amount.
- The contractor is performing work for a government agency and has a payment and performance bond.
- The contractor has done construction work in Minnesota during the past three calendar years and has fully complied with Minnesota laws for withholding, sales and use, corporate franchise, and income taxes.

How a Contractor Applies for Exemption

To apply for an exemption from the surety deposit, the non-Minnesota construction contractor must register for a Minnesota Tax ID Number. They must then complete and file [Form SDE, Exemption from Surety Deposits for Non-Minnesota Contractors](#), with Revenue.

If approved, we will sign the form and return it to the contractor. The contractor must then make a copy and give the original Form SDE to the person or business for whom they are doing the work to show they are exempt from the 8% surety deposit.

How to Pay the Surety Deposit

If you are required to withhold 8% from a non-Minnesota construction contractor's pay, complete and send us [Form SDD, Surety Deposits for Non-Minnesota Contractors](#). We will hold the surety deposits until the contractor fulfills their Minnesota tax obligations.

After the project has been completed, the contractor can apply for a refund using [Form SDR, Refund of Surety Deposits for Non-Minnesota Contractors](#). We will refund any amounts held as surety.

Additional Requirements

Non-Minnesota construction contractors doing work for Minnesota subdivisions (counties, cities, school districts, etc.) must file a Contractor Affidavit ([Form IC134](#)). For details, see [Withholding Fact Sheet 13](#).

Information and Assistance

Additional forms, information, and fact sheets are available on our website.

Website: www.revenue.state.mn.us
Email: withholding.tax@state.mn.us
Phone: 651-282-9999 or 1-800-657-3594

Construction Contracts with State or Local Government Agencies

Withholding Fact Sheet 13

This fact sheet explains contractors' and subcontractors' requirements for submitting Contractor Affidavits (Form IC134) when performing work for state or local government agencies.

Contractor Affidavit Requirements

No state agency or local unit of government can make final payment to a contractor (and any subcontractors) until the Minnesota Department of Revenue certified that they fulfilled their Minnesota withholding tax requirements.

Other laws may also apply to construction contractors. For details, see [Withholding Fact Sheet 12, Surety Deposits for Non-Minnesota Construction Contractors](#).

Contractors and Subcontractors

The terms "contractor" and "subcontractor" are limited to those who supply labor, or a combination of labor and materials, for specific construction, repairs, rehabilitation, or improvements. The terms do not include dealers, merchants, suppliers, or contractors who only supply materials.

If you are a prime contractor, contractor, or subcontractor who does work on a project for the state of Minnesota or any of its local government subdivisions (such as a county, city, or school district) you must file a Contractor Affidavit with us.

If we determine you have fulfilled your Minnesota withholding tax requirements, you will receive a Certificate of Compliance or the electronic equivalent. To receive your final payment, provide a copy of the certified Contractor Affidavit to the governmental unit or prime contractor who hired you.

How to File a Contractor Affidavit

Once you finish your work, you may submit your Contractor Affidavit either electronically or by mail.

Before we approve your Contractor Affidavit, you must file all withholding returns and make all payments due to us for your contract's time period.

If you owe withholding tax, you must make your payment by certified funds before we can certify your Contractor Affidavit.

Electronically. To receive the results instantly, submit your [Contractor Affidavit electronically](#).

If we approve your Contractor Affidavit, you will get a confirmation page along with an affidavit number. Print and keep the confirmation page for your records. To receive your final payment, give a copy of the confirmation page to the governmental unit or prime contractor who hired you. If we deny your Contractor Affidavit, we will provide the reason.

By mail. Complete [Form IC134, Contractor Affidavit](#), and mail it to us at the address on the form. We must certify and return this Contractor Affidavit to you before you can receive final payment for your work. Allow up to six weeks for us to certify your Contractor Affidavit.

If you have fulfilled your Minnesota withholding tax requirements, we will send you a Certificate of Compliance. To receive your final payment, give a copy of this certificate to the governmental unit or prime contractor who hired you.

Note: We do not provide affidavit numbers for paper Contractor Affidavits.

State and Local Governmental Units

When a contractor or subcontractor gives you a certified Contractor Affidavit upon completion of their work, review it for accuracy.

The dates the work began and ended should match the period the contractor's workers were actually working on the job. All subcontractors should be listed on the prime contractor's Contractor Affidavit.

Information and Assistance

Additional forms, information, and fact sheets are available on our website.

Website: www.revenue.state.mn.us

Email: withholding.tax@state.mn.us

Phone: 651-282-9999 or 1-800-657-3594

Contractor Affidavit

This Contractor Affidavit must be certified by the Minnesota Department of Revenue before the state of Minnesota or any of its subdivisions can make final payment to contractors. For more detailed information, see the instructions on the back of this form.

Please type or print clearly. This information will be used for returning the completed form.

Company name			Daytime phone	Minnesota tax ID number
Address			Total contract amount	Month/year work began
City	State	ZIP code	\$	Month/year work ended
			Amount still due	
			\$	

Project number	Project location			
Project owner	Address	City	State	ZIP code

Did you have employees work on this project? ☐ Yes ☐ No. If no, who did the work?

Check the box that describes your involvement in the project and fill in all information requested.

☐ **Sole contractor**

☐ **Subcontractor**

Name of contractor who hired you

Address

☐ **Prime contractor**—If you subcontracted out any work on this project, all of your subcontractors must submit their own Contractor Affidavits and have them certified by the Department of Revenue *before* you can submit your Contractor Affidavit. For each subcontractor you had, fill in the information below and attach a copy of each subcontractor's certified Contractor Affidavit. If you need more space, attach a separate sheet.

Business name	Address	Owner/Officer

I declare that all information I have filled in on this form is true and complete to the best of my knowledge and belief. I authorize the Department of Revenue to disclose pertinent information relating to this project, including sending copies of this form, to the prime contractor if I am a subcontractor, and to any subcontractors if I am a prime contractor, and to the contracting agency.

Contractor's signature	Title	Date
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Mail to: Minnesota Revenue, Mail Station 6610, St. Paul, MN 55146-6610
Phone: 651-282-9999 or 1-800-657-3594

Certificate of Compliance

Based on records of the Minnesota Department of Revenue, I certify that the contractor who has signed this Contractor Affidavit has fulfilled all the requirements of Minnesota Statutes 290.92 and 270C.66 concerning the withholding of Minnesota income tax from wages paid to employees relating to contract services with the state of Minnesota and/or its subdivisions.

Department of Revenue approval

Date

Form IC134 Instructions

Contractor Affidavit

No state agency or local unit of government can make final payment to a contractor until the Department of Revenue has certified that the contractor and any subcontractor have fulfilled the requirements of Minnesota withholding tax laws.

If you are a prime contractor, a contractor or a subcontractor who did work on a project for the state of Minnesota or any of its local government subdivisions — such as a county, city or school district — you must submit a Contractor Affidavit to the Department of Revenue to receive a certificate of compliance.

Use of Information

The Department of Revenue needs **all** the requested information to determine if you have met the state income tax withholding requirements. If all required information is not provided, Form IC134 will be returned to you for completion.

All information on this Contractor Affidavit is private by state law. It cannot be given to others without your permission, except to the Internal Revenue Service, other states that guarantee the same privacy and certain government agencies as provided by law.

Minnesota Tax ID Number

You must have a Minnesota tax ID number if you have employees who work in Minnesota. You must enter your Minnesota tax ID number on Form IC134.

If you don't have a Minnesota tax ID number, apply online at www.revenue.state.mn.us or by calling our Business Registration Office at 651-282-5225 or 1-800-657-3605.

If you have no employees and did all the work yourself, you do not need a Minnesota tax ID number. Instead, enter your Social Security number in the space for Minnesota tax ID number and explain who did the work.

Submit Contractor Affidavit

Form IC134 cannot be processed by the Department of Revenue until you finish the work. If you submit the form before the project is completed, it will be returned to you unprocessed.

If any withholding payments are due to the state, Minnesota law requires certified payments before we approve your Form IC134.

If you are a subcontractor or sole contractor, submit the form when you have completed your part of the project.

If you are a prime contractor, submit the form when the entire project is completed and you have received certified Contractor Affidavits from all of your subcontractors.

If you're a prime contractor and a subcontractor on the same project

If you were hired as a subcontractor to do work on a project, and you subcontracted all or a part of your portion of the project to another contractor, you are a prime contractor as well. Complete both the subcontractor and prime contractor areas on a single Form IC134.

You may submit your Contractor Affidavit either electronically **or** by mail. This affidavit must be certified and returned before the state or any of its subdivisions can make final payment for your work.

For an immediate response: Complete and submit your Contractor Affidavit electronically. Go to www.revenue.state.mn.us and choose **Withholding Tax**. Under the File and Pay tab, click on Contractor Affidavit Information for Government Projects.

You may complete and mail Form IC134 to: Minnesota Revenue, Mail Station 6610, St. Paul, MN, 55146-6610. If you have fulfilled the requirements of Minnesota withholding tax laws, the department will sign your Form IC134 and return it to you.

To receive your final payment, submit the certified Contractor Affidavit to the government unit for which the work was done. If you are a subcontractor, submit the certified Contractor Affidavit to your prime contractor to receive your final payment.

Information and Assistance

Additional forms and information, including fact sheets and frequently asked questions, are available on our website.

Website: www.revenue.state.mn.us

Email: withholding.tax@state.mn.us

Phone: 651-282-9999 or 1-800-657-3594

This information is available in alternate formats.



Form SDE, Exemption from Surety Deposits for Non-Minnesota Contractors

Please type or print clearly.

Non-Minnesota Contractor			Minnesota Tax ID Number	
Address			Contact Person	
City	State	ZIP Code	Daytime Phone	Email Address

Name of Contract Owner		Contact Person	Daytime Phone	
Contract Owner's Address		City	State	ZIP Code
Project Number	Project Location Address	City	State	ZIP Code
Total Contract Amount		Contract Start Date	Projected Contract Completion Date	

I request exemption from surety deposits under Minnesota Statute 290.9705 for this reason (check one box only):

- ☐ I have a bond secured by an insurance company licensed in Minnesota. Attach Form SDB, *Non-Minnesota Contractor's Bond*.
- ☐ I have a cash surety. Bank or other financial institution: _____ Account number: _____
- ☐ I have done construction work in Minnesota during the past three calendar years and have fully complied with Minnesota income, sales and use, corporate franchise, and withholding tax laws during that time.

I hereby certify that I have the legal authority to sign this form on behalf of the Non-Minnesota Contractor, and that the information is correct and complete to the best of my knowledge and belief. I authorize the Minnesota Department of Revenue: 1) to disclose pertinent return information to the Surety Company that issued the bond for this project if needed in order to collect on the bond; and 2) to disclose pertinent return information to the Contract Owner for this project if needed concerning the surety deposit and its withholding.

Non-Minnesota Contractor's Signature	Title	Date
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Email or mail this completed form to:

Email: Contractor.Compliance@state.mn.us

Mail: Minnesota Department of Revenue
Mail Station 6501
600 N. Robert St.
St. Paul, MN 55146-6501

Form SDE Instructions

When to Complete Form SDE

Complete and file Form SDE, *Exemption from Surety Deposits for Non-Minnesota Contractors*, with the Minnesota Department of Revenue before starting a construction project in Minnesota if all of these apply:

- You are a non-Minnesota construction contractor
- You have one or more contracts expected to exceed \$50,000 for construction work done in Minnesota
- You qualify for a surety deposit exemption (see Exemption Requirements)

You must have a Minnesota Tax ID Number to request an exemption. If you do not have a Minnesota Tax ID number:

- Apply online at www.revenue.state.mn.us
- Call the department at 651-282-5225 or 1-800-657-3605

Surety Deposit Requirement

If a business or government agency hires or contracts with you, they must withhold 8% (.08) from their payments to you as a Minnesota surety deposit if both of these apply:

- The work is being performed in Minnesota
- Total payments on the contract will exceed \$50,000

Note: All payments – including the first \$50,000 – are subject to the 8% withholding.

Exemption Requirements

You may qualify for an exemption from the surety deposit requirements if one of these is true:

- You have done construction work in Minnesota during the past three calendar years and have filed all returns and paid all amounts due, including Minnesota income, withholding, corporate franchise, and sales and use tax.
- You give the department a bond that is secured by an insurance company licensed in Minnesota and is equal to 8% of the contract amount. The bond remains in effect until you satisfy all tax liabilities. You may complete Form SDB, Non-Minnesota Contractor's Bond, to send this bond to the department.
- You give the department a cash surety. A cash surety is evidence of a savings account, deposit, or certificate of deposit in, or issued by, a state bank, national bank, or savings and loan association doing business in Minnesota. You may keep any interest and dividends earned on the principal amount.

If You're Exempt

If you qualify for an exemption, we will send you a Surety Deposit Withholding Waiver. Make a copy for your records and give the original letter to the business or government agency you are working for.

If You're Not Exempt

If you do not qualify for an exemption, the business or government agency you are working for must withhold and remit 8% of each payment to you.

To have the deposits refunded to you, complete Form SDR, *Refund of Surety Deposits for Non-Minnesota Contractors*. If we determine that you have complied with all applicable Minnesota income, withholding, and sales and use tax laws for the periods covered by the deposit, we will send you a refund plus interest.

Information and Assistance

Additional forms and information, including fact sheets and frequently asked questions, are available on our website. Website: www.revenue.state.mn.us

Email: withholding.tax@state.mn.us

Phone: 651-282 9999 or 1-800-657-3594

This information is available in alternate formats.

Use of Information

The information you enter on this form may be private or nonpublic under state law. We use it to determine if you qualify for a surety deposit exemption under Minn. Stat. § 290.9705. You are not required to provide the information requested; however, we are unable to process the exemption from surety deposits unless the form is complete. We cannot share any such private or nonpublic information without your written consent, authorization by law, or court order.

STATE FUNDED ONLY CONSTRUCTION CONTRACTS

SPECIAL PROVISIONS DIVISION A - LABOR

I. INTRODUCTION

- A. **Policy Statement.** It is in the public interest that public buildings and other public works projects be constructed and maintained by the best means and the highest quality of labor reasonably available and that persons working on public works projects be compensated according to the real value of the services they perform.¹
- B. **State Regulations Govern.** This Contract is subject to the Minnesota Prevailing Wage Act², Minnesota Fair Labor Standards Act³, Minnesota Rules⁴, Minnesota Department of Labor and Industry (MnDLI) Wage Decision(s), and the MnDLI Truck Rental Rate Schedule.
- C. **Purpose.** These provisions: (1) outline your obligations under state and federal laws, rules and regulations; (2) explain the requirements necessary to demonstrate compliance; and (3) explain the processes that the Department will undertake to ensure compliance.
- D. **Questions or Resources.** Please visit the Minnesota Department of Transportation (MnDOT) Labor Compliance Unit (LCU) website at: www.dot.state.mn.us/const/labor.

II. DEFINITIONS

Many of the terms used in these provisions are defined in MnDOT's Standard Specifications for Construction,⁵ unless defined below.

- A. **Apprentice.** A Worker at least 16 years of age who is employed to learn an apprenticeable trade or occupation in a registered apprenticeship program.⁶
- B. **Bona Fide.** Made or carried out in good faith; authentic.⁷
- C. **Certified Payroll Report (CPR).** A report comprised of two components; (1) a payroll report, and (2) a statement of compliance report.⁸
- D. **Contractor.** An individual or business entity that is engaged in construction or construction service-related activities including trucking activities either directly or indirectly through a Contract, or by Subcontract with the Prime Contractor, or by a further Subcontract with any other person or business entity performing Work.⁹
- E. **Employer.** An individual, partnership, association, corporation, business trust, or other business entity that hires a Worker.¹⁰
- F. **Fringe Benefit.** An employment benefit given in addition to a Worker's wages or salary.¹¹
- G. **Independent Truck Owner/Operator (ITO).** An individual, partnership, or principal stockholder of a corporation who owns or holds a vehicle under lease and who contracts that vehicle and the owner's services to an entity which provides construction services to a public works project.¹²

¹ Minn. Stat. 177.41

² Minn. Stat. 177.41 to 177.44

³ Minn. Stat. 177.21 to 177.35

⁴ Minn. R. 5200.1000 to 5200.1120

⁵ MnDOT Standard Specifications for Construction, Section 1103

⁶ Minn. Stat. 178.011, Subdivision 2

⁷ The American Heritage College Dictionary, Third Edition, 2000

⁸ Minn. R. 5200.1106, Subpart 10

⁹ Minn. R. 5200.1106, Subpart 2(D)

¹⁰ Minn. Stat. 177.42, Subdivision 7

¹¹ The American Heritage College Dictionary, Third Edition, 2000

¹² Minn. R. 5200.1106, Subpart 7(A)

- H. **Journeyworker.** A person who has attained a level of skill, abilities, and competencies recognized within and industry as having mastered the skills and competencies required for the trade or occupation.¹³
- I. **Prime Contractor.** An individual or business entity that enters into a Contract with the Department.¹⁴
- J. **Subcontract.** A Contract that assigns some obligations of a prior Contract to another party.¹⁵
- K. **Substantially In Place.** Mineral aggregate is deposited on the project site directly or through spreaders where it can be spread from or compacted at the location where it was deposited.¹⁶
- L. **Total Prevailing Wage Rate.** The sum of the prevailing hourly “basic” and “fringe” rate that is established in a Wage Decision.
- M. **Trucking Broker (Broker).** An individual or business entity, the activities of which include, but are not limited to: contracting to provide trucking services in the construction industry to users of such services, contracting to obtain such services from providers of trucking services, dispatching the providers of the services to do Work as required by the users of the services, receiving payment from the users in consideration of the trucking services provided, and making payment to the providers for the services.¹⁷
- N. **Trucking Firm/Multiple Truck Owner (MTO).** Any legal business entity that owns more than one vehicle and hires the vehicles out for services to Trucking Brokers or Contractors on public works projects.¹⁸
- O. **Truck Rental Rate Schedule.** A document prepared by the MnDLI through a Contractor survey process that identifies the required hourly Total Prevailing Wage Rate and operating cost for various types of trucks that perform hauling activities (Work) under a Contract that is funded in whole or in part with state funds.¹⁹
- P. **Wage Decision.** A document prepared by the MnDLI through a Contractor survey process that identifies the required hourly basic rate of pay and hourly Fringe Benefits for various labor classifications that perform Work under a Contract that is funded in whole or in part with state funds.²⁰
- Q. **Work (Work).** All construction activities associated with a public works project, including any required hauling activities on-the-site-of or to-or-from a public works project and conducted pursuant to a Contract, regardless of whether the construction activity or Work is performed by the Prime Contractor, subcontractor, Trucking Broker, Trucking Firm (MTO), ITO, independent contractor, or employee or agent of any of the foregoing entities.²¹
- R. **Worker (Laborer or Mechanic).** A Worker in a construction industry labor class identified in or pursuant to Minnesota Rules 5200.1100, Master Job Classifications.²²

III. APPLICATION & UNDERSTANDING

- A. **Provisions & Prevailing Wage Rates Apply.** These provisions, along with the prevailing Wage Decision(s) that are incorporated into the Contract, apply to all Contractors contracting to do all or part of the Work.²³

¹³ Minn. Stat. 178.011, Subdivision 9

¹⁴ Minn. R. 5200.1106, Subpart 2(C)

¹⁵ The American Heritage College Dictionary, Third Edition, 2000

¹⁶ Minn. R. 5200.1106, Subpart 5(C)

¹⁷ Minn. R. 5200.1106, Subpart 7(C)

¹⁸ Minn. R. 5200.1106, Subpart 7(B)

¹⁹ Minn. R. 5200.1105

²⁰ Minn. R. 5200.1020 to 5200.1060

²¹ Minn. R. 5200.1106, Subpart 2(A)

²² Minn. R. 5200.1106, Subpart 5(A)

²³ Minn. Stat. 177.44, Subdivision 1

- B. **Truck Rental Rates Apply.** The Truck Rental Rate Schedule incorporated into the Contract applies to all hired trucking entities that perform covered hauling activities related to the project.²⁴
- C. **Prevailing Wage Terms Must Be Included in All Contracts.** The Prime Contractor is required to ensure that all subcontractors performing Work receive the Contract Wage Decision(s), Truck Rental Rate Schedule, and a copy of these provisions with their written Subcontracts, agreements and/or purchase orders.²⁵
- D. **Responsible for Understanding All Requirements.** Each Contractor is responsible for understanding all laws, rules, regulations, plans, and specifications that are incorporated physically, or by reference, into the Contract.²⁶
- E. **E-Verify.** For services valued in excess of \$50,000, the Contractor certifies that as of the date of services performed on behalf of State, the Contractor will have implemented or be in the process of implementing the federal E-Verify program for all newly hired employees in the United States who will perform work under the contract. The Prime Contractor is responsible to collect all subcontractor certifications and may do so utilizing the E-Verify Subcontractor Certification Form available at <http://www.mmd.admin.state.mn.us/doc/EVerifySubCertForm.doc>. All subcontractor certifications must be kept on file with the Prime Contractor and made available to the State upon request.

IV. VENDOR REGISTRATION

Vendor Registration Required. A Contractor that performs Work, supplies material, or product must be registered with MnDOT. The Contractor must complete and submit a vendor form²⁷ to the MnDOT LCU²⁸, along with all applicable documentation that is required. This registration process is separate and distinct from other state agency requirements.

V. LABOR CLASSIFICATIONS

- A. **Labor Classification Assignment.** A Worker must be paid at least the Total Prevailing Wage Rate in the same or most similar trade or occupation.²⁹ To determine the appropriate labor classification for a Worker, a Contractor must refer to the Wage Decision(s) incorporated into the Contract, the labor classification descriptions for laborers and special crafts established in Minnesota Rules or the United States Department of Labor's Dictionary of Occupational Titles.³⁰
- B. **Labor Classification Clarification & Disputes.** A Contractor needing assistance in determining a labor classification must submit a Classification Clarification Request³¹ to the MnDOT LCU for a written decision. If the Contractor chooses to contest the classification assignment, it must provide written notice to the MnDOT LCU. The MnDOT LCU will forward the matter to the MnDLI for a final ruling.
- C. **Performing Work in Multiple Labor Classifications.** For Workers performing Work in multiple labor classifications, the Contractor must compensate at a minimum the Total Prevailing Wage Rate, and report the hours worked, in each applicable labor classification.³²

VI. WAGE DECISION(S) & WAGE RATE(S)

- A. **Applicability of a Highway and Heavy Wage Decision.** A highway and heavy Wage Decision applies to a Worker that is engaged in a construction activity or performing Work to construct or maintain a highway or other public works project, such as a road, street, airport runway, bridge,

²⁴ Minn. Stat. 177.44, Subdivision 3

²⁵ MnDOT Standard Specifications for Construction, Section 1801

²⁶ MnDOT Standard Specifications for Construction, Section 1701

²⁷ www.dot.state.mn.us/const/labor/documents/forms/contractorform2016.pdf for www.dot.state.mn.us/const/labor/documents/forms/truckvendorform2016.pdf

²⁸ lcusupport.dot@state.mn.us

²⁹ Minn. Stat. 177.44, Subdivision 1

³⁰ Minn. R. 5200.1101 and 1102 and USDOL Dictionary of Occupational Titles

³¹ <http://www.dot.state.mn.us/const/labor/documents/forms/classification-clarification-request.pdf>

³² Minn. Stat. 177.44, Subdivision 1

power plant, dam or utility³³ that is external to a sheltered enclosure (structure). This includes, but is not limited to, the following Work: site clearing; grading; excavating backfilling; paving; curbs; gutters; sidewalks; culverts; bridges; lighting systems; traffic management systems; installing of utilities out from an exterior meter; fuel islands; communication towers; or other activities similar to highway and/or heavy Work.

- B. **Applicability of a Commercial Wage Decision.** A commercial Wage Decision applies to a Worker that is engaged in a construction activity or performing Work to construct a sheltered enclosure (structure) with walk-in access for the purpose of housing persons, machinery, equipment or supplies.³⁴ This includes, but is not limited to, the following Work: constructing foundations, aprons, stoops; framing walls; installing windows, doors, tiling, plumbing, electrical, HVAC systems; roofing; installing utilities into the building from an exterior meter.
- C. **Pay According to Wage Decision(s).**
1. **Contract with One Wage Decision.** If the Contract contains one Wage Decision, the Contractor must examine the Wage Decision and compensate the Worker at a minimum the Total Prevailing Wage Rate for the appropriate labor classification(s).
 2. **Contract with Multiple Highway/Heavy Wage Decisions.** If the Contract contains multiple Highway/Heavy Wage Decisions, the Contractor must examine each Wage Decision and compensate the Worker, at a minimum, the Total Prevailing Wage Rate that is the greatest³⁵ for the appropriate labor classification(s).
 3. **Contract with Highway/Heavy and Commercial Wage Decision(s).** If the Contract contains a Highway/Heavy and Commercial Wage Decision(s), the Contractor must first determine which Wage Decision is applicable to the Worker. The Contractor must then compensate the Worker, at a minimum, the Total Prevailing Wage Rate for the appropriate labor classification(s).
- D. **Must Pay Total Prevailing Wage Rate.** A Contractor must compensate each Worker, at a minimum, the Total Prevailing Wage Rate(s) for all hours worked on the project for the appropriate labor classification(s).³⁶
- E. **Missing Wage Rate.** If a Wage Decision fails to include a wage rate for a labor classification(s) that will be utilized on a project, the Contractor must obtain a wage rate prior to furnishing an estimate, quote or bid.³⁷
1. **Wage Rate Request.** A Contractor must complete a Request for Rate Assignment form³⁸ and submit it to the MnDOT LCU³⁹ for processing.
 2. **No Contract Price Adjustment for Missing Wage Rate.** If MnDLI determines that a higher wage rate applies, the Department will not reimburse the Contractor.
- F. **Salaried Worker.** A salaried Worker is not exempt from these Provisions. A Contractor must convert the Worker's salary to an average hourly rate of pay by dividing the Worker's salary by the total number of hours Worked (government and non-government) during the pay period.⁴⁰ A salaried Worker must be included on a CPR.
- G. **Reduction in Standard (Private) Contractual Regular Rate of Pay Prohibited.** A Contractor must not reduce a Worker's standard, contractual regular rate of pay when the prevailing wage rate(s) certified by the MnDLI is less.⁴¹

³³ Minn. R. 5200.1010, Subdivision 3

³⁴ United States Department of Labor All Agency Memorandum #130

³⁵ Minn. Stat. 177.44, Subdivision 4

³⁶ Minn. Stat. 177.44, Subdivision 1

³⁷ Minn. R. 5200.1030, Subpart 2a(C)

³⁸ <http://www.dot.state.mn.us/const/labor/documents/forms/request-for-rate-assignment.doc>

³⁹ lcusupport.dot@state.mn.us

⁴⁰ Refer to Appendix A

⁴¹ Minn. Stat. 181.03, Subdivision 1(2)

- H. **Prohibited Payment Practices.** A Contractor is prohibited from taking (accepting) a rebate for the purpose of reducing or otherwise decreasing the value of the compensation paid.
- I. **Prohibited Deductions.** No deductions, direct or indirect, may be made for the items listed below which when subtracted from wages would reduce the wages below Minnesota's minimum wage rate as established in section 177.24⁴²
1. **Uniforms.** Purchased or rented uniforms or specifically designed clothing that is required by the Employer, by the nature of employment, or by statute, or as a condition of employment, which is not generally appropriate for use except in that employment.
 2. **Equipment.** Purchased or rented equipment used in employment, except tools of a trade, a motor vehicle, or any other equipment which may be used outside the employment. The cost of the Worker's use of equipment used outside of employment, such as tools, a motor vehicle, cell phone, may be deducted only if an agreement between the Employer and employee existed prior to the deduction.
 3. **Supplies.** Consumable supplies required in the course of employment.
 4. **Travel Expenses.** Travel expenses in the course of employment except those incurred in traveling to and from the employee's residence and place of employment.

VII. HOURS OF WORK

- A. **Work Performed Under the Contract.** A Worker performing Work is subject to prevailing wage for all hours associated with the Contract⁴³, unless the Worker is exempt under state law.⁴⁴
- B. **Wait Time Subject to Prevailing Wage.** A Worker who is required to remain on the project and is waiting to Work because of the fault of the Contractor is considered "engaged to wait" and subject to prevailing wage for the time spent, unless the Worker is completely relieved of duty and free to leave the project for a defined period of time.

VIII. FRINGE BENEFITS

- A. **Funded Fringe Benefit Plan Criteria.** In order for a funded Fringe Benefit (e.g., health/medical insurance, disability insurance, life insurance, pension, etc.) to be considered and creditable towards the Total Prevailing Wage Rate it must be:⁴⁵
1. a contribution irrevocably made by a Contractor on behalf of an Worker to a financially responsible trustee, third person, fund, plan, or program;
 2. carried out under a financially responsible plan or program;
 3. legally enforceable;
 4. communicated in writing to the Worker; and
 5. made available to the Worker once he/she has met all eligibility requirements.
- B. **Unfunded Fringe Benefit Plan Criteria.** In order for a unfunded Fringe Benefit (e.g., vacation, holiday, sick leave, etc.) to be considered and creditable towards the Total Prevailing Wage Rate it must be:⁴⁶
1. reasonably anticipated to provide a benefit;
 2. a commitment that can be legally enforced;

⁴² Minn. Stat. 177.24, Subdivision 4(1-4)

⁴³ Minn. Stat. 177.44, Subdivision 1

⁴⁴ Minn. Stat. 177.44, Subdivision 2 or Minn. R. 5200.1106, Subpart 4

⁴⁵ Minn. Stat. 177.42, Subdivision 6

⁴⁶ Minn. Stat. 177.42, Subdivision 6

3. carried out under a financially responsible plan or program;
 4. communicated in writing to the Worker; and
 5. made available to the Worker once he/she has met all eligibility requirements.
- C. **Fringe Benefit Contributions for Hours Worked.** A Contractor that provides Fringe Benefits to a Worker must make contributions, not less than quarterly⁴⁷, for all hours worked,⁴⁸ including overtime hours, unless it's a defined benefit or contribution plan that provides for immediate participation and immediate or essentially immediate vesting (**see subpart D2 of this section**).
- D. **Hourly Fringe Benefit Credit.** An hourly Fringe Benefit credit toward the Total Prevailing Wage Rate must be determined separately for each Worker based on one or more of the following methods:
1. **Monthly, Quarterly or Annual Computation Methods.** A Contractor must compute its monthly, quarterly or annual cost of a particular Fringe Benefit and divide that amount by the estimated total number of hours worked (government and non-government) during the time frame used.⁴⁹ Typical plans that require monthly, quarterly or annual computations include but are not limited to: health/medical insurance, disability insurance, life insurance, vacation, holiday, sick leave and defined benefit or contribution pension plans that do not provide for immediate participation and immediate or essentially immediate vesting.
 2. **Fringe Benefit Credit not Requiring Monthly, Quarterly or Annual Computation Methods.** A defined benefit or contribution pension plan that allows for a higher hourly rate of contribution for government work (prevailing wage) than non-government (non-prevailing wage) will be fully credited only if the plan provides for immediate participation and immediate or essentially immediate vesting.
- E. **Wages In Lieu of Fringe Benefits.** A Contractor that does not provide full Fringe Benefits must compensate a Worker the difference between the Total Prevailing Wage Rate and the rate actually paid for the appropriate labor classification(s). The compensation paid is considered wages and subject to tax liabilities.
1. **Overtime.** The cash equivalent (wages paid) made in lieu of Fringe Benefits is excluded from the overtime calculation requirement, unless the cash equivalent (wages paid) is part of the Worker's standard straight time wage.
- F. **Administrative Costs Not Creditable.** Administrative expenses incurred by a Contractor in connection with the administration of a Bona Fide Fringe Benefit plan are not creditable towards the Total Prevailing Wage Rate.
- G. **Federal, State & Local Fringe Benefit Credit Prohibited.** No credit is allowed for benefits required by federal, state or local law, such as: worker's compensation, unemployment compensation, and social security contributions.⁵⁰

IX. OVERTIME

- A. **Overtime after 8 Hours per Day or 40 Hours per Week.** A Contractor must not permit or require a Worker to work longer than the prevailing hours of labor unless the Worker is paid for all hours in excess of the prevailing hours at a rate of at least 1.5 times the hourly basic rate of pay.⁵¹ The prevailing hours of labor is defined as not more than 8 hours per day and more than 40 hours per week.⁵²

⁴⁷ 29 CRF, Part 5.5(a)(1)(i)

⁴⁸ Government and non-government Work

⁴⁹ Refer to Appendix B

⁵⁰ Minn. Stat. 177.42, Subdivision 6

⁵¹ Minn. Stat. 177.44, Subdivision 1 and Refer to Appendix D

⁵² Minn. Stat. 177.42, Subdivision 4

- B. **Wages in Lieu of Fringe Benefits Overtime.** Wages paid in Lieu of Fringe Benefits must be paid for all hours worked under the contract.
- C. **Multiple Labor Classifications and Overtime.** A Worker employed in multiple labor classifications throughout a workweek must be compensated at the applicable labor classification overtime rate in effect during the hours worked in excess of 8 hours per day or 40 hours per week.
- D. **Federal Fair Labor Standards Act (FLSA) and Overtime.** A Contractor subject to the FLSA may be subject to additional overtime compensation requirements.

X. PAYROLLS AND STATEMENTS

- A. **Reporting.** Each Contractor that is performing Work must submit a CPR(s) to the Department.
 - 1. **Payroll Report (Paper).** Each Contractor performing Work must submit a paper (written) payroll report to the Department. The payroll report is available on the MnDOT LCU website.⁵³
 - 2. **Statement of Compliance (Paper).** Each Contractor's paper (written) payroll report must include a paper (written) "Statement of Compliance Form". The "Statement of Compliance Form" must: (1) state whether or not Fringe Benefits are provided to a Worker; (2) provide a description of each benefit, the hourly contribution made on behalf of each Worker, along with fund/plan information; and (3) a signature attesting that the payroll and Fringe Benefit information provided is truthful and accurate.⁵⁴
 - 3. **Electronic Reporting.** If the Contract is subject to electronic reporting, each Contractor performing Work must submit a CPR(s) using the AASHTOWare, Civil Rights Labor (CRL) system. Refer to the **Special Provisions Division S – "Electronic Submission of Payrolls and Statements"** which is incorporated into and found elsewhere in the Contract for detailed requirements.
- B. **Biweekly Payroll Reporting and Payment of Wages.** A CPR(s) must be submitted no later than 14 calendar days after the end of each Contractor's pay period⁵⁵ to the Department. A Contractor must pay its employees at least once every 14 calendar days.⁵⁶
- C. **Payroll Report Data.** Each payroll report must include all Workers that performed Work and provide at a minimum the following information:⁵⁷
 - 1. Contractor's name, address, and telephone number.
 - 2. State project number.
 - 3. Contract number (if applicable).
 - 4. Project number.
 - 5. Payroll report number.
 - 6. Project location.
 - 7. Workweek end date.
 - 8. Each Worker's name, home address, and social security number.⁵⁸
 - 9. Labor classification(s) title(s) and optional three-digit code for each Worker.

⁵³ www.dot.state.mn.us/const/labor/certifiedpayroll.html

⁵⁴ Minn. R. 5200.1106, Subpart 10

⁵⁵ Minn. Stat. 177.43, Subdivision 3

⁵⁶ Minn. Stat. 177.30 (a)(4)

⁵⁷ Minn. Stat. 177.30 (a)(1-4) and Minn. R. 5200.1106, Subpart 10

⁵⁸ Minn. R. 5200.1106, Subpart 10A & Minn. Stat. 13.355, Subdivision 1

10. Hours worked daily and weekly in each labor classification, including overtime hours, for each Worker.
11. Wage rate paid to each Worker for straight time and overtime.
12. Authorized legal deductions for each Worker.
13. Project gross amount, weekly gross amount, and net wages paid to each Worker.

- D. **Prime Contractor to Ensure Compliance.** The Prime Contractor must review the CPR(s) submitted by each lower tier Contractor and sign the "Statement of Compliance Form".⁵⁹ The Prime Contractor must ensure that each lower tier Contractor's CPR(s) include all Workers that performed Work and accurately reflect labor classifications, hours worked, regular and overtime rates of pay, gross earnings for the project and Fringe Benefits.⁶⁰
- E. **Retention of CPR(s).** The Prime Contractor must keep its written CPR(s), including those of all lower tier Contractors, for three (3) years after the final payment is issued.⁶¹
- F. **Retention of Employment-Related Records.** Each Contractor must keep employee records, including, but not limited to: Fringe Benefit statements, time cards, payroll ledgers, check registers and canceled checks⁶² for at least three (3) years after the final payment is issued.⁶³ Other laws may have longer retention requirements.
- G. **Detailed Earning Statement.** At the end of each pay period, each Contractor must provide every Worker, in writing or by electronic means, an accurate, detailed earnings statement.⁶⁴
- H. **Reports and Records Request.** Upon a request from the Department, the Prime Contractor must promptly furnish copies of CPR(s) for its Workers and those of all lower tier Contractors, along with employment-related records, documents, and agreements that the Department considers necessary to determine compliance.⁶⁵

XI. APPRENTICES, TRAINEES AND HELPERS

- A. **Apprentice.** An Apprentice will be permitted to Work at less than the prevailing basic hourly rate only if the Apprentice is:
 1. Registered with the U.S. Department of Labor (DOL), Bureau of Apprenticeship and Training or MnDLI Division of Voluntary Apprenticeship.⁶⁶
 2. Performing Work of the trade, as described in the apprenticeship agreement.
 3. Compensated according to the rate specified in the program for the level of progress.⁶⁷
 4. Supervised by a Journeyworker from the same company, in accordance with the program ratio requirements.⁶⁸
- B. **Ratio Requirement.** If an approved apprenticeship program fails to define a ratio allowance, the first Apprentice must be supervised by a Journeyworker within the same trade or occupation. Any subsequent Apprentice must be supervised by an additional three Journeyworkers.⁶⁹

⁵⁹ MnDOT Standard Specifications for Construction, Section 1701

⁶⁰ MnDOT Standard Specifications for Construction, Section 1801

⁶¹ Minn. Stat. 177.30 (a)(5)

⁶² Minn. R. 5200.1106, Subpart 10

⁶³ Minn. Stat. 177.30 (a)(5)

⁶⁴ Minn. Stat. 181.032

⁶⁵ Minn. Stat. 177.44, Subdivision 7; Minn. Stat. 177.33(a)(5)

⁶⁶ Minn. R. 5200.1070, Subpart 1

⁶⁷ Minn. R. 5200.1070, Subpart 1 and Refer to Appendix C

⁶⁸ Minn. Stat. 178.036, Subdivision 5

⁶⁹ Minn. Stat. 178.036, Subdivision 5

- C. **Failure to Comply with Apprenticeship Requirements.** If a Contractor fails to demonstrate compliance with the terms established in this section, the Contractor must compensate the Apprentice not less than the applicable Total Prevailing Wage Rate for the actual classification of labor performed.⁷⁰
- D. **Trainee and Helper.** A trainee or helper is not exempt from prevailing wage under state law. The Contractor must assign the trainee or helper a labor classification that is the "same or most similar"⁷¹ and compensate the trainee or helper for the actual Work performed regardless of the trainee's or helper's skill level.

XII. INDEPENDENT CONTRACTORS, OWNERS, SUPERVISORS, AND FOREMAN

- A. **Independent Contractor.** An independent contractor (IC) that is not an Independent Truck Owner/Operator (ITO), who is performing Work must be properly classified and compensated.⁷² The IC must submit a CPR(s) to the Department. If the IC does not receive an hourly wage, but instead a weekly, biweekly, monthly or quarterly distribution for performance, the IC must calculate its hourly rate of pay by dividing the weekly, biweekly, monthly, or quarterly company distribution by all hours worked during that time frame and report the information on a CPR. If necessary, the Department may request documentation from the IC to determine how the hourly wage rate was calculated.⁷³
- B. **Owners, Supervisors and Foreman.** An owner, supervisor, or foreman performing Work is subject to prevailing wage and must be properly classified, compensated and reported.⁷⁴

XIII. TRUCKING

- A. **Covered Hauling Activities.** A Contractor must ensure that all Workers, including hired Trucking Brokers, MTOs and ITOs are paid the applicable Total Prevailing Wage Rate or truck rental rate for the following Work:
1. The hauling of any or all stockpiled or excavated materials on the project work site to other locations on the same project even if the truck leaves the work site at some point.⁷⁵
 2. The delivery of materials from a non-commercial establishment to the project and the return haul to the starting location either empty or loaded.⁷⁶
 3. The delivery of materials from another construction project site to the public works project and the return haul, either empty or loaded. Construction projects are not considered commercial establishments.⁷⁷
 4. The hauling required to remove any materials from the project to a location off the project site and the return haul, either empty or loaded from other than a commercial establishment.⁷⁸
 5. The delivery of materials or products by trucks hired by a Contractor, subcontractor, or agent thereof, from a commercial establishment.⁷⁹
 6. The delivery of sand, gravel, or rock, by or for a commercial establishment, which is deposited "substantially in place," either directly or through spreaders from the transporting vehicles is work under the contract. In addition, the return haul to the off-site facility empty or loaded is also considered work under the contract.⁸⁰

⁷⁰ Minn. R. 5200.1070, Subpart 3

⁷¹ Minn. Stat. 177.44, Subdivision 1

⁷² Minn. Stat. 177.44, Subdivision 1

⁷³ Minn. Stat. 177.30(a)(5); Minn. Stat. 181.723

⁷⁴ Minn. Stat. 177.44, Subdivision 1

⁷⁵ Minn. R. 5200.1106, Subpart 3B(1)

⁷⁶ Minn. R. 5200.1106, Subpart 3B(2)

⁷⁷ Minn. R. 5200.1106, Subpart 3B(3)

⁷⁸ Minn. R. 5200.1106, Subpart 3B(4)

⁷⁹ Minn. R. 5200.1106, Subpart 3B(5)

⁸⁰ Minn. R. 5200.1106, Subpart 3B(6)

- B. **Hauling Activities Not Subject to Prevailing Wage or Truck Rental Rates.** A Contractor may exclude a Worker, including hired Trucking Brokers, MTOs and ITOs from prevailing wage or truck rental rates for the Work described in (1-2) of this section. However, this Work may be considered hours worked and subject to standard compensation pursuant to the Minnesota Fair Labor Standards Act.
1. The delivery of processed or manufactured goods to a public works project by the employees of a commercial establishment including truck owner-operators hired by and paid by the commercial establishment, unless it is the delivery of mineral aggregate that is incorporated into the work under the contract by depositing the material substantially in place.⁸¹
 2. The delivery of oil offsite, as an example, to a Prime Contractor's permanent (commercial) asphalt mixing facility that is not to, from, or on the project Work site.⁸²
- C. **Repair, Maintenance & Waiting to Load Time.** An ITO and MTO must be paid the truck rental rate for time spent repairing or maintaining the truck owner-operator's equipment, and for waiting to load or unload if the repair, maintenance, or wait time is the fault of the Trucking Broker, Contractor, its agent or employees.⁸³
- D. **Month End Trucking Report.** A Contractor that acquires the services of an ITO or MTO must submit a "MnDOT – MTO and/or ITO Month-End Trucking Report", and a "MnDOT – Month-End Trucking Statement of Compliance Form" to the Department for each month hauling activities are performed under the Contract.⁸⁴ The forms are available on the MnDOT LCU website.⁸⁵
- E. **Broker Fee.** A truck broker contracting to provide trucking services directly to a prime contractor or subcontractor is allowed to assess a broker fee.

XIV. OFF-SITE FACILITIES

- A. **Off-Site Facility Activities Subject to Prevailing Wage.** A Contractor must ensure that all Workers performing Work at a covered off-site facility are paid the applicable Total Prevailing Wage Rate for the following Work:
1. The processing or manufacturing of material at a Prime Contractor's off-site facility that is not a separately held commercial establishment.⁸⁶
 2. The processing or manufacturing of material at an off-site facility that is not considered a commercial establishment.⁸⁷
- B. **Off-Site Facility Activities Not Subject to Prevailing Wage.** A Contractor may exclude a Worker from prevailing wage for the following work:
1. The processing or manufacturing of material or products by or for a commercial establishment.⁸⁸
 2. The work performed by Workers employed by the owner or lessee of a gravel or borrow pit that is a commercial establishment, even if the screening, washing or crushing machines are portable.⁸⁹

XV. SUBCONTRACTING PART OF THE CONTRACT

⁸¹ Minn. R. 5200.1106, Subpart 4(C)

⁸² J.D. Donovan, Inc. vs. Minnesota Department of Transportation, 878 N.W.2d 1 (2016)

⁸³ Minn. R. 5200.1106, Subpart 8(A)(1)

⁸⁴ Minn. R. 5200.1106, Subpart 10

⁸⁵ <http://www.dot.state.mn.us/const/labor/forms.html>

⁸⁶ ALJ Findings of Fact, Conclusions of Law, and Recommendation, Conclusions (7), Case #12-3000-11993-2

⁸⁷ Minn. R. 5200.1106, Subpart 3(A)

⁸⁸ Minn. R. 5200.1106, Subpart 4(A)

⁸⁹ Minn. R. 5200.1106, Subpart 4(B)

The Prime Contractor must include the Contract Special Provisions, Wage Decision(s) and Truck Rental Rate Schedule in all Subcontracts, agreements and purchase orders with lower tier Contractors.⁹⁰ This requirement also applies to all lower tier subcontractors.

XVI. SITE OF WORK REQUIREMENTS

- A. **Poster Board.** The Prime Contractor must construct and display a poster board containing all required posters. The poster board must be accurate, legible, and accessible to all project Workers from the first day of Work until the project is one hundred percent (100%) complete.⁹¹ A poster board at an off-site location, or inside a construction trailer, does not meet this requirement.
- B. **How to Obtain a Poster Board.** The Prime Contractor may obtain the required posters and the necessary contact information that is required to be inserted on each poster by visiting the MnDOT LCU website.⁹²
- C. **Employee Interviews.** The Contractor must permit representatives from the Department or other governmental entities⁹³ to interview Workers at any time during working hours on the project.⁹⁴

XVII. CHILD LABOR

- A. **No Worker under the Age of 18.** No Worker under the age of 18 is allowed to perform Work on a Project Site, except pursuant to Section XVII B below.⁹⁵
- B. **Parental Supervision.** A Worker under the age of 18 may perform Work on a Project Site if all of the following criteria are met:
 1. The Contractor (Employer) is not subject to FLSA.
 2. The Worker is employed in a corporation owned solely by one or both parents.
 3. The Worker is supervised by the parent(s).
 4. The Worker is not working in a hazardous occupation.⁹⁶
- C. **Removal of Minor from Project.** The Engineer or inspector may remove a Worker that appears to be under the age of 18 from the Project Site until the Contractor or Worker can demonstrate proof of age and compliance with all applicable federal and state regulations.⁹⁷

XVIII. NON-COMPLIANCE AND ENFORCEMENT

- A. **Case-by-Case Enforcement.** The Department has the authority to enforce the prevailing wage law on a case-by-case.⁹⁸
- B. **Prime Contractor Responsible for Unpaid Wages.** The Prime Contractor will be held liable for any unpaid wages to its Workers or those of any lower tier Contractor.⁹⁹
- C. **Enforcement Options.** If evidence shows that a Contractor has violated prevailing wage requirements, or these Special Provisions, the Department may, after written notice, implement one or more of the following:

⁹⁰ MnDOT Standard Specifications for Construction, Section 1801

⁹¹ Minn. Stat. 177.44, Subdivision 5

⁹² www.dot.state.mn.us/const/labor/posterboards

⁹³ MnDLI, U.S. DOL, , U.S. Department of Transportation, Federal Highways Administration

⁹⁴ MnDOT Standard Specifications for Construction, Section 1511

⁹⁵ Minn. R. 5200.0910, Subpart F; 29 CFR Part 570.2(a)(ii)

⁹⁶ Minn. R. 5200.0930, Subpart 4

⁹⁷ Minn. Stat. 181A.06, Subdivision 4; MnDOT Standard Specifications for Construction, Section 1701

⁹⁸ See International Union of Operating Engineers, Local 49 v. MnDOT, No. C6-97-1582, 1998 WL 74281, at *2 (Minn. App. Feb. 24, 1998)

⁹⁹ MnDOT Standard Specifications for Construction, Section 1801

1. **Withholding Payment.** The Department may withhold from the Prime Contractor payments relating to prevailing wage underpayments.¹⁰⁰
2. **Non-Responsible Contractor.** The Department may reject a bid from a Prime Contractor that has received two (2) or more Determination Letters within a three (3) year period from the Department finding an underpayment by the Contractor to its own employees.¹⁰¹
3. **Default.** The Department may take the prosecution of the Work out of the hands of the Prime Contractor, place the Contractor in default, and terminate the Contract for failure to comply.¹⁰²
4. **Suspension or Debarment.** The Department may refer violations and matters of non-compliance by a Contractor to the Minnesota Department of Administration for suspension or debarment proceedings.¹⁰³
5. **County Attorney.** The Department may refer suspected criminal violations by Contractor to the appropriate local county attorney for prosecution.¹⁰⁴
6. **Financial Penalties.** Any Contractor who violates the state prevailing wage law is guilty of a misdemeanor and may be fined not more than \$300 or imprisoned not more than 90 days or both. Each day that the violation continues is a separate offense.¹⁰⁵ A Contractor may be fined up to \$1,000 for each failure to maintain records.¹⁰⁶
7. **False Claims Act Violation.** All required payroll and certification reports are legal documents; knowing falsification of the documents by a Contractor may result in civil action and/or criminal prosecution¹⁰⁷ and may be grounds for debarment proceedings.¹⁰⁸
8. **Compliance Order.** The Department may request that MnDLI issue a compliance order to a Contractor for violations of the state prevailing wage law. If the Contractor is found to have committed a violation, liquidated damages and other costs may be assessed against the Employer.¹⁰⁹
9. **Private Right of Action.** The Department may direct an employee to pursue a civil action in district court against its Employer for failure to comply with the proper payment of wages.¹¹⁰ If the Employer is found to have committed a violation, liquidated damages and other costs may be assessed against the Employer.¹¹¹
10. **Fringe Benefits; Misdemeanor.** A Contractor that is obligated to deposit Fringe Benefit contributions on behalf of a Worker into a financially responsible trustee, third person, fund, plan, or program and fails to make timely contributions is guilty of a gross misdemeanor or other violations under federal law.¹¹²

¹⁰⁰ MnDOT Standard Specifications for Construction, Section 1906

¹⁰¹ Minn. Stat. 16C.285

¹⁰² MnDOT Standard Specifications for Construction, Section 1808

¹⁰³ Minn. R. 1230.1150, Subpart 2(A)(4)

¹⁰⁴ Minn. Stat. 177.44, Subdivision 7

¹⁰⁵ Minn. Stat. 177.44, Subdivision 6

¹⁰⁶ Minn. Stat. 177.30(b)

¹⁰⁷ Minn. Stat. 15C.02; , Minn. Stat. 161.315; Minn. Stat. 177.32; Minn. Stat. 177.43, Subdivision 5, Minn. Stat. 609.63

¹⁰⁸ Minn. Stat. 161.315 and Minn. Stat. 609.63

¹⁰⁹ Minn. Stat. 177.43, Subdivision 6a

¹¹⁰ Minn. Stat. 177.27, Subdivision 8

¹¹¹ Minn. Stat. 177.27, Subdivision 10

¹¹² Minn. Stat. 181.74, Subdivision 1

**THE FOLLOWING APPENDICES ARE FOR
EXPLANATORY PURPOSES ONLY.
FOR SPECIFIC QUESTIONS, PLEASE CONTACT LCU.¹¹³**

APPENDIX A**SALARIED WORKER WAGE COMPUTATION**

Salaried Workers. In order to convert the Worker's salary into an hourly rate of pay, divide the employee's weekly, bi-weekly or monthly earnings by the total number of hours Worked (government and non-government), including overtime hours for the time period used.¹¹⁴

$$\text{\$800.00 (weekly salary) / 40 (total weekly hours) = \$20.00}$$

$$\text{\$1,600.00 (bi-weekly salary) / 80 (total bi-weekly hours) = \$20.00}$$

$$\text{\$3,200.00 (monthly salary) / 160 (total monthly hours) = \$20.00}$$

APPENDIX B**FRINGE BENEFIT CREDIT**

Fringe Benefit Credit Calculation. The Employer contributes monthly (\$600.00) for medical insurance on behalf of a Worker. In order to calculate the projected hourly credit that the Employer can take, the Employer should: (1) add the monthly contributions for each Worker, (2) multiply by twelve (12) months, and (3) divide the total cost of the benefit by the total hours worked (government and non-government)¹¹⁵ (see annual example below). Quarterly and monthly examples are also provided.

Annual: $(\$600.00) \times (12 \text{ months}) = \$7,200.00$
 $(\$7,200.00) / (2080 \text{ hours}) = \underline{\text{\$3.46 per hour credit}}$

Quarterly: $(\$600.00) \times (3 \text{ months}) = \$1,800.00$
 $(\$1,800.00) / (520 \text{ hours}) = \underline{\text{\$3.46 per hour credit}}$

Monthly: $(\$600.00) \times (1 \text{ month}) = \600.00
 $(\$600.00) / (173 \text{ hours}) = \underline{\text{\$3.47 per hour credit}}$

End of Year Self-Audit. At the end of the calendar year, the Contractor must conduct an audit to determine if the hourly fringe benefit credit taken for each Worker was accurate. The Contractor must calculate the total annual fringe benefits paid on behalf of each Worker and divide that amount by the total number of hours worked (government and non-government) by that Worker. If the hourly fringe benefit credit was less than what was reported on a CPR, the contractor must compensate the Worker the hourly difference, multiplied by the total hours worked under the Contract.

APPENDIX C**APPRENTICE RATE OF PAY**

State Requirements. The Apprentice must be compensated according his/her level of progress, which is expressed as a percentage of the Journeyworker wage that is established in the program.

$$\text{Journeyworker Wage Established in Program} = \text{\$25.00}$$

$$\underline{\text{Apprentice Level of Progress} = 60\%}$$

$$(\text{\$25.00}) \times (.60) = \text{\$15.00}$$

¹¹³ lcusupport.dot@state.mn.us or (651)366-4238

¹¹⁴ United States Department of Labor Field Operation Handbook, Section 15f08

¹¹⁵ United States Department of Labor Field Operation Handbook, Section 15f12

APPENDIX D**PREVAILING WAGE OVERTIME CALCULATION**

Overtime Hourly Rate of Pay. Here is the formula to calculate the required minimum overtime.¹¹⁶

$$OT = (PW * .5) + (HW) + (RF) + (F)$$

Definition of OT Acronyms

OT: overtime.

PW: the basic hourly prevailing wage rate established in a federal and/or state prevailing Wage Decision.

HW: hourly wage rate paid to a Worker.

RF: remaining fringe, which means the difference between the Contract hourly Fringe Benefit rate and the actual hourly Fringe Benefit rate paid by the Contractor to a third party on behalf of a Worker.

F: Fringe Benefit contributions that are bona-fide and contributed by an Employer to a third party on behalf of a Worker.

The Total Prevailing Wage Rate for a Worker is \$30.00, which is comprised of an hourly basic rate of \$20.00 and an hourly fringe rate of \$10.00. The table below includes various hourly basic and Fringe Benefit payments that a Contractor could potentially make to a Worker.

OT CALCULATION FORMULA AND EXAMPLES				
$OT = (PW * .5) + (HW) + (RF) + (F)$				
Hourly Wage Paid	Fringe Benefits Paid	Payment To Employee $(PW * .5) + (HW) + (RF)$	Fringe Payment + (F)	Total Payment = OT
\$ 20.00	\$ 10.00	$(\$ 20.00 * .5) + (\$ 20.00) + (\$ 0.00) = \$ 30.00$	+ \$ 10.00	= \$ 40.00
\$ 18.00	\$ 12.00	$(\$ 20.00 * .5) + (\$ 18.00) + (\$ 0.00) = \$ 28.00$	+ \$ 12.00	= \$ 40.00
\$ 22.00	\$ 8.00	$(\$ 20.00 * .5) + (\$ 22.00) + (\$ 0.00) = \$ 32.00$	+ \$ 8.00	= \$ 40.00
\$ 30.00	\$ 0.00	$(\$ 20.00 * .5) + (\$ 30.00) + (\$ 0.00) = \$ 40.00$	+ \$ 0.00	= \$ 40.00
\$ 24.00	\$ 4.00	$(\$ 20.00 * .5) + (\$ 24.00) + (\$ 2.00) = \$ 36.00$	+ \$ 4.00	= \$ 40.00

Regarding the last example the Contractor would be required to pay an additional \$2.00 to the Worker, which is wages in lieu of fringe for a straight time hourly rate of \$26.00 not \$24.00.

A Contractor subject to the Fair Labor Standards Act (FLSA) may be subject to additional overtime compensation requirements.

¹¹⁶ United States Department of Labor Field Operation Handbook, Section 15k

NOTICE TO BIDDERS

Minnesota Statutes require prompt payment to subcontractors:

Minn. Stat. § 471.425 PROMPT PAYMENT OF LOCAL GOVERNMENT BILLS.

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings here given them.

. . . (d) "Municipality" means any home rule charter or statutory city, county, town, school district, political subdivision or agency of local government. "Municipality" means the Metropolitan Council or any board or agency created under chapter 473.

. . . Subd. 4a. **Prompt payment to subcontractors.** Each contract of a municipality must require the prime contractor to pay any subcontractor within ten days of the prime contractor's receipt of payment from the municipality for undisputed services provided by the subcontractor. The contract must require the prime contractor to pay interest of 1-1/2 percent per month or any part of a month to the subcontractor on any undisputed amount not paid on time to the subcontractor. The minimum monthly interest penalty payment for an unpaid balance of \$100 or more is \$10. For an unpaid balance of less than \$100, the prime contractor shall pay the actual penalty due to the subcontractor. A subcontractor who prevails in a civil action to collect interest penalties from a prime contractor must be awarded its costs and disbursements, including attorney's fees, incurred in bringing the action.

Minn. Stat. § 15.72 PROGRESS PAYMENTS ON PUBLIC CONTRACTS; RETAINAGE.

. . . Subd. 2. **Retainage.** . . . (c) A contractor on a public contract for a public improvement must pay all remaining retainage to its subcontractors no later than ten days after receiving payment of retainage from the public contracting agency, unless there is a dispute about the work under a subcontract. If there is a dispute about the work under a subcontract, the contractor must pay out retainage to any subcontractor whose work is not involved in the dispute, and must provide a written statement detailing the amount and reason for the withholding to the affected subcontractor.

MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY PREVAILING WAGES FOR STATE FUNDED CONSTRUCTION PROJECTS



THIS NOTICE MUST BE POSTED ON THE JOBSITE IN A CONSPICUOUS PLACE

Construction Type: Highway and Heavy

Region Number: 04

Counties within region:

- BECKER-03
- BIG STONE-06
- CLAY-14
- DOUGLAS-21
- GRANT-26
- MAHNOMEN-43
- OTTERTAIL-56
- POPE-61
- STEVENS-75
- SWIFT-76
- TRAVERSE-78
- WILKIN-84

Effective: 2024-11-18

This project is covered by Minnesota prevailing wage statutes. Wage rates listed below are the minimum hourly rates to be paid on this project.

All hours worked in excess of eight (8) hours per day or forty (40) hours per week shall be paid at a rate of one and one half (1 1/2) times the basic hourly rate. *Note: Overtime pay after eight (8) hours on the project must be paid even if the worker does not exceed forty (40) hours in the work week.*

Violations on MnDOT highways and road projects should be reported to:

Department of Transportation
Office of Construction
Transportation Building MS650
John Ireland Blvd
St. Paul, MN 55155
(651) 366-4209

All other prevailing wage violations and questions should be sent to:

Department of Labor and Industry
Prevailing Wage Section
443 Lafayette Road N
St Paul, MN 55155
(651) 284-5091
DLI.PrevWage@state.mn.us

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
LABORERS (101 - 112) (SPECIAL CRAFTS 701 - 730)					
101	LABORER, COMMON (GENERAL LABOR WORK)	2024-11-18	32.23	22.88	55.11
		2025-05-01	34.50	24.26	58.76

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
102	LABORER, SKILLED (ASSISTING SKILLED CRAFT JOURNEYMAN)	2024-11-18	32.23	22.88	55.11
		2025-05-01	34.50	24.26	58.76
103	LABORER, LANDSCAPING (GARDENER, SOD LAYER AND NURSERY OPERATOR)	2024-11-18	25.00	0.00	25.00
104	FLAG PERSON	2024-11-18	27.50	20.74	48.24
105	WATCH PERSON	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVVAGE@STATE.MN.US			
106	BLASTER	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVVAGE@STATE.MN.US			
107	PIPELAYER (WATER, SEWER AND GAS)	2024-11-18	35.73	22.88	58.61
		2025-05-01	38.00	24.26	62.26
108	TUNNEL MINER	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVVAGE@STATE.MN.US			
109	UNDERGROUND AND OPEN DITCH LABORER (EIGHT FEET BELOW STARTING GRADE LEVEL)	2024-11-18	29.00	20.74	49.74
110	SURVEY FIELD TECHNICIAN (OPERATE TOTAL STATION, GPS RECEIVER, LEVEL, ROD OR RANGE POLES, STEEL TAPE MEASUREMENT; MARK AND DRIVE STAKES; HAND OR POWER DIGGING FOR AND IDENTIFICATION OF MARKERS OR MONUMENTS; PERFORM AND CHECK CALCULATIONS; REVIEW AND UNDERSTAND CONSTRUCTION PLANS AND LAND SURVEY MATERIALS). THIS CLASSIFICATION DOES NOT APPLY TO THE WORK PERFORMED ON A PREVAILING WAGE PROJECT BY A LAND SURVEYOR WHO IS LICENSED PURSUANT TO MINNESOTA STATUTES, SECTIONS 326.02 TO 326.15.	2024-11-18	21.39	14.90	36.29
111	TRAFFIC CONTROL PERSON (TEMPORARY SIGNAGE)	2024-11-18	23.04	17.10	40.14
112		2024-11-18	22.15	12.77	34.92

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
	QUALITY CONTROL TESTER (FIELD AND COVERED OFF-SITE FACILITIES; TESTING OF AGGREGATE, ASPHALT, AND CONCRETE MATERIALS); LIMITED TO MN DOT HIGHWAY AND HEAVY CONSTRUCTION PROJECTS WHERE THE MN DOT HAS RETAINED QUALITY ASSURANCE PROFESSIONALS TO REVIEW AND INTERPRET THE RESULTS OF QUALITY CONTROL TESTERS. SERVICES PROVIDED BY THE CONTRACTOR.				
SPECIAL EQUIPMENT (201 - 204)					
201	ARTICULATED HAULER	2024-11-18	33.58	26.79	60.37
		2025-05-05	34.60	29.17	63.77
202	BOOM TRUCK	2024-11-18	30.21	22.55	52.76
203	LANDSCAPING EQUIPMENT, INCLUDES HYDRO SEEDER OR MULCHER, SOD ROLLER, FARM TRACTOR WITH ATTACHMENT SPECIFICALLY SEEDING, SODDING, OR PLANT, AND TWO-FRAMED FORKLIFT (EXCLUDING FRONT, POSIT-TRACK, AND SKID STEER LOADERS), NO EARTHWORK OR GRADING FOR ELEVATIONS	2024-11-18	25.00	2.00	27.00
204	OFF-ROAD TRUCK	2024-11-18	51.13	3.48	54.61
205	PAVEMENT MARKING OR MARKING REMOVAL EQUIPMENT (ONE OR TWO PERSON OPERATORS); SELF-PROPELLED TRUCK OR TRAILER MOUNTED UNITS.	2024-11-18	35.00	13.24	48.24
HIGHWAY/HEAVY POWER EQUIPMENT OPERATOR					
GROUP 2		2024-11-18	34.94	26.79	61.73
		2025-05-05	36.03	29.17	65.20
302	HELICOPTER PILOT (HIGHWAY AND HEAVY ONLY)				
303	CONCRETE PUMP (HIGHWAY AND HEAVY ONLY)				
304	ALL CRANES WITH OVER 135-FOOT BOOM, EXCLUDING JIB (HIGHWAY AND HEAVY ONLY)				

LABOR CODE AND CLASS	EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
305	DRAGLINE, CRAWLER, HYDRAULIC BACKHOE (TRACK OR WHEEL MOUNTED) AND/OR OTHER SIMILAR EQUIPMENT WITH SHOVEL-TYPE CONTROLS THREE CUBIC YARDS AND OVER MANUFACTURER.S RATED CAPACITY INCLUDING ALL ATTACHMENTS. (HIGHWAY AND HEAVY ONLY)			
306	GRADER OR MOTOR PATROL			
307	PILE DRIVING (HIGHWAY AND HEAVY ONLY)			
308	TUGBOAT 100 H.P. AND OVER WHEN LICENSE REQUIRED (HIGHWAY AND HEAVY ONLY)			
GROUP 3	2024-11-18	33.92	26.79	60.71
	2025-05-05	34.96	29.17	64.13
309	ASPHALT BITUMINOUS STABILIZER PLANT			
310	CABLEWAY			
311	CONCRETE MIXER, STATIONARY PLANT (HIGHWAY AND HEAVY ONLY)			
312	DERRICK (GUY OR STIFFLEG)(POWER)(SKIDS OR STATIONARY) (HIGHWAY AND HEAVY ONLY)			
313	DRAGLINE, CRAWLER, HYDRAULIC BACKHOE (TRACK OR WHEEL MOUNTED) AND/OR SIMILAR EQUIPMENT WITH SHOVEL-TYPE CONTROLS, UP TO THREE CUBIC YARDS MANUFACTURER.S RATED CAPACITY INCLUDING ALL ATTACHMENTS (HIGHWAY AND HEAVY ONLY)			
314	DREDGE OR ENGINEERS, DREDGE (POWER) AND ENGINEER			
315	FRONT END LOADER, FIVE CUBIC YARDS AND OVER INCLUDING ATTACHMENTS. (HIGHWAY AND HEAVY ONLY)			
316	LOCOMOTIVE CRANE OPERATOR			
317	MIXER (PAVING) CONCRETE PAVING, ROAD MOLE, INCLUDING MUCKING OPERATIONS, CONWAY OR SIMILAR TYPE			
318	MECHANIC . WELDER ON POWER EQUIPMENT (HIGHWAY AND HEAVY ONLY)			
319	TRACTOR . BOOM TYPE (HIGHWAY AND HEAVY ONLY)			
320	TANDEM SCRAPER			
321	TRUCK CRANE . CRAWLER CRANE (HIGHWAY AND HEAVY ONLY)			
322	TUGBOAT 100 H.P AND OVER (HIGHWAY AND HEAVY ONLY)			
GROUP 4	2024-11-18	33.58	26.79	60.37
	2025-05-05	34.60	29.17	63.77
323	AIR TRACK ROCK DRILL			
324	AUTOMATIC ROAD MACHINE (CMI OR SIMILAR) (HIGHWAY AND HEAVY ONLY)			
325	BACKFILLER OPERATOR			
326	CONCRETE BATCH PLANT OPERATOR (HIGHWAY AND HEAVY ONLY)			
327	BITUMINOUS ROLLERS, RUBBER TIRED OR STEEL DRUMMED (EIGHT TONS AND OVER)			
328	BITUMINOUS SPREADER AND FINISHING MACHINES (POWER), INCLUDING PAVERS, MACRO SURFACING AND MICRO SURFACING, OR SIMILAR TYPES (OPERATOR AND SCREED PERSON)			
329	BROKK OR R.T.C. REMOTE CONTROL OR SIMILAR TYPE WITH ALL ATTACHMENTS			
330	CAT CHALLENGER TRACTORS OR SIMILAR TYPES PULLING ROCK WAGONS, BULLDOZERS AND SCRAPERS			
331	CHIP HARVESTER AND TREE CUTTER			
332	CONCRETE DISTRIBUTOR AND SPREADER FINISHING MACHINE, LONGITUDINAL FLOAT, JOINT MACHINE, AND SPRAY MACHINE			
333	CONCRETE MIXER ON JOBSITE (HIGHWAY AND HEAVY ONLY)			

LABOR CODE AND CLASS	EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
334	CONCRETE MOBIL (HIGHWAY AND HEAVY ONLY)			
335	CRUSHING PLANT (GRAVEL AND STONE) OR GRAVEL WASHING, CRUSHING AND SCREENING PLANT			
336	CURB MACHINE			
337	DIRECTIONAL BORING MACHINE			
338	DOPE MACHINE (PIPELINE)			
339	DRILL RIGS, HEAVY ROTARY OR CHURN OR CABLE DRILL (HIGHWAY AND HEAVY ONLY)			
340	DUAL TRACTOR			
341	ELEVATING GRADER			
342	FORK LIFT OR STRADDLE CARRIER (HIGHWAY AND HEAVY ONLY)			
343	FORK LIFT OR LUMBER STACKER (HIGHWAY AND HEAVY ONLY)			
344	FRONT END, SKID STEER OVER 1 TO 5 C YD			
345	GPS REMOTE OPERATING OF EQUIPMENT			
346	HOIST ENGINEER (POWER) (HIGHWAY AND HEAVY ONLY)			
347	HYDRAULIC TREE PLANTER			
348	LAUNCHER PERSON (TANKER PERSON OR PILOT LICENSE)			
349	LOCOMOTIVE (HIGHWAY AND HEAVY ONLY)			
350	MILLING, GRINDING, PLANING, FINE GRADE, OR TRIMMER MACHINE			
351	MULTIPLE MACHINES, SUCH AS AIR COMPRESSORS, WELDING MACHINES, GENERATORS, PUMPS (HIGHWAY AND HEAVY ONLY)			
352	PAVEMENT BREAKER OR TAMPING MACHINE (POWER DRIVEN) MIGHTY MITE OR SIMILAR TYPE			
353	PICKUP SWEEPER, ONE CUBIC YARD AND OVER HOPPER CAPACITY(HIGHWAY AND HEAVY ONLY)			
354	PIPELINE WRAPPING, CLEANING OR BENDING MACHINE			
355	POWER PLANT ENGINEER, 100 KWH AND OVER (HIGHWAY AND HEAVY ONLY)			
356	POWER ACTUATED HORIZONTAL BORING MACHINE, OVER SIX INCHES			
357	PUGMILL			
358	PUMPCRETE (HIGHWAY AND HEAVY ONLY)			
359	RUBBER-TIRED FARM TRACTOR WITH BACKHOE INCLUDING ATTACHMENTS (HIGHWAY AND HEAVY ONLY)			
360	SCRAPER			
361	SELF-PROPELLED SOIL STABILIZER			
362	SLIP FORM (POWER DRIVEN) (PAVING)			
363	TIE TAMPER AND BALLAST MACHINE			
364	TRACTOR, BULLDOZER (HIGHWAY AND HEAVY ONLY)			
365	TRACTOR, WHEEL TYPE, OVER 50 H.P. WITH PTO UNRELATED TO LANDSCAPING (HIGHWAY AND HEAVY ONLY)			
366	TRENCHING MACHINE (SEWER, WATER, GAS) EXCLUDES WALK BEHIND TRENCHER (HIGHWAY AND HEAVY ONLY)			
367	TUB GRINDER, MORBARK, OR SIMILAR TYPE			
368	WELL POINT DISMANTLING OR INSTALLATION (HIGHWAY AND HEAVY ONLY)			
GROUP 5	2024-11-18	31.71	26.79	58.50

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
		2025-05-05	32.64	29.17	61.81
369	AIR COMPRESSOR, 600 CFM OR OVER (HIGHWAY AND HEAVY ONLY)				
370	BITUMINOUS ROLLER (UNDER EIGHT TONS)				
371	CONCRETE SAW (MULTIPLE BLADE) (POWER OPERATED)				
372	FORM TRENCH DIGGER (POWER)				
373	FRONT END, SKID STEER UP TO 1C YD				
374	GUNITE GUNALL (HIGHWAY AND HEAVY ONLY)				
375	HYDRAULIC LOG SPLITTER				
376	LOADER (BARBER GREENE OR SIMILAR TYPE)				
377	POST HOLE DRIVING MACHINE/POST HOLE AUGER				
378	POWER ACTUATED AUGER AND BORING MACHINE				
379	POWER ACTUATED JACK				
380	PUMP (HIGHWAY AND HEAVY ONLY)				
381	SELF-PROPELLED CHIP SPREADER (FLAHERTY OR SIMILAR)				
382	SHEEP FOOT COMPACTOR WITH BLADE . 200 H.P. AND OVER				
383	SHOULDERING MACHINE (POWER) APSCO OR SIMILAR TYPE INCLUDING SELF-PROPELLED SAND AND CHIP SPREADER				
384	STUMP CHIPPER AND TREE CHIPPER				
385	TREE FARMER (MACHINE)				

GROUP 6		2024-11-18	31.06	26.79	57.85
		2025-05-05	31.95	29.17	61.12
387	CAT, CHALLENGER, OR SIMILAR TYPE OF TRACTORS, WHEN PULLING DISK OR ROLLER				
388	CONVEYOR (HIGHWAY AND HEAVY ONLY)				
389	DREDGE DECK HAND				
390	FIRE PERSON OR TANK CAR HEATER (HIGHWAY AND HEAVY ONLY)				
391	GRAVEL SCREENING PLANT (PORTABLE NOT CRUSHING OR WASHING)				
392	GREASER (TRACTOR) (HIGHWAY AND HEAVY ONLY)				
393	LEVER PERSON				
394	OILER (POWER SHOVEL, CRANE, TRUCK CRANE, DRAGLINE, CRUSHERS, AND MILLING MACHINES, OR OTHER SIMILAR HEAVY EQUIPMENT) (HIGHWAY AND HEAVY ONLY)				
395	POWER SWEEPER				
396	SHEEP FOOT ROLLER AND ROLLERS ON GRAVEL COMPACTION, INCLUDING VIBRATING ROLLERS				
397	TRACTOR, WHEEL TYPE, OVER 50 H.P., UNRELATED TO LANDSCAPING				

TRUCK DRIVERS

GROUP 1		2024-11-18	28.92	21.35	50.27
601	MECHANIC . WELDER				
602	TRACTOR TRAILER DRIVER				
603					

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
TRUCK DRIVER (HAULING MACHINERY INCLUDING OPERATION OF HAND AND POWER OPERATED WINCHES)					
GROUP 2		2024-11-18	35.66	18.07	53.73
604	FOUR OR MORE AXLE UNIT, STRAIGHT BODY TRUCK				
GROUP 3		2024-11-18	31.93	25.00	56.93
605	BITUMINOUS DISTRIBUTOR DRIVER				
606	BITUMINOUS DISTRIBUTOR (ONE PERSON OPERATION)				
607	THREE AXLE UNITS				
GROUP 4		2024-11-18	31.93	25.00	56.93
608	BITUMINOUS DISTRIBUTOR SPRAY OPERATOR (REAR AND OILER)				
609	DUMP PERSON				
610	GREASER				
611	PILOT CAR DRIVER				
612	RUBBER-TIRED, SELF-PROPELLED PACKER UNDER 8 TONS				
613	TWO AXLE UNIT				
614	SLURRY OPERATOR				
615	TANK TRUCK HELPER (GAS, OIL, ROAD OIL, AND WATER)				
616	TRACTOR OPERATOR, UNDER 50 H.P.				
SPECIAL CRAFTS					
701	HEATING AND FROST INSULATORS	2024-11-18	17.50	0.00	17.50
702	BOILERMAKERS	2024-11-18	46.00	31.93	77.93
		2025-01-01	48.35	31.93	80.28
703	BRICKLAYERS	2024-11-18	35.88	23.20	59.08
704	CARPENTERS	2024-11-18	36.49	28.29	64.78
		2025-01-01	36.49	28.29	64.78
		2025-05-01	41.69	28.29	69.98
705	CARPET LAYERS (LINOLEUM)	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVIEW@STATE.MN.US			
706	CEMENT MASONS	2024-11-18	45.17	24.22	69.39
707	ELECTRICIANS	2024-11-18	46.00	30.00	76.00
		2025-07-01	50.86	30.00	80.86

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
711	GROUND PERSON	2024-11-18	40.14	0.00	40.14
712	IRONWORKERS	2024-11-18	41.19	35.68	76.87
713	LINEMAN	2024-11-18	36.26	6.93	43.19
714	MILLWRIGHT	2024-11-18	44.38	28.92	73.30
		2025-01-01	44.38	28.92	73.30
		2025-05-01	48.13	29.41	77.54
715	PAINTERS (INCLUDING HAND BRUSHED, HAND SPRAYED, AND THE TAPING OF PAVEMENT MARKINGS)	2024-11-18	32.38	25.28	57.66
		2025-05-01	34.98	25.28	60.26
716	PILEDRIIVER (INCLUDING VIBRATORY DRIVER OR EXTRACTOR FOR PILING AND SHEETING OPERATIONS)	2024-11-18	45.71	29.73	75.44
		2025-01-01	45.71	29.73	75.44
		2025-05-01	49.46	30.23	79.69
717	PIPEFITTERS . STEAMFITTERS	2024-11-18	47.91	20.04	67.95
719	PLUMBERS	2024-11-18	44.78	23.04	67.82
721	SHEET METAL WORKERS	2024-11-18	27.00	3.33	30.33
723	TERRAZZO WORKERS	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PRE VWAGE@STATE.MN.US			
724	TILE SETTERS	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PRE VWAGE@STATE.MN.US			
725	TILE FINISHERS	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PRE VWAGE@STATE.MN.US			
727	WIRING SYSTEM TECHNICIAN	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PRE VWAGE@STATE.MN.US			
728	WIRING SYSTEMS INSTALLER	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PRE VWAGE@STATE.MN.US			

LABOR CODE AND CLASS**EFFECT DATE BASIC RATE FRINGE RATE TOTAL RATE**

729

ASBESTOS ABATEMENT WORKER

FOR RATE CALL 651-284-5091 OR EMAIL
DLI.PREVWAGE@STATE.MN.US

730

SIGN ERECTOR

FOR RATE CALL 651-284-5091 OR EMAIL
DLI.PREVWAGE@STATE.MN.US

Jan. 6, 2025

Notice of truck rental rate certification and effective date

The Department of Labor and Industry (DLI) commissioner has certified the minimum truck rental rates for state-funded highway projects effective Jan. 6, 2025. This certification follows the publication of the Notice of Truck Rental Rate Determination in the State Register on Dec. 16, 2024, and the informal conference held pursuant to Minnesota Rules, part 5200.1105 on Dec. 27, 2024.

According to Minnesota Rules, part 5200.1105, the purpose of the informal conference was for DLI to obtain further input regarding the determined rates prior to the certification. No written input regarding the determination was received by DLI prior to the informal conference.

The truck rental rate is determined for each equipment type by adding the average hourly cost of operating the vehicle to the certified prevailing-wage rate for the driver. The average hourly operating costs are determined by voluntary survey of truck owner operators, trucking contractors and trucking firms. Cost data used in DLI's analysis must be representative of five trucking firms of various size and five independent truck owner operators for each type of truck.

The determination of the minimum truck rental rates by region are as follows.

Three-axle units

Region	Effective date	607 driver rate	Operating cost	Truck rental rate
Region 1	Certification date	\$61.54	\$37.35	\$98.89
	Increase April 28, 2025	\$64.83	\$37.35	\$102.18
Region 2	Certification date	\$54.57	\$37.35	\$91.92
	Increase April 28, 2025	\$57.49	\$37.35	\$94.84
Region 3	Certification date	\$54.57	\$37.35	\$91.92
	Increase April 28, 2025	\$57.49	\$37.35	\$94.84

Region	Effective date	607 driver rate	Operating cost	Truck rental rate
Region 4	Certification date	\$56.93	\$37.35	\$94.28
Region 5	Certification date	\$39.50	\$37.35	\$76.85
Region 6	Certification date	\$45.00	\$37.35	\$82.35
Region 7	Certification date	\$46.65	\$37.35	\$84.00
Region 8	Certification date	\$42.50	\$37.35	\$79.85
Region 9	Certification date	\$56.36	\$37.35	\$93.71
Region 10	Certification date	\$42.50	\$37.35	\$79.85

Four or more axle units

Region	Effective date	604 driver rate	Operating cost	Truck rental rate
Region 1	Certification date	\$61.65	\$51.50	\$113.15
	Increase April 28, 2025	\$64.95	\$51.50	\$116.45
Region 2	Certification date	\$54.72	\$51.50	\$106.22
	Increase April 28, 2025	\$57.65	\$51.50	\$109.15
Region 3	Certification date	\$ 39.60	\$51.50	\$91.10
Region 4	Certification date	\$53.73	\$51.50	\$105.23
Region 5	Certification date	\$26.00	\$51.50	\$77.50
Region 6	Certification date	\$54.25	\$51.50	\$105.75

Region 7	Certification date	\$46.15	\$51.50	\$97.65
Region 8	Certification date	\$44.50	\$51.50	\$96.00
Region 9	Certification date	\$56.45	\$51.50	\$107.95
Region 10	Certification date	\$53.70	\$51.50	\$105.20

Tractor

Region	Effective date	602 driver rate	Operating cost	Tractor-only truck rental rate	Plus trailer operating cost	Tractor trailer rental rate
Region 1	Certification date	\$62.25	\$54.96	\$117.21	\$11.46	\$128.67
	Increase April 28, 2025	\$65.58	\$54.96	\$120.54	\$11.46	\$132.00
Region 2	Certification date	\$55.29	\$54.96	\$110.25	\$11.46	\$121.71
	Increase April 28, 2025	\$58.25	\$54.96	\$113.21	\$11.46	\$124.67
Region 3	Certification date	\$55.29	\$54.96	\$110.25	\$11.46	\$121.71
	Increase April 28, 2025	\$58.25	\$54.96	\$113.21	\$11.46	\$124.67
Region 4	Certification date	\$50.27	\$54.96	\$105.23	\$11.46	\$116.69
Region 5	Certification date	\$28.84	\$54.96	\$83.80	\$11.46	\$95.26
Region 6	Certification date	\$47.40	\$54.96	\$102.36	\$11.46	\$113.82
Region 7	Certification date	\$46.15	\$54.96	\$101.11	\$11.46	\$112.57
Region 8	Certification date	\$47.50	\$54.96	\$102.46	\$11.46	\$113.92

Region 9	Certification date	\$62.70	\$54.96	\$117.66	\$11.46	\$129.12
	Increase April 28, 2025	\$66.05	\$54.96	\$121.01	\$11.46	\$132.47
Region 10	Certification date	\$47.50	\$54.96	\$102.46	\$11.46	\$113.92

The current operating costs and truck rental rates may be reviewed by accessing DLI's website at <https://dli.mn.gov/business/employment-practices/prevaling-wage-minimum-truck-rental-rates>. Questions about the truck rental rates or the informal conference notice below can be answered by calling 651-284-5192.

The minimum truck rental rate for these four types of trucks in the State's 10 highway and heavy construction areas will be effective for all highway and heavy construction projects financed in whole or part with state funds advertised for bid on or after the day the notice of certification is published in the *State Register*.

Sincerely,

Nicole Blissenbach

DLI commissioner

MNDOT Last Revision: December 20, 2024

**SPECIAL PROVISIONS
FOR
SAP 014-634-031
Bituminous Mill & Overlay
DIVISION S**

THE "STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2020 EDITION", SHALL GOVERN ALONG WITH THE FOLLOWING SPECIAL PROVISIONS.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.


Signature

Justin Sorum, PE
Typed or Printed Name

58043
License Number

2/12/25
Date

TABLE OF CONTENTS

Section No.	Item	Page No.
S-1	CONTACT INFORMATION	SP-3
S-2	SPECIAL PROVISIONS RELATING TO TRIBAL EMPLOYMENT	SP-3
S-3	WORKFORCE CERTIFICATE	SP-3
S-4	PROTECTION OF FISH AND WILDLIFE RESOURCES	SP-3
S-5	EQUAL EMPLOYMENT OPPORTUNITY	SP-4
S-6	RESPONSIBLE CONTRACTOR	SP-7
S-7	(1103) DEFINITIONS	SP-8
S-8	(1203) ACCESS TO PROPOSAL PACKAGE	SP-8
S-9	(1206) PREPARATION AND DELIVERY OF PROPOSAL	SP-8
S-10	(1208) PROPOSAL GUARANTY	SP-9
S-11	(1210) REVISION OF PROPOSAL PACKAGE OR WITHDRAWAL OF PROPOSALS	SP-9
S-12	(1212) OPENING OF PROPOSALS	SP-9
S-13	(1404) MAINTENANCE OF TRAFFIC, (1707) PUBLIC SAFETY AND (2563) TRAFFIC CONTROL	SP-10
S-14	(1506) SUPERVISION BY CONTRACTORS	SP-11
S-15	(1507) UTILITY PROPERTY AND SERVICE	SP-11
S-16	(1601) SOURCE SUPPLY AND QUALITY	SP-11
S-17	(1701) LAWS TO BE OBSERVED - EQUAL PAY	SP-12
S-18	(1701) LAWS TO BE OBSERVED - COMPLIANCE WITH TAX LAW REQUIREMENTS	SP-12
S-19	(1701) LAWS TO BE OBSERVED - USE OF EQUIPMENT FROM CERTAIN SUPPLIERS PROHIBITED	SP-13
S-20	(1706) EMPLOYEE HEALTH AND WELFARE	SP-13
S-21	(1707) PUBLIC CONVENIENCE AND SAFETY	SP-13
S-22	(1801) SUBLETTING OF CONTRACT	SP-13
S-23	(1802) QUALIFICATIONS OF WORKERS	SP-14
S-24	(1803) PROGRESS SCHEDULES	SP-14
S-25	(1806) DETERMINATION AND EXTENSION OF CONTRACT TIME	SP-15
S-26	(1807) FAILURE TO COMPLETE WORK ON TIME	SP-15
S-27	(1901) MEASUREMENT OF QUANTITIES	SP-15
S-28	(1902) SCOPE OF PAYMENT	SP-17
S-29	(1906) PARTIAL PAYMENTS	SP-17
S-30	(1908) FINAL PAYMENT	SP-17
S-31	(1910) COST ESCALATION	SP-17
S-32	(2021) MOBILIZATION	SP-18
S-33	(2104) REMOVE PAVEMENT AND MISCELLANEOUS STRUCTURES	SP-18
S-34	(2232) MILL PAVEMENT SURFACE	SP-18
S-35	(2357) BITUMINOUS TACK COAT	SP-20
S-36	(2360) PLANT MIXED ASPHALT PAVEMENT	SP-21
S-37	(2360) PLANT MIXED ASPHALT PAVEMENT (LOCAL GOVERNMENT UNIT)	SP-21
S-38	(2399) PAVEMENT SURFACE SMOOTHNESS	SP-21
S-39	(2562) ADDITIONAL TRAFFIC CONTROL DEVICES AND EXTENDED USE OF TRAFFIC CONTROL DEVICES	SP-23
S-40	(2563) TEMPORARY RAISED PAVEMENT MARKERS	SP-26

S-1 CONTACT INFORMATION

Direct questions about this Project, including pre-bid questions, to the Clay County Engineer, **Justin Sorum, PE, at Phone 218-299-5099 and justin.sorum@claycountymn.gov.**

S-2 SPECIAL PROVISIONS RELATING TO TRIBAL EMPLOYMENT

REVISED 06/30/22

The Department promotes and encourages Indian employment on transportation Projects on or near reservations, consistent with 23 USC §140 (d).

This Project is on or near a reservation. The Contractor must work with the tribal government to use Indian labor in performing Contract Work. The Contractor must contact the Tribal employment rights officer, Liz Anderson from the White Earth Tribe or band, at 218-935-3699 or Kim St. Clair from the White Earth Tribe or Band, at 218-935-6268 to identify Indian employment opportunities.

If the Contractor or Subcontractor is not in compliance with these Special Provisions, the Department will address the noncompliance with the Contractor or Subcontractor and the Tribal employment rights officer. The Contractor must meet with the Tribal employment rights officer to discuss Indian employment issues if requested by the tribe.

The Contractor must submit the Indian Employment Tracking Form,

<http://www.dot.state.mn.us/civilrights/indian-employment.html>, to the Department's Office of Civil Rights no later than 90 Calendar Days after receipt of the semi-final estimate as defined in MnDOT 1908.2 and as per 1516.3(7) Completion of Work. If the Contractor fails to submit the form, the Engineer may assess a Monetary Deduction, in accordance with the Contract. The form must list all Indians who were hired for the Project, by the Contractor or a Subcontractor, after being referred by one of the federally-recognized tribal TERO offices in Minnesota.

If the Contractor is considering suspending or terminating an employee referred by the Tribal employment rights officer, the Contractor must notify the Tribal employment rights officer to seek assistance in resolving the problem prior to releasing the employee. Nothing in these Special Provisions is intended to interfere with the Contractor's ability to dismiss any employee for cause including, but not limited to, lack of adequate skills or training, inability to perform because of State or Federal law, or breach of the Contractor's safety standards or other standards of conduct.

Indian employment requirements supplement, but do not replace, other equal opportunity requirements

S-3 WORKFORCE CERTIFICATE

The local agency cannot execute a contract for goods or services in excess of \$250,000 with a business that has 40 or more full-time employees in this state or a state where the business has its primary place of business on a single day during the prior 12 months, unless the business has a workforce certificate from the commissioner of human rights or has certified in writing that it is exempt. Bidders may find more information on the Workforce Certificate Requirement at Minnesota Statutes Section 363A.36 or at this website:

<https://mn.gov/mdhr/certificates/workforce-certificate/>

S-4 PROTECTION OF FISH AND WILDLIFE RESOURCES

REVISED 06/28/24

Compliance with Environmental Documentation

The Project is located in an area with protected fish & wildlife resources and/or threatened & endangered species. The Contractor must protect these resources in accordance with State and Federal regulations and must implement all applicable avoidance and minimization measures (AMMs).

BAT PROTECTION

The Project is located in an area inhabited by one or more protected bat species. The Contractor must ensure all operators, employees, and Contractors working in areas of known or presumed bat habitat are aware of environmental commitments and avoidance and minimization measures (AMMs) to protect both bats and their habitat. The Contractor must notify Project Subcontractors during the preconstruction meeting.

Contractor must direct temporary lighting, if used, away from wooded areas during the bat active season (April 1 to November 14, inclusive).

Contractor must immediately report (within 24 hours) all bat sightings, live or dead, to the Department's wildlife ecologist, <https://www.dot.state.mn.us/environment/wildlife.html>.

Tree Clearing Requirements

Restrict all activities to avoid tree clearing. No tree clearing allowed.

Bridge and Culvert Requirements

Contractor must inspect Bridges and Culverts, including expansion joints to determine if bats or bat signs are present before beginning Work during the bat active season (April 1 to November 14, inclusive).

Contractor must immediately report (within 24 hours) all bat sightings, live or dead, to the Department's wildlife ecologist, <https://www.dot.state.mn.us/environment/wildlife.html>.

BALD EAGLE PROTECTION

Bald Eagles are protected by the Bald and Golden Eagle Protection Act. No Bald Eagle nests are known within the project limits. However, if a Bald Eagle nest is discovered during Project activities, Contractor must stop Work and immediately report Bald Eagle nests to the Department's wildlife ecologist, <https://www.dot.state.mn.us/environment/wildlife.html>. Contractor must not Work within 300 feet of a Bald Eagle nest at any time. This includes foot traffic, vehicle parking, and/or equipment or material staging.

MIGRATORY BIRD PROTECTION

Contractor must cover soil stockpiles when any surface of a stockpile is not in use for 48 hours or longer, Contractor must prevent bird nesting by either covering that surface with fabric or tarps or by grading that surface to a slope no steeper than 65 degrees.

S-5 EQUAL EMPLOYMENT OPPORTUNITY

REVISED 10/14/22

The Equal Employment Opportunity (EEO) Special Provisions contain the EEO rules and regulations for federal and/or state funded highway construction Projects in Minnesota.

The source of funding determines which EEO regulations and workforce participation goals apply to a specific Project:

- If the Project contains any federal funding, and has a total dollar value exceeding \$10,000, federal EEO regulations and workforce participation goals apply. The Minnesota Department of Transportation's Office of Civil Rights (MnDOT's Office of Civil Rights) monitors and reviews these Projects on behalf of the Federal Highway Administration (FHWA), under federal law (23 U.S.C. § 140) and its accompanying rules (23 C.F.R. § 230). The FHWA allows MnDOT's Office of Civil Rights to apply the state's workforce participation goals to federally funded construction Contracts.

- If the Project contains any state funding, and has a total dollar value exceeding \$100,000, state EEO regulations and workforce participation goals apply. MnDOT's Office of Civil Rights monitors and reviews these Projects in conjunction with the Minnesota Department of Human Rights under state law (Minn. Stat. § 363A.36) and its accompanying rules (Minn. R. 5000.3520 - .3530).
- If the Project contains any state and federal funding, and meets the total dollar value thresholds outlined above, both federal and state EEO regulations, and workforce participation goals apply. MnDOT's Office of Civil Rights monitors and reviews these Projects via a single review and monitoring process that meets federal and state requirements.

NOTICE OF REQUIREMENTS FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY

23 U.S.C. § 140, 23 C.F.R. § 230, 41 C.F.R. § 60, Minn. Stat. § 363A.36, Minn. R. 5000.3520 - .3530

A. The Contractor's attention is directed to the following:

1. Required Contract Provisions: Federal-Aid Construction Contracts Attachment (FHWA 1273) can be found here: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=19624648
2. Equal Employment Opportunity (EEO) State and Federal Laws, Policies and Rules Attachment: Minnesota Affirmative Action Requirements (Pages 1-2); Violence-Free and Respectful Workplace (Pages 3-7); Specific Federal Equal Employment Opportunity Responsibilities (Pages 8-11); Standard Federal and State Equal Employment Construction Contract Specifications (Pages 12-15); Equal Opportunity Clause (Pages 16-17) can be found here: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=19624471

B. The Contractor's compliance with 41 C.F.R. § 60-4, and Minn. Stat. § 363A.36 and its accompanying rules shall be based on the following: implementation of the Equal Opportunity Clause (Pages 16-17); adherence to the specific affirmative action obligations of the state and federal authorities outlined in these EEO Special Provisions and the Equal Employment Opportunity (EEO) State and Federal Laws, Policies and Rules Attachment; and good faith efforts to meet the applicable workforce participation goals detailed below.

C. Highway construction Contracts in excess of \$100,000 in state funds and/or \$10,000 in federal funds are subject to the workforce participation goals for minorities and women established by the Commissioner of the Minnesota Department of Human Rights (MDHR) under Minn. R. 5000.3520. The FHWA allows MnDOT's Office of Civil Rights to apply the state's workforce participation goals to federally funded construction Contracts. The Contractor's attention is directed to the following:

1. Workforce participation goals are percentages of total labor hours that minorities and women should perform in each trade on the Project. Compliance is measured against the total labor hours performed. The Contractor must ensure that labor hours for minorities and women remain substantially uniform in each trade for the duration of the Project.
2. Workforce participation goals are applied on a county-by-county basis.
3. For Projects spanning more than one county, the workforce participation goals of the assigned county apply. For statewide Projects, the highest workforce participation goals of any county located within the covered work area apply.
4. If the applicable workforce participation goals will not be met, the Contractor and any Subcontractor with estimated labor hours on the Project (except independent trucking operators) must demonstrate that specific and significant actions to recruit, hire, and retain minorities and women are being taken. The Contractor is responsible for ensuring Subcontractors are making these requisite good faith efforts.

D. The transfer of minorities and/or women, including employees and trainees, from different Projects or among Contractors for the sole purpose of meeting the workforce participation goals violates 41 C.F.R. § 60-4, and Minn. Stat. § 363A.36 and its accompanying rules. Such action is a breach of Contract.

E. The Contractor is directed to the following written notification requirements concerning Subcontracts:

1. If the Project is federally funded: The Office of Federal Contract Compliance Programs must receive written notification of any construction Subcontract over \$10,000 executed at any tier within ten (10) working days of the Contract award.
2. If the Project is state funded: The Office of Equity and Inclusion for Minnesota Businesses, a division of MDHR, must receive written notification of any construction Subcontracts over \$100,000 executed at any tier within ten (10) working days of the Contract award.

The written notification must provide the following information: Name, address, telephone number, and employee identification number of the Subcontractor; estimated amount of the Subcontract; Project location; and estimated start and end dates.

NOTICE TO CONTRACTOR AND SUBCONTRACTORS: REPORTING REQUIREMENTS

23 U.S.C. § 140, 23 C.F.R. § 230, Minn. Stat. § 363A.36, Minn. R. 5000.3520 - .3530

Workforce participation goals are applied on a county-by-county basis. For Projects spanning more than one county, the workforce participation goals of the assigned county apply. For statewide Projects, the highest workforce participation goals of any county located within the covered work area apply.

The workforce participation goals for this Project are:

Minority: 12%

Women: 9%

PRE-AWARD

- A. The Contractor must complete and submit a Workforce Plan if the low bid amount is \$5,000,000 or more.
- B. The Workforce Plan includes the following documents:
 1. Project Information Form: To be completed by the Contractor;
 2. Contractor Workforce Commitment Form: To be completed by the Contractor and any Subcontractors with estimated labor hours on the Project;
 3. Workforce Hours – Project Overview Form: To be completed by the Contractor; and
 4. Total Company Workforce Report: To be completed by the Contractor and any Subcontractors upon request.
 - a. The Total Company Workforce Report can be found here: mndot.gov/civilrights/forms.html.

The Contractor must select the regional Workforce Plan template that corresponds with Project location. The Workforce Plan templates can be found here: mndot.gov/civilrights/bid-results.html.

- C. Approval of the Workforce Plan by MnDOT's Office of Civil Rights (OCR) is a condition of Contract award.
- D. Approval is contingent upon the following:

1. Completion and submission of the Workforce Plan within five (5) business days of the bid opening. The five-day (5) period begins the first full business day after the bid opening date;
2. Completion and submission of all responses to specific Workforce Plan inquiries made by MnDOT's Office of Civil Rights of the Contractor or any of its Subcontractors with estimated labor hours on the Project; and

3. Ability of the Contractor or any of its Subcontractors with estimated labor hours on the Project to demonstrate that specific and significant actions to recruit, hire, and retain minorities and/or women are being taken if the applicable workforce participation goals will not be met.

E. Failure to complete and submit the Workforce Plan will result in the bid being rejected for failure to meet a condition precedent.

F. The execution of a collective bargaining agreement granting a union exclusive referral rights does not preclude compliance with the requirements of this section. As such, the inability of a union to provide candidates for employment relieves neither the Contractor nor any of its Subcontractors with estimated labor hours on the Project of the requirement to demonstrate that specific and significant actions to recruit, hire, and retain minorities and/or women are being taken if the applicable workforce participation goals will not be met.

POST-AWARD

A. The Contractor is directed to the following requirements concerning payroll submission:

1. The Contractor and its Subcontractors must complete and submit payroll weekly via the Civil Rights Labor Management System (CRL). Workforce participation goals are percentages of total labor hours captured through Contractor payroll submission.
2. All Contractors working on federal-aid highway construction Contracts of at least \$10,000 during the last week of July must report their workforce by job category, gender, and ethnicity. MnDOT's Office of Civil Rights compiles this data into a single report for the FHWA. Information on how to submit the required data can be found here: mndot.gov/civilrights/federal-aid-highway-construction-contractors-annual-eeo-report.html.

Failure to meet these post-award reporting requirements may result in the imposition of Contract sanctions, including withholding of progress payments.

B. MnDOT's Office of Civil Rights determines whether Contractors on highway construction Projects are meeting state and federal laws, rules, and regulations relating to EEO by conducting annual compliance reviews. Accordingly, it reserves the right to audit the Contractor or any of its Subcontractors.

C. Information concerning specific reporting requirements for On-the-Job Training and Tribal Employment is accessible via reference to the Index for Division S.

FINAL CLEARANCE

Pursuant to MnDOT Standard Specifications for Construction, Section 1516.3, "Completion of the Work, note (7), the Contractor must notify the Engineer and MnDOT Office of Civil Rights when work is complete. MnDOT's Office of Civil Rights will issue a Final Clearance letter under MnDOT Standard Specifications for Construction, Section 1516.3, "Completion of the Work, note (7).

S-6 RESPONSIBLE CONTRACTOR

The Department cannot award a construction contract in excess of \$50,000 unless the Bidder is a "responsible contractor" as defined in Minnesota Statutes §16C.285, subdivision 3. A Bidder submitting a Proposal for this Project must verify that it meets the minimum criteria specified in that statute by submitting the "Responsible Contractor Verification and Certification of Compliance" form. A company owner or officer must sign the "Responsible Contractor Verification and Certification of Compliance" form under oath verifying compliance with each of the minimum criteria. THE COMPLETED FORMS MUST BE SUBMITTED WITH THE BID PROPOSAL.

A bidder must obtain a verification from each subcontractor it will have a direct contractual relationship with. At the Department's request, a bidder must submit signed subcontractor verifications. A contractor or subcontractor must obtain an annual verification

from each motor carrier it has a direct contractual relationship with. A motor carrier must give immediate written notice if it no longer meets the minimum responsible contractor criteria. The requirement for subcontractor verifications does not apply to:

- Design professionals licensed under Minnesota Statutes §326.06; and
- A business or person that supplies materials, equipment, or supplies to a subcontractor on the Project, including performing delivering and unloading services in connection with the supply of materials, equipment, and supplies. But, a business or person must submit a verification if it delivers mineral aggregate such as sand, gravel, or stone that will be incorporated into the Work by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle.

A bidder or subcontractor who does not meet the minimum criteria specified in the statute, or who fails to verify compliance with the criteria, is not a “responsible contractor” and is ineligible to be awarded the Contract for this Project or to work on this Project. Submitting a false verification makes the bidder or subcontractor ineligible to be awarded a construction contract for this Project. Additionally, submitting a false statement may lead to contract termination. If only one bidder submits a bid, the Department may, but is not required to, award a contract even if that bidder does not meet the minimum criteria.

S-7 (1103) DEFINITIONS

RESTORED AND REVISED 06/30/23

Delete and replace the definition for “Unit Day” in MnDOT 1103 with the following:

Unit Day
12:00 a.m. to 11:59 p.m. (0000-2359) or any portion thereof.

Delete and replace the definition for “Working Day” in MnDOT 1103 with the following:

Working Day
Any Calendar Day, exclusive of Saturdays, Sundays, and Holidays, on which weather and other conditions not under the control of the Contractor will permit construction operations to proceed with the normal working force engaged in performing critical work.

Add the following to MnDOT 1103:

Professional Land Surveyor
The Contract may require that the Contractor provide a Professional Land Surveyor, currently licensed by the State of Minnesota, to perform or supervise certain activities and/or responsibilities related to the Contract.

S-8 (1203) ACCESS TO PROPOSAL PACKAGE

MnDOT 1203 is hereby deleted from the MnDOT Standard Specifications.

S-9 (1206) PREPARATION AND DELIVERY OF PROPOSAL

The provisions of MnDOT 1206 are supplemented and/or modified with the following:

MnDOT 1206.1 is hereby deleted from the MnDOT Standard Specifications.

MnDOT 1206.2 is hereby deleted from the MnDOT Standard Specifications and replaced with the following:

Bidders have one option for submitting bids.

Contractors must be Registered Plan holders to bid on Projects.

To submit an electronic bid, contractors can access information, bidding documents and plans electronically through the County's OneOffice website at <https://mn-co-clay.app.rtvision.com/oneoffice>.

To proceed you must click on Bidding and then select SAP 014-634-031 under Contracts in Bidding. See instructions for downloading. Plans and Proposals are available for viewing at the Clay County Highway Department, 2951 41 1/2 St S, Moorhead MN. 56560.

The Clay County Board of Commissioners reserves the right to accept any bid or reject any or all bids, waive any irregularities, and award the contract in the best interest of Clay County.

Clay County is not responsible for any errors or omissions in the submittal of electronic bids.

S-10 (1208) PROPOSAL GUARANTY

The proposal guaranty shall be in accordance with the provisions of 1208 and the following:

Electronic Bids must be accompanied by a corporate surety bond in an amount which is at least equal to 5% of the total bid and may be submitted electronically with BidVault using Surety 2000, SurePath or as a hard copy by mail or other delivery method, either as a corporate surety bond or a certified check made payable to the Clay County Treasurer. If not submitted electronically, the proposal guarantee must be received at the Clay County Highway Department, 2951 41 ½ St S, Moorhead MN. 56560, in a sealed envelope clearly marked with the name of the bidder, type of work and project number by 4:30pm CST, the business day prior to the specified date of bid opening.

S-11 (1210) REVISION OF PROPOSAL PACKAGE OR WITHDRAWAL OF PROPOSALS

The provisions of MnDOT 1210 are deleted and replaced with the following:

The Department reserves the right to revise the Proposal Package at any time before the date and time for opening Proposals. The Department will issue a numbered and dated Addendum for any revision of the Proposal Package. The Department will post each Addendum as announced in an e-mail or other method of notification to each Bidder on the Department's list of Bidders.

If revisions made by an Addendum require change to Proposals or reconsideration by the Bidder, the Department may postpone opening Proposals. If the Department postpones opening Proposals, the Department will specify the new date and time for opening Proposals in the Addendum.

The Bidder shall acknowledge receipt of each Addendum in the Bid Vault program.

S-12 (1212) OPENING OF PROPOSALS

The provisions of MnDOT 1212 are modified with the following:

MnDOT 1212 is hereby deleted from the MnDOT Standard Specifications and replaced with the following:

1212 OPENING OF PROPOSALS

The Department will open Proposals at the time, date, and place defined in the Proposal Package and the Advertisement for Bids.

S-13 (1404) MAINTENANCE OF TRAFFIC, (1707) PUBLIC SAFETY AND (2563) TRAFFIC CONTROL

The provisions of 1404, 1707, and 2563 are supplemented as follows:

The Contractor shall furnish, install, maintain, and remove all traffic control devices required to provide safe movement of vehicular and/or pedestrian traffic passing through the work zone during the life of the Contract from the start of Contract operations to the final completion thereof. The Engineer will have the right to modify the requirements for traffic control as deemed necessary due to existing field conditions.

Traffic control devices include, but are not limited to, barricades, warning signs, trailers, flashers, cones, drums, pavement markings and flaggers as required and sufficient barricade weights to maintain barricade stability.

The Contractor shall furnish names, addresses, and phone numbers of at least three (3) individuals responsible for the placement and maintenance of traffic control devices. At least one of these individuals shall be "on call" 24 hours per day, seven days per week during the times any traffic control devices, furnished and installed by the Contractor, are in place. The required information shall be submitted to the Engineer at the Pre-construction Conference. The Contractor shall also furnish the names, addresses, and phone numbers of those individuals to the following:

- | | | |
|----|-----------------------------------|----------------|
| 1. | Clay County Sherriff's Department | (218) 299-5151 |
| 2. | Moorhead Fire Department | (218) 299-5298 |
| 3. | Moorhead Police Department | (218) 299-5120 |
| 4. | Ulen Fire Department | (218) 596-8504 |

The Contractor shall, at the pre-construction conference, designate a Work Zone Safety Coordinator who shall be responsible for safety and traffic control management in the Project work zone. The Work Zone Safety Coordinator shall be either an employee of the Contractor such as a superintendent or a foreman, or an employee of a firm which has a subcontract for overall work zone safety and traffic control management for the Project. The responsibilities of the Work Zone Safety Coordinator shall include, but not be limited to:

- Coordinating all work zone traffic control operations of the Project, including those of the Contractor, subcontractors and suppliers.
- Establishing contact with local school district, government, law enforcement, and emergency response agencies affected by construction before work begins.
- Maintaining a record of all known crashes within a work zone. This record should include all available information, such as: time of day, probable cause, location, pictures, sketches, weather conditions, interferences to traffic, etc. These records shall be made available to the Engineer upon request.

The Contractor shall inspect, on a daily basis, all traffic control devices, which the Contractor has furnished and installed, and verify that the devices are placed in accordance with the Traffic Control Layouts, these Special Provisions, and/or the MN MUTCD. Any discrepancy between the placement and the required placement shall be immediately corrected. The person performing the inspection shall be required to make a daily log. This log shall also include the date and time any changes in the stages, phases, or portions thereof go into effect. The log shall identify the location and verify that the devices are placed as directed or corrected in accordance with the Plan. All entries in the log shall include the date and time of the entry and be signed by the person making the inspection. The Engineer reserves the right to request copies of the logs as he deems necessary.

Method of Measurement and Basis of Payment:

BASIS OF PAYMENT

Partial payments for lump sum Item 2563.601 (Traffic Control) will be made as follows:

Table SP2563-2
Traffic Control Partial Payments

Percent of Original Contract Completed	Pay this Percentage of Traffic Control
5	50
10	75
50	95
All Work Completed And All Traffic Control Removed	100

S-14 (1506) SUPERVISION BY CONTRACTORS

The Contractor is responsible for the following:

- (1) Keeping a complete set of the Contract documents on the Project while Work is in progress.
- (2) Assuming full responsibility for supervising the Work irrespective of the quantity of Work subcontracted.
- (3) Facilitating the Work progress and ensuring Project completion as required by the Contract.

At the preconstruction meeting, the Contractor shall designate in writing a competent Superintendent and a competent individual (if different) for the Project. The competent Superintendent and the competent individual may be the same person, if constantly available in person on the Project and qualified in accordance with the requirements in this section.

The Contractor may change the designated competent Superintendent or designated competent individual during the Project by submitting an authorized change in writing to the Engineer. The Engineer must receive the authorized change in writing before the designated Superintendent or competent individual performs Work on the Project.

S-15 (1507) UTILITY PROPERTY AND SERVICE

REVISED 11/23

The subsurface utility information in this plan is utility quality level D. This utility quality level was determined according to the guidelines of CI/ASCE 38-22, entitled, "Standard Guidelines for Investigating and Documenting Existing Utilities".

S-16 (1601) SOURCE SUPPLY AND QUALITY

The provisions of MnDOT 1601 are supplemented as follows:

In conformance with the provisions of Minnesota Laws 2014, Chapter 295, Section 21, the Contractor will furnish and use only steel and iron materials to the maximum extent practicable that have been melted and manufactured in the United States. Foreign source materials are any domestic products taken out of the United States for any process (e.g. change of chemical content, permanent shape or size, or final finish of product).

All bids must be based, to the maximum extent practicable, on furnishing domestic iron and steel, which includes the application of the coating. The state may approve the use of foreign iron and steel materials for particular Contract items, provided the bidder submits a stipulation identifying the foreign source iron and/or steel product(s) and the estimated invoice cost of the product(s) for one or more of the Contract bid items. The Contractor shall submit a "Stipulation for Foreign Iron or Steel Materials" form for each stipulation with the Contractor's proposal. **If the Contractor chooses to use ANY non-domestic iron or steel, the Contractor must submit a stipulation with the proposal.**

Prior to performing work, the Contractor shall submit to the Engineer a certification stating that all iron and steel items supplied are of domestic origin, except for non-domestic iron and steel specifically stipulated and permitted in accordance with the paragraph above.

Source of Supply and Quality: MnDOT 1604 is supplemented as follows: All costs of shop inspection at plants outside the United States shall be borne by the Contractor. Monies due or to become due the Contractor will be reduced according to these costs.

Partial Payment: All provisions for partial payments shall apply to domestic materials only. The Contractor will not receive payment for materials manufactured outside of the United States until such materials are delivered to the job site.

S-17 (1701) LAWS TO BE OBSERVED – EQUAL PAY

The local agency cannot execute a contract for goods or services or an agreement for goods or services in excess of \$1,000,000 with a business that has 40 or more full-time employees in this state or a state where the business has its primary place of business on a single day during the prior 12 months, unless the business has an equal pay certificate or it has certified in writing that it is exempt. Bidders may find more information on the Equal Pay Certificate Requirement at Minnesota Statutes Section 363A.44 or at this website:

<https://mn.gov/mdhr/certificates/equalpay/>

S-18 (1701) LAWS TO BE OBSERVED – COMPLIANCE WITH TAX LAW REQUIREMENTS

The provisions of MnDOT 1701 are supplemented and/or modified with the following:

1701.7 Compliance with Tax Law Requirements

The Department cannot make final payment to the Contractor until the Contractor demonstrates that it and all its Subcontractors have complied with the income tax withholding requirements of Minnesota Statutes, section 290.92 and section 270C.66 for wages paid for work performed under the Contract. To establish compliance, the Contractor must submit a "Contractor Affidavit" either online or in paper form (IC134) to the Minnesota Department of Revenue. The Contractor will receive a written certification of compliance when the Department of Revenue determines that all withholding tax returns have been filed and all withholding taxes attributable to the work performed on the Contract have been paid. The Contractor must then provide this written certification to the Department to receive final payment.

Every Subcontractor working on the Project must submit an approved "Contractor Affidavit" from the Minnesota Department of Revenue to the Contractor before the Contractor can file its own Contractor Affidavit. The Contractor is advised to obtain the certification from each Subcontractor as soon as the Subcontractor completes work on the Project. Experience has shown that waiting until the Project is complete to obtain the forms from all Subcontractors is likely to result in significant additional work for the Contractor as it will be difficult or impossible to collect all forms.

The Department of Revenue, in association with the Department of Employment and Economic Development, offers a free seminar to help Contractors understand tax law requirements. The Department strongly urges the Contractor and all Subcontractors to attend the "[Employment Taxes & Employer Responsibilities Seminar](#)" or similarly offered classes. You can find a schedule and more information on the [Department of Revenue website \(www.revenue.state.mn.us\)](http://www.revenue.state.mn.us).

Complying with this requirement is considered part of the work under this Contract. The Department will enforce this requirement equally with all other Contract requirements. The Contractor delay in complying with this requirement will cause the Department to delay final payment and Contract Acceptance. The Department may also report non-compliance to the Department of Revenue, which may result in enforcement action by the Department of Revenue.

Contractor Affidavit requirements and Form IC134 can be found on the [Department of Revenue website \(www.revenue.state.mn.us\)](http://www.revenue.state.mn.us).

**S-19 (1701) LAWS TO BE OBSERVED – USE OF EQUIPMENT FROM CERTAIN
TELECOMMUNICATIONS SUPPLIER PROHIBITED**

The provisions of MnDOT 1701 are supplemented and/or modified with the following:

By signing this Contract, Contractor certifies that consistent with section 889 of the John McCain National Defense Authorization Act for fiscal year 2019, Public Law 115-233 (Aug. 13, 2018) the Contractor may not use funding covered by this Contract to procure or obtain, or extend, renew, or enter into any Contract to procure or obtain, any Equipment, system, or service that uses “covered telecommunications Equipment or services” (as that term is defined in section 889 of the Act) as a substantial or essential component of any system, or as critical technology as part of any system. The contractor must include this certification as a flow-down clause in any subcontract related to this Contract.

S-20 (1706) EMPLOYEE HEALTH AND WELFARE
RESTORED 06/30/23

Add the following to MnDOT 1706:

- A. The Contractor must not use motor vehicle Equipment that has an obstructed rear view unless either of the following is ensured:
 - (1) The vehicle has a reverse alarm that is audible above the surrounding noise level
 - (2) An observer signals to the operator that it is safe to reverse
- B. The Department may assess a Monetary Deduction of \$500 per incident for a violation of safety standards that could result in death or serious injury.
- C. The areas of special concern include excavation stability protection, fall protection, protection from overhead hazards, vehicle backup protection, confined space safety, blasting operations, and personal safety devices.
- D. The Contractor cannot avoid complying with safety standards by paying the deduction.

S-21 (1707) PUBLIC CONVENIENCE AND SAFETY
RESTORED 06/30/23

Add the following to MnDOT 1707:

The Contractor shall ensure that employees and Subcontractors do not display items such as, but not limited to, flags, banners, and symbols on the Project Site, that may disrupt the proper prosecution of the Work, impede public safety, or create a distraction for the traveling public.

S-22 (1801) SUBLETTING OF CONTRACT

The provisions of MnDOT 1801 are modified as follows:

For Projects in excess of \$50,000, the Contractor may sublet work only to subcontractors that meet the definition of “responsible contractor” in Minnesota Statutes §16C.285, subdivision 3. The Contractor shall obtain verifications of compliance with §16C.285 from subcontractors using a form provided by the Department. The Contractor must provide such verifications to the Department upon the Department’s request.

S-23 (1802) QUALIFICATIONS OF WORKERS**NEW 06/30/23**

Delete and Replace MnDOT 1802 with the following:

The Contractor shall provide workers with sufficient skill and experience to perform the Work assigned to them. Upon request by the Engineer, the Contractor shall submit evidence of qualification for any person engaged in special Work requiring professional training or certification. If any Subcontractor employed by the Contractor or any person employed by the Contractor or by a Subcontractor fails to perform assigned Work in a proper and skillful manner, or becomes intemperate, disorderly, abusive, or harassing, or shows signs of impairment from drug or alcohol use, the Contractor shall remove that Subcontractor or person from the Project as directed in writing by the Engineer. The Contractor shall not employ that Subcontractor or person again on any portion of the Project unless approved in writing by the Engineer. If the Contractor fails to remove a Subcontractor or person as directed by the Engineer, or fails to provide suitable and sufficient personnel for the proper prosecution of the Work, the Engineer may suspend the Work until the Contractor complies with the direction from the Engineer.

S-24 (1803) PROGRESS SCHEDULES**REVISED 01/27/23**

Once work begins on the project, it must be prosecuted continuously and diligently, as determined by the Engineer. Road User delay costs will be assessed to the Contractor in the amount of \$500.00 per calendar day if work is interrupted, for reasons other than as defined in 1806.2 A, for each day work is not continuously and diligently prosecuted.

Delete and replace MnDOT 1803 with the attached (1803) Project Schedules.

Modify the attached (1803) Project Schedules with the following:

A This Contract allows for the use of a "Bar Chart Schedule" as the Project Schedule for the Project. The Contractor shall meet the requirements of 1803.2, "Bar Chart".

C Delete and replace 1803.2C, "Weather Contingency," with the following:

The Contractor shall allow for normal weather delays when developing the Bar Chart Schedule. The Department will extend the Contract Time, except as limited by 1806.4, "Extension of Contract Time Due to Weather on Calendar Day and Completion Date Contracts," for delays in excess of the anticipated Working days lost to inclement weather as specified in the table below. The days in the table below are cumulative and shall be prorated when Contract Time starts or ends mid-month. For example, if Contract Time starts May 1st and there are days lost to weather in May or June, then the Contract must lose 7 days to weather (4 days from May and 3 days from June) in addition to the anticipated days in July before a time extension would be considered due to weather days lost in July.

Table 1803.1-1
Weather Contingency By Time Period

Time Period	Anticipated Working Days Lost Due To Weather
January	all
February	all
March	all
April 1-15	all
April 16-30	4
May	4
June	3
July	3
August	3
September	3

Time Period	Anticipated Working Days Lost Due To Weather
October	4
November 1-14	4
November 15-30	all
December	all

Construction shall be arranged so access to businesses, homes and farmsteads is provided at all times.

S-25 (1806) DETERMINATION AND EXTENSION OF CONTRACT TIME

The Department will determine Contract Time in accordance with the provisions of MnDOT 1806 and the following:

This contract allows for a starting date of after contract has been awarded and after spring road restrictions have been lifted.

The Contractor must complete all Work to meet the requirements of 1516.2 (Project Acceptance) under this Contract on or before September 19, 2025.

S-26 (1807) FAILURE TO COMPLETE WORK ON TIME

The Department will deduct liquidated damages from money due the Contractor for each calendar day that the Work remains incomplete after expiration of the Contract Time, according to the completion requirements of 1516.2 (Project Acceptance). The Engineer will deduct liquidated damages based on the original Contract Amount and Table 1807-1.

In addition to the liquidated damages set forth above for failure to complete the work on time, the following damages will also be assessed under this contract:

All construction and detour signing shall be removed within one week of final striping or be subject to liquidated damages in the amount of \$500.00 per calendar day.

The Contractor will be responsible for all costs, fines and other damages incurred for negligence by the Contractor (or any of the subcontractors or workers) for **ANY** disturbance beyond the Right-of-Way or temporary easements.

S-27 (1901) MEASUREMENT OF QUANTITIES

RESTORED 12/20/24

Delete and replace the first paragraph of MnDOT 1901.8 with the following:

For measuring or proportioning Material by mass, the Contractor shall provide certified weights or weigh Material on calibrated, approved scales. The Contractor shall give the Engineer a copy of the inspection certificate.

Add the following to MnDOT 1901.8C:

The Contractor shall not provide a ticket to truck drivers if the weight of the load is in excess of the legal load limits in place.

Add the following to MnDOT 1901.8:

D Computerized Loader Bucket Scales

The Contractor may use computerized Loader Bucket Scales to weigh materials when the quantity of material included in the bid item list is 10,000 tons or less.

The Contractor shall equip loader bucket scales with an onboard computer that produces weigh tickets.

The Contractor shall load trucks on a level loading area and with the loader scale in dynamic mode and operate the loader scale in accordance with the manufacturer's guidelines.

The computerized loader bucket scale must be accurate to within 1.0 percent of the true weight of the applied load throughout the range of use.

D.1 Computerized Loader Bucket Scales – Comparison Test

Before the first use of the loader bucket scale on the project and any time the scale is recertified, the Contractor shall perform a comparison test using one of the following methods:

(a) Independent Scale Method.

After placing the load in a truck, weigh the loaded truck on a certified scale owned and operated by an entity other than the Contractor. Provide the tare weight of the truck along with the comparison weigh ticket.

(b) Certified Weighted Object Method.

Weigh an object on the project scale and compare its certified weight to the loader bucket scale readout. Use an object that is free of mud and dirt and has a certified weight of at least 60 percent of the capacity of the loader bucket.

Weld a plate onto the object showing its certified weight.

Provide an affidavit affirming the weight of the object, as measured on a certified scale.

Provide a new affidavit when requested by the Engineer or if changes are made to the object that will affect the certified weight.

D.2 Computerized Loader Bucket Scales – Random Comparison Tests

If a comparison test reveals that the scale is out of tolerance, repair and recertify the scale.

At any time, the Engineer may require the scale to be checked for accuracy utilizing any test method in 1908.D.1, "Computerized Loader Bucket Scales – Comparison Test".

The Engineer may prohibit the use of loader bucket scales if two consecutive tests fail.

D.3 Computerized Loader Bucket Scales – Documentation

The Contractor shall generate weigh tickets using the onboard computer and loader bucket scale printer and provide tickets to the truck driver. The Contractor shall provide daily haul summaries by computer-generated spreadsheet as provided by the Engineer. The Contractor shall provide the fully completed spreadsheet to the Engineer daily.

S-28 (1902) SCOPE OF PAYMENT

RESTORED 06/30/23

Delete and replace MnDOT 1902 with the following:

The Contractor will receive compensation provided for in the Contract as full payment for providing Materials and performing Work in accordance with the Contract requirements. This includes compensation for all risk, loss, damage, and expense incurred by the Contractor for performing the Work required by the Contract. Payment is subject to 1720, "No Waiver of Legal Rights." The Department prohibits the Contractor from accepting payment from any other party for performing the Work required by the Contract, including any Incentive or bonus payment. The Department does not prohibit the following payments from third parties:

- (1) Payments from sureties
- (2) Quantity-based rebates or credits from suppliers
- (3) Payments under another contract for excess material removed under this Contract

S-29 (1906) PARTIAL PAYMENTS

Partial payments in excess of 95 percent of the value of the completed work will not be made under this contract. Furthermore, when work is 90 percent or more completed, and upon recommendation of the County Engineer, such portions of the retained price may be released as the County Board determines are not required to protect the Counties interest in completion of the contract.

S-30 (1908) FINAL PAYMENT

Final payment will be made in accordance with the provisions of MN/DOT 1908 and the following:

Before final payment is made, the contractor must remove all garbage and debris from the project site. This includes sticks, branches and all rocks over 2" in diameter. The projects will also receive a final inspection by the Engineer at which time a punch list will be made of items that need to be addressed further.

Before final payment will be made, the contractor shall furnish proof of payment of the gravel tax pertaining to this project. The attention of the bidders is particularly directed to Chapter 605, Laws of Minnesota, 1980, and certain regulations of the Board of County Commissioners of Clay County made pursuant thereto, the effect of which is to levy a tax (payable to Clay County) of 21.5 cents per cubic yard or 15 cents per ton on all gravel removed from any deposit in Clay County for any purpose whatsoever. Any such tax paid by the contractor as an operator will be considered to be incidental expense for which no direct compensation shall be made therefore.

Before final payment is made, the contractor must provide the County Engineer with a receipt of payment for all materials removed from each gravel pit, a gravel pit release, signed by the owner (owners), indicating that each gravel pit used for this project has been left in a satisfactory condition.

Before final payment is made, the contractor must submit to the Engineer's Office, the completed IC-134 tax withholding form enclosed in the proposal. The form is to be completed in its entirety prior to submitting it to the Engineer, including the approval by the State.

S-31 (1910) COST ESCALATION

REVISED 06/30/22

MnDOT 1910 are hereby supplemented with the attached Fuel Escalation Clause.

S-32 (2021) MOBILIZATION**REVISED 12/11/24**

Delete and replace Table 2021.5-1 of MnDOT 2021.5 with the following:

**Table 2021.5-1
Mobilization Partial Payments**

When	Contract Unit Price for mobilization is less than 10 percent of the total Contract amount, pay	Contract Unit Price for mobilization exceeds 10 percent of the total Contract amount, pay
Percent of Original Contract Amount Completed	Percent of Mobilization	Percent of Original Contract Amount *
5	50	5
15	75	7.5
25	100	10
90	100	—
*If the Contract Unit Price for mobilization exceeds 10 percent of the total original Contract amount, the Department may withhold (on any partial estimate) the portion in excess of 10 percent until the Contractor earns at least 90 percent of the original Contract amount.		

Add the following to MnDOT 2021.5:

The Engineer is authorized to pay actual costs for the payment and performance bond ahead of scheduled mobilization payments provided:

- The remaining amount to be paid for (2021) Mobilization is greater than the cost of the payment and performance bonds.
- The Contractor provides the actual invoice for the bonds.
- The Contractor provides proof of payment for the bonds
- The amount paid for the bonds is subtracted from subsequent mobilization payments.

S-33 (2104) REMOVE PAVEMENT AND MISCELLANEOUS STRUCTURES

Delete and replace MnDOT 2104.5 with the following:

BASIS OF PAYMENT

All removal and disposal operations shall be incidental. The removal of unforeseen obstruction requiring in the opinion of the Engineer equipment or handling substantially different from that employed in excavation operations, will be paid for as Extra Work in accordance with 1402.5.

S-34 (2232) MILL PAVEMENT SURFACE**DESCRIPTION**

This Work consists of removing the existing pavement by cold milling.

MATERIALS — BLANK

CONSTRUCTION REQUIREMENTS

A Equipment

Mill the existing pavement with a power operated, self-propelled cold milling machine capable of removing concrete and bituminous Materials to the profile, cross-slope, grade, and elevation uniformly across the pavement surface as shown on the Plans. Use automatic controls to control grade, elevation, cross-slope, and profile. Use a machine with ski, matching shoe, or an independent grade control to reference the existing pavement and automatically establish Profile Grades along each edge of the machine within $\pm 1/4$ inch.

B Operations

Mill the pavement surface to the depth, width, grade, and cross-slope as shown on the Plans. Perform milling without tearing or gouging the underlying Material. Surface irregularities exceeding 1/2 inch under a 10 foot straightedge laid transversely and longitudinally after milling is complete are unacceptable. Reference the milling operation from an independent grade control in areas directed by the Engineer. Establish and maintain grade control as approved by the Engineer.

Mill the entire pavement width to a flush surface at the end of each Work period, when the pavement is open to traffic. If uncompleted operations result in a vertical or near vertical longitudinal face, reslope the longitudinal face to provide a taper, construct a temporary bituminous taper or provide protective measures, as approved by the Engineer. Taper transverse cutting faces at the end of each Work period where pavement is open to traffic. Construct temporary bituminous tapers at intersecting Streets, around utility appurtenances, and appropriated entrances during the milling operations, as directed by the Engineer.

Mill areas inaccessible to the milling machine using other Equipment or methods as approved by the Engineer.

The Contractor may recycle the surfacing removed by the milling operations and use on the Project in accordance with 3138, "Aggregate for Base and Surface Courses," or 3139, "Graded Aggregate for Bituminous Mixtures," or dispose of the millings outside the Right-of-way in accordance with 2104.3, "Removing Pavement and Miscellaneous Structures, Construction Requirements."

After milling to the depth shown on the Plans, sweep or vacuum clean the milled area with Equipment approved by the Engineer. Clean the milled area as approved by the Engineer. Dispose of debris from milling and cleaning operations outside of the Right-of-way in accordance with 2104.3, "Removing Pavement and Miscellaneous Structures, Construction Requirements," except as otherwise approved by the Engineer.

Mill previously patched areas to the specified depth below the pavement surface that existed before placement of the previous patch, and not from the surface of the patch.

Avoid disturbing or damaging existing drainage or utility Structures on the Project. Repair damage resulting from the milling operations at no additional cost to the Department.

Keep the milled pavement surface free of all loose Materials and dust.

METHOD OF MEASUREMENT

The Engineer will measure pavement milling by the area of each type of surface removed. The Engineer will measure areas milled, based on actual finished dimensions of the Work.

BASIS OF PAYMENT

The Contract Unit Price for pavement milling includes the cost of cleanup, and disposal operations.

The cost of constructing a temporary milled taper and providing, placing, and removing temporary bituminous tapers is included in the Contract Unit Price for other relevant Contract Items.

The Department will pay for mill pavement surface on the basis of the following schedule:

Item No.	Item	Unit
2232.504	Mill Bituminous Surface (____")	square yard
2232.504	Mill Concrete Surface (____")	square yard

S-35 (2357) BITUMINOUS TACK COAT**REVISED 01/27/23**

Delete and replace the Emulsified Asphalt section of MnDOT 2357.2A with the following:

Emulsified Asphalt

AASHTO M 208, "Standard Specification for Cationic Emulsified Asphalt," dilution of the emulsion is only allowed by the supplier. No field dilution is allowed. The storage tank for diluted emulsion must have a recirculation system or agitator that will prevent settlement or separation of the Material.

Table 2357.2-1
Residual Asphalt Content

Emulsion	Minimum Residual Asphalt Content		
	Undiluted	Diluted (7:3), D30	Diluted (8.5:1.5), D15
CSS-1 or CSS-1h	57 percent	40 percent	N/A
CQS-1h	N/A	N/A	53 percent

Delete and replace Table 2357.3-1 in MnDOT 2357.3D with the following:

Table 2357.3-1
Tack Coat Application Rates

Material Type Surface Type	Application Rates – gallon/square yard			
	CSS-1 or CSS-1h Undiluted Emulsion	CSS-1 or CSS-1h Diluted* Emulsion (7:3), D30	CQS-1h Diluted* Emulsion (8.5:1.5), D15	MC Cutback
New Asphalt	0.04 to 0.06	0.06 to 0.09	0.05 to 0.07	0.05 to 0.07
Old Asphalt† and PCC	0.05 to 0.09	0.07 to 0.135	0.08 to 0.10	0.09 to 0.11
Milled Asphalt and Milled PCC	0.06 to 0.09	0.09 to 0.135	0.09 to 0.11	0.09 to 0.11
Notes: * As provided by the asphalt emulsion supplier (see 2357.2A, "Bituminous Material") Use when approved by the Engineer † Older than 1 year				

Delete and replace MnDOT 2357.5A with the following:

A Monetary Adjustments

The Department must apply Incentives and Disincentives and may apply monetary deductions for Bituminous Tack Coat. The amounts of these adjustments are deemed reasonable.

The Engineer in conjunction with the Bituminous Engineer may deduct up to 5 percent of the mixture Unit Price for failures related to 3151, "Bituminous Material".

S-36 (2360) PLANT MIXED ASPHALT PAVEMENT

Add the following to MnDOT 2360.3.

Evaluate pavement Smoothness requirements using equation HMA-B as specified in MnDOT 2399.3D.

S-37 (2360) PLANT MIXED ASPHALT PAVEMENT (LOCAL GOVERNMENT UNIT)

REVISED 06/30/22

Add the following to MnDOT 2360.1B:

Mix Designation Numbers for the bituminous mixtures on this Project are as follows:

Type SP 12.5 Wearing Course Mixture (3,B) and SPWEB340B.

Remove Longitudinal Joint Cores

Delete and replace the first paragraph of MnDOT 2360.3D.1 with the following:

Compact the pavement to at least the minimum required Maximum Density values in accordance with Table 2360.3-1.

Delete and replace Table 2360.3-2 of MnDOT 2360.3D.1 with BLANK.

Delete and replace MnDOT 2360.3D.1.j with the following:

D.1.j Companion Core Testing

The Department will select at least one of the two companion cores per lot to test for verification.

Delete and replace MnDOT 2360.3D.1.n with BLANK.

Delete and replace MnDOT 2360.3D.1.p with BLANK.

Delete and replace Table 2360.5-6 of MnDOT 2360.5B.13 with BLANK.

Delete and replace Table 2360.5-7 of MnDOT 2360.5B.13 with BLANK.

S-38 (2399) PAVEMENT SURFACE SMOOTHNESS

REVISED 12/29/23

Delete and replace Table 2399.3-1 of MnDOT 2399.3B with the following:

Table 2399.3-1

Areas Excluded from Smoothness Evaluation

Pavement	Excluded Areas
Bituminous or concrete	Paving in areas with a posted vehicle speed less than or equal to 45 mph
	Ramps, Loops

Pavement	Excluded Areas
	Acceleration and deceleration lanes less than 1,000 feet in length
	Physically isolated segments less than 1,000 feet in length
	Projects less than 1,000 feet in length
	Intersections constructed under traffic – begin and end exclusion 100 feet from the Intersection radius
Bituminous	Single Lift overlays placed directly on concrete
Concrete	Doweled Shoulders greater than or equal to 10 feet in width

Delete and replace Table 2399.3-2 of MnDOT 2399.3B with the following:

Table 2399.3-2

Areas Excluded from Smoothness and ALR Evaluation

Pavement	Excluded Areas
Bituminous or concrete	Paving in areas with a posted vehicle speed less than or equal to 35 mph
	Paving in areas with a cautionary vehicle speed less than or equal to 35 mph
	Turn Lanes, crossovers
	20 feet on either side of obstructions in lane that obstruction is located
	Side Streets, side connections
	150 feet before stop signs at an Intersection
	150 feet before yield signs or concrete curb/median areas at a roundabout
	Bridge decks, approach panels
	20 feet from Bridge decks or approach panels
	20 feet from terminal headers tying into existing pavement
Bituminous	Paved Shoulders
	Intersections where mainline profiles are merged or blended into the cross Street profile – begin and end exclusion 100 feet from the Intersection radius
Concrete	Doweled Shoulders less than 10 feet in width
	Undoweled Shoulders
	Headers adjacent to colored concrete

Delete and replace MnDOT 2399.3D.1.a with the following:

D.1.a Bituminous Pavements

See Section 2360, "Plant Mixed Asphalt Pavement" of the Special Provisions for the Smoothness equation requirements. If no Smoothness equation is specified in the Contract, evaluate with equation HMA-C.

Delete and replace Table 2399.5-1 of MnDOT 2399.5A.1.a with the following:

Table 2399.5-1

Smoothness Incentive/Disincentive and Corrective Work for Bituminous Pavements

Equation	Smoothness inches/mile	Incentive/Disincentive \$/0.1 mile
HMA-A	< 25.0	400.00
	25.0 – 75.0	800.00 – 16.000 × Smoothness
	> 75.0	Corrective Work to ≤ 50.0 inches per mile
HMA-B	< 30.0	270.00
	30.0 – 80.0	594.00 – 10.800 × Smoothness
	> 80.0	Corrective Work to ≤ 55.0 inches per mile
HMA-C	< 35.0	180.00
	35.0 – 95.0	390.00 – 6.000 × Smoothness
	> 95.0	Corrective Work to ≤ 95.0 inches per mile

S-39 (2562) ADDITIONAL TRAFFIC CONTROL DEVICES AND EXTENDED USE OF TRAFFIC CONTROL DEVICES

REVISED 12/20/24

DESCRIPTION

This Work consists of providing additional traffic control devices in accordance with (2563) TRAFFIC CONTROL and as authorized by the Engineer.

The Engineer is authorized to:

- (1) Require extra traffic control devices in addition to the traffic control devices shown in the Traffic Control Plan or in the Field Manual.
- (2) Require additional traffic control devices for EXTRA WORK.

- (3) Require extended use for all traffic control devices which are impacted by excusable and compensable delays, as defined in MnDOT 1806.2B.
- (4) Negotiate compensation for a Lump Sum Payment.

MATERIALS

Devices must meet Contract requirements, quality standards detailed in the Field Manual, and be in functional and legible condition. Maintain sufficient crashworthy standards. Devices not meeting these requirements must be immediately replaced or repaired.

CONSTRUCTION REQUIREMENTS

Furnish the additional traffic control devices as ordered by the Engineer.

METHOD OF MEASUREMENT

Driven post supports and all mounting hardware for 48"X48" signs and Standard Signs are included in the Traffic Control Pay Item.

Standard Signs with Portable Supports will be calculated and paid for as follows: Total Standard Sign Sq. Ft. + Portable Support Cost (listed in Table SP2562-1) = Standard Signs with Portable Supports Cost per day.

Construction Sign-Special will be measured by the sign face area furnished, installed including supports, maintained, and removed. Install with square tube steel posts and slip bases meeting MASH crashworthy standards.

Flaggers and Police Officers will be measured by the number of hours each is in service on the job. The Police Officer must be properly uniformed including a reflectorized high-visibility safety vest and fully equipped including police car.

BASIS OF PAYMENT

The Department will not use the predetermined Unit Prices listed in Table SP2562-1 if payment for a device is specifically provided for elsewhere in the Contract.

B Devices, Flaggers and Police Officers:

The Engineer and Contractor are authorized to negotiate the terms of compensation for additional traffic control devices and extended use of traffic control devices. If the Engineer and Contractor are unable to agree on compensation using Contract Unit Prices or by negotiation, the Department will pay for traffic control devices according to the schedule of pre-determined prices in the following schedule:

Table SP2562-1
Additional Traffic Control Devices, Flaggers and Police Officers

Item Number	Item	Unit	Pre-determined Price
2562.602	Impact Attenuator (Extended Duration)*#	Each	\$85.51
2562.603	Pedestrian Channelizer (Extended Duration)*#	Linear Foot	\$0.41
2562.603	Portable Precast Concrete Barrier Design 8337 (Extended Duration)*#	Linear Foot	\$0.10
2562.610	Flagger	Hour	
2562.610	Police Officer†	Hour	
2562.613	Sidewalk Barricade	Unit Day	\$1.85
2562.613	Type III Barricade	Unit Day	\$3.36

Item Number	Item	Unit	Pre-determined Price
2562.613	Flasher Type A (Low Intensity)	Unit Day	\$0.65
2562.613	Tubular Marker	Unit Day	\$0.56
2562.613	Type A Cone Channelizer	Unit Day	\$0.40
2562.613	Type A Weighted Channelizer	Unit Day	\$0.89
2562.613	Opposing Traffic Lane Divider	Unit Day	\$4.38
2562.613	Reflectorized Drum	Unit Day	\$1.11
2562.613	Flashing Arrow Board	Unit Day	\$43.70
2562.613	Portable Changeable Message Sign†	Unit Day	\$97.17
2562.613	Vehicle Speed Feedback Sign	Unit Day	\$49.04
2562.613	48"X48" Sign	Unit Day	\$2.00
2562.613	48"X48" Sign with Supports	Unit Day	\$3.04
2562.613	Portable Sign Support	Unit Day	\$1.04
2562.618	Standard Sign*	Square Foot	\$0.31
2562.618	Construction Sign Special (Additional)	Square Foot	\$48.29
2562.613	Construction Sign Special (Extended Duration)*#	Square Foot	\$0.45
2562.613	Audible Message Device	Unit Day	\$1.44
2562.613	Temporary Pedestrian Ramp	Unit Day	\$9.39
2562.613	Portable Rumble Strips (set of 3)	Unit Day	\$64.78
* Item will be paid by the item unit per each day in use. ‖ Will be paid in accordance with MnDOT 1904.4A. † Will be paid at the invoice price plus 10 percent. ‡ Type C Trailer Mounted Message Sign. # Only to be paid when used for extended duration and a compensable delay is approved.			

Labor and Equipment:

The Engineer and Contractor are authorized to negotiate the terms of compensation for labor and Equipment to furnish, install and remove additional traffic control devices listed in Table SP2562-1. If the Engineer and Contractor are unable to agree on compensation by negotiation, the Department will pay for labor and Equipment according to the following mileage-based method:

The Department will pay \$500.00 for the first 30 miles for mobilization and installation of additional traffic control devices. The Engineer will determine mileage based on the distance from the Traffic Control Contractor's closest office location to the Project limits (most direct route) plus mileage from the Project limits to the furthest location of the additional placement(s), round trip. The Department will pay a minimum of \$500.00.

The Department will pay \$2.40 per mile traveled over 30 miles. The Engineer will determine mileage based on the distance from the Traffic Control Contractor's closest office location to the Project limits (most direct route) plus mileage from the Project limits to the furthest location of the additional placement(s), round trip.

The Department will pay \$500.00 for the first 30 miles for de-mobilization and removal of additional traffic control devices. The Engineer will determine mileage based on the distance from the Traffic Control Contractor's closest office location to the Project limits (most direct route) plus mileage from the Project limits to the furthest location of the additional removal(s), round trip. The Department will pay a minimum of \$500.00.

The Department will pay \$2.40 per mile traveled over 30 miles. The Engineer will determine mileage based on the distance from the Traffic Control Contractor's closest office location to the Project limits (most direct route) plus mileage from the Project limits to the furthest location of the additional removal(s), round trip.

The Department will not pay for labor and Equipment for the installation/removal of additional traffic control devices when additional traffic control Work is combined with Plan-provided traffic control devices installation/removal during the original Contract period, unless a Contract revision meets the requirements listed in MnDOT 1402.3 and the Plan does not contain Item 2563.601 (Traffic Control).

The Department will not pay for labor and Equipment to inspect and maintain additional traffic control devices during the original Contract period, unless a Contract revision meets the requirements listed in MnDOT 1402.3 and the Plan does not contain Item 2563.601 (Traffic Control).

The Department will pay for labor and Equipment to inspect and maintain all traffic control devices when an extension of Contract Time is due to an excusable and compensable delay in accordance with MnDOT 1806.2B.

The Department will not pay for labor and Equipment to remove existing traffic control devices, provided under (2563) TRAFFIC CONTROL, when Contract Time is extended.

S-40 (2563) TEMPORARY RAISED PAVEMENT MARKERS

REVISED 06/30/22

DESCRIPTION

This Work consists of furnishing, installing, maintaining and removal of temporary raised pavement markers (TRPMs) and the selected mounting system in accordance with (2563) TRAFFIC CONTROL.

MATERIALS

TRPMs Temporary Raised Pavement Markers APL

The color, type, and one-way or two-way is specified in the Plans.

CONSTRUCTION REQUIREMENTS

Install new, unused temporary raised pavement markers, on a clean dry pavement surface, air blown or brushed to remove surface dust, dirt, and foreign matter. Affix TRPMs to the pavement surface as per the manufacturer's recommendation.

The spacing and location of the temporary raised pavement markers is specified in the Plans.

Replace damaged or missing TRPMs within twenty-four (24) hours of notification, at no cost to the Department.

Remove all containers, wrappers and used or damaged markers, etc. from the job site at the time of installation, during the project, and at the time of removal.

Damage to permanent surfaces due to installing, maintaining, and removing TRPMs must be repaired at no cost to the Department.

BASIS OF PAYMENT

The Contract Unit Price for Temporary Raised Pavement Markers is compensation in full for Equipment, Materials and labor required to complete the Work.

The Department will pay for Temporary Raised Pavement Markers on the basis of the following schedule:

SAP 014-634-031, Bituminous Mill & Overlay

<u>Item No.</u>	<u>Item</u>	<u>Unit</u>
2563.601	Temporary Raised Pavement Markers	Lump Sum

1910 Fuel Escalation Clause

The provisions set forth in 1910, "Cost Escalation" are hereby supplemented with the following:

This provision provides for compensation adjustments in the cost of motor fuels (diesel and gasoline) consumed in prosecuting the Contract work. The Engineer will calculate the Fuel Cost Adjustments. Payments or credits will be applied to progress, semi-final, and final payments for work items set forth herein.

The Department will establish a Base Fuel Index (BFI) for fuel to be used on the Contract. The BFI will be the average of the high and low rack prices shown for Ultra Low Sulfur Diesel Undyed in the "DTN FastRack" for the day of the Contract letting.

A Current Fuel Index (CFI) in cents per gallon will be established for each week. The CFI will be the average of the high and low rack prices shown for Ultra Low Sulfur Diesel Undyed in the "DTN FastRack" indicated each Wednesday.

The Engineer will compute the ratio of the CFI to the BFI (CFI/BFI) each week. If that ratio is between 0.85 and 1.15, no fuel adjustment will be made for the week following the CFI computation. If the ratio is less than 0.85, a credit to the Department will be computed. If the ratio is greater than 1.15, additional payment to the Contractor will be computed.

Credit of additional payment will be computed as follows:

1. The Engineer will estimate the quantity of work done in that week under each of the Contract items listed in Table 1910-1.
2. The Engineer will compute the gallons of fuel used in that week for each of the Contract items listed in Table 1910-1 by applying the unit fuel usage factors shown.
3. The Engineer will determine the Fuel Cost Adjustment (FCA) from the following formulas
 - a. If the CFI is greater than the BFI: $[(CFI/BFI)-1.15]*Q*BFI$ = amount of FCA to be paid to the Contractor.
 - b. If the CFI is less than the BFI: $[(CFI/BFI)-0.85]*Q*BFI$ = amount of FCA to be credited to the Department
 - i. FCA = Fuel Cost Adjustment (cents)
 - ii. CFI = Current Fuel Index (cents per gallon)
 - iii. BFI = Base Fuel Index (cents per gallon)
 - iv. Q = Weekly total gallons of fuel per item

Basis of Payment

A FCA payment to the Contractor will be made as a price adjustment to each eligible item for each payment period based on the last published CFI. An FCA credit to the Department will be deducted each payment period

from any monies due the Contractor. Only items shown in Table 1901-1 will be considered for compensation adjustments.

Table 1901-1 Schedule of Work Items

Specification Number	Item	Unit	Gallons of Fuel per Unit
2105	Common Excavation	CY	0.17
2105	Rock Excavation	CY	0.27
2105	Muck Excavation	CY	0.17
2105	Subgrade Excavation	CY	0.17
2105	Unclassified Excavation	CY	0.23
2105	Granular Borrow (EV)	CY	0.17
2105	Granular Borrow (CV)	CY	0.19
2105	Granular Borrow (LV)	CY	0.14
2105	Select Granular Borrow (EV)	CY	0.17
2105	Select Granular Borrow (CV)	CY	0.19
2105	Select Granular Borrow (LV)	CY	0.14
2105	Common Borrow (EV)	CY	0.17
2105	Common Borrow (CV)	CY	0.19
2105	Common Borrow (LV)	CY	0.14
2105	Topsoil Borrow (EV)	CY	0.17

Specification Number	Item	Unit	Gallons of Fuel per Unit
2105	Topsoil Borrow (CV)	CY	0.19
2105	Topsoil Borrow (LV)	CY	0.14
2106	Excavation – Common	CY	0.17
2106	Excavation – Subgrade	CY	0.17
2106	Excavation – Rock	CY	0.27
2106	Excavation – Muck	CY	0.17
2106	Common Embankment (CV)	CY	0.19
2106	Granular Embankment (CV)	CY	0.19
2106	Select Granular Embankment (CV)	CY	0.19
2106	Select Granular Embankment (CV) Modified (____%) (CV)	CY	0.19
2211	Aggregate Base	Ton	0.55
2211	Aggregate Base (LV)	CY	0.77
2211	Aggregate Base (CV)	CY	0.99
2211	Open Graded Aggregate Base (CV)	CY	0.99
2211	Shoulder Base Aggregate, Class	Ton	0.55
2211	Shoulder Base Aggregate (LV), Class	CY	0.77
2211	Shoulder Base Aggregate (CV), Class	CY	0.99

Specification Number	Item	Unit	Gallons of Fuel per Unit
2232	Mill Bituminous Surface t inches	SY	0.019* t
2301	Concrete Pavement t inches	SY	0.027* t
2301	Place Concrete Pavement t inches	SY	0.027* t
2360	Type SP () Wearing Course Mixture	Ton	0.90
2360	Type SP () Wearing Course Mixture	Ton	0.90
2360	Type () Mixture t inches thick	SY	0.051* t
2501	Pipe Culvert	Lin Ft	0.70
2501	Pipe Arch Culvert	Lin Ft	0.70
2501	Pipe Culvert Des 3006	Lin Ft	0.70
2503	Pipe Sewer	Lin Ft	0.70
2503	Pipe Arch Sewer	Lin Ft	0.70
2503	Pipe Sewer Des 3006	Lin Ft	0.70

t = Thickness in inches

The Department will not pay adjustments for pipes less than 12" in diameter, jacked pipes, or directionally drilled pipes.

The Department will not pay adjustments for fuel used for drying or heating aggregates.

2024

SALT Schedule of Materials Control



Contents

Introduction	3
Material Acceptance Summary Instructions	4
Material Acceptance Summary	5
Bituminous Quality Management	6-7
Bituminous Specialty Items	8
Cold Inplace Recycling (CIR), Stabilized Full Depth Reclamation (SFDR).....	9
Grading and Base Construction Items.....	10-13
Certified Ready-Mix Concrete	14-16
Concrete Plant and Field Materials	17
Concrete Pavement – Agency	18-19
Concrete Pavement – Producer/Contractor	20-21
Concrete Wearing Course for Bridges.....	22
Concrete Pavement Repair – CPR for 3U18	23
Dowel Bar Retrofit – (DBR).....	24
Landscaping and Erosion Control Items	25
Chemical Items	26
Metals.....	27-28
Geosynthetics, Pipe, Tile, Precast/ Prestressed Concrete	29
Electrical and Signal Equipment Items	30-31
Brick, Stone and Masonry Units	32
Miscellaneous Materials	33
Approved/Qualified Products & Resources	34
Contacts.....	35-37
Sample Sizes	38

Introduction

This Schedule of Materials Control (SMC) outlines the **MINIMUM** testing requirements for State Aid Funded and/or Federal Aid Projects **OFF** the National Highway and Trunk Highway System. Optional to this SMC is the MnDOT Materials Control Schedule. Usage of either schedule must be defined in the project proposal.

The SMC – LGA serves as a guide for material testing with allowable acceptance “as directed by the Engineer” detailed in Specification 1501.1(1) – Authority of the Engineer. These testing rates are a minimum and additional test may be taken at the Engineer’s discretion. A minimal testing rate does not always ensure a quality product; field observations and attention to detail is crucial. Materials not listed on an approved products list may be sampled and tested as directed by the Engineer. Materials listed on a Qualified Products list may be accepted or tested at the discretion of the Engineer.

Federal Aid projects require Independent Assurance Inspection. Contact the MnDOT District IA Inspector when the job starts to provide the proper servicing of your project.

*****Agencies using MnDOT Metro Inspection Services will be sampled at the current MnDOT Schedule of Materials Control rates and will be billed accordingly.**

*****Contact the MnDOT District IA Inspector to provide servicing for your federal aid project.**

Definitions

Schedule of Materials Control

Schedule of Materials Control (SMC) are inserted into project proposals to direct how materials are to be sampled and tested. The SMC is updated yearly. Each SMC is project specific. Therefore, one needs to refer to their specific proposal.

Approved/ Qualified Products List

Products are “approved” when they have been found to routinely meet all applicable standards and specifications. The product is placed on the list based upon established successful manufacturer’s quality control and warranties, but the listing may expire or require periodic renewal to verify the product has not changed over time. The approval process for the individual product should specify any expiration requirement. Testing may still be on at the Engineers discretion.

Certified Sources

Certified Sources must comply with each individual product’s defined “certification procedure”. Acceptance of products from certified sources follows the same sampling and testing as “approved/ qualified” products.

Quality control (QC): The activities performed by the **Contractor/Producer** that have to do with making sure the quality of a product or process meets the relevant contract requirements. All testing shall be performed by a certified tester.

Quality assurance (QA): The activities performed by the **Department/Agency** that have to do with making sure the quality of a product or process meets the relevant contract requirements. All testing shall be performed by a certified tester.

Verification Testing: Sampling and testing performed as called out herein to validate the quality of the product(s). **Part of QA.**



Rev. February 2019

[illegible]

Approved by Project Engineer: _____ Date: _____
Print Name: _____

Material Acceptance Summary



STATE AID FOR LOCAL TRANSPORTATION MATERIAL ACCEPTANCE SUMMARY

Rev. February 2019

SP/SAP(s)

[illegible]

* This Item is hereby accepted by the Engineer as materially compliant for use on this project per the terms of specification 1501.1, subset (1).

Approved by Project Engineer: _____ Date: _____
Print Name: _____ Phone: _____

For an electronic Word version of this form, please visit the State Aid Construction webpage at:
https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=19623193

Bituminous Quality Management

The Contractor shall provide and maintain a quality control program as detailed in Specification 2360.2.G. The Engineer shall review the quality control program for compliance. This shall be provided at the precon.

	Type of Test	Spec Section (1)	Contractor / Producer – QC Testing Rates	Agency – QA Testing Rates
Start-Up Testing Rates for the 1 st 2000 tons (2)	Bulk Specific Gravity	2360.2.G.7.b	1 test per 500 tons 55 lb. sample 3 full cylinder molds (7)	(3) (10) 1 Verification Mixture Sample test per day, all Verification samples are from a split (QC/QA) sample.
	Maximum Specific Gravity	2360.2.G.7.c		
	Air Voids (calculated)	2360.2.G.7.d		
	Asphalt Content	2360.2.G.7.a		
	Adj. Asphalt Film Thickness (AFT)	2360.2.E.7.e		
	Gradation	2360.2.G.7.f		
	Fines to Effective Asphalt Ratio (calculated)	2360.2.G.7.a/f	1 test per 1000 tons (4) (5) (6) (7)	
	Coarse Aggregate Angularity (CAA)	2360.2.G.7.g		
	Fine Aggregate Angularity (FAA)	2360.2.G.7.h		
	Added AC/Total AC Ratio (calculated)	2360.2.G.7.a		
Production Testing Rates	Bulk Specific Gravity	2360.2.G.7.b	1 test per 1000 tons 55 lb. sample 3 full cylinder molds (7)	(3) (10) Verification Mixture Sample test per day/ mix type, submit companion to the QC – CAA & FAA test results.
	Maximum Specific Gravity	2360.2.G.7.c		
	Air Voids (calculated)	2360.2.G.7.d		
	Asphalt Content	2360.2.G.7.a		
	Adj. Asphalt Film Thickness (AFT)	2360.2.E.7.e		
	Gradation (minimum of 1 per day)	2360.2.G.7.f		
	Added AC/Total AC Ratio (calculated)	2360.2.G.7.a		
	Coarse Aggregate Angularity (CAA)	2360.2.G.7.g	(4) (5) (7)	
	Fine Aggregate Angularity (FAA)	2360.2.G.7.h	(4) (6) (7)	
	TSR	2360.2.G.7.i	When directed by the Engineer	
	Aggregate Specific Gravity	2360.2.G.7.j		
	Mixture Moisture Content	2360.2.G.7.k	As directed by the Engineer	
	Asphalt Binder (QA ONLY)	2360	(8) 1 qt. steel container for asphalt binder	
	Asphalt Emulsion (QA ONLY)	2357	(9) ½ gal plastic container for asphalt emulsion. (Tack)	
	Compaction / Density Requirements	2360.3.D	Review special provisions	
	Small Quantity Requirements	< 500 tons per project may be accepted by the Engineer without testing.		

NOTES: Testing rates are minimum rates; additional testing is encouraged to ensure a quality product.

(1) Review Special Provisions & 2360.2G Mixture Quality Management.

(2) The testing rates apply only to mixtures that have not been tested on previous projects in the current year.

(3) The Agency shall witness a minimum of 1 (one) complete QC mixture sampling, splitting and test per day. The Agency shall take possession of all split QA samples immediately. The Agency shall randomly submit one QA split sample to the District Lab for Verification testing and inform with contractor the following day of test number. Additional verification samples can be taken at any time or location. When additional verification samples are taken, the contractor must test the Verification Companion split of this sample and include the results in the QC program.

(4) The Contractor will retain the extracted gradation samples in containers with field identification numbers for a period of 10 calendar days. The Engineer will identify which extracted gradation sample is the Verification Companion Sample and whether it is to be tested for coarse and fine aggregate angularity.

- (5) At start-up or new Mix Design:** 2 tests/ day for a minimum of 2 days, then 1/day if CAA is met. If CAA > 8% of requirement, 1 sample/ day but test 1/ week. No testing required for Class A and B Aggregates.
- (6) At start-up or new Mix Design:** 2 tests per day for a minimum of 2 days, then 1/day if FAA is met. If FAA > 5% of requirement, 1 sample/ day but test 1/week.
- (7)** Random number generation and determination of random sample location shall be consistent with Section 5 of ASTM D3665. The Engineer may approve alternate methods of random number generation.
- (8) During Asphalt Mixture Production (Field Verification):** Shall be from a certified supplier. Obtain asphalt binder samples from a sampling valve located between the pump and the drum. Contractor personnel shall obtain samples, under the observation of a department representative, by random selection from shipments of material at the project site. The samples shall be taken from the first load and subsequently 1 per 1000 tons of liquid asphalt binder for each supplier and grade of asphalt binder per contract. For contracts with less than approximately 25 tons (one truck transport) of asphalt binder, sampling may be waived. A minimum of 1 gallon of binder must be drawn and wasted from the sampling valve before the actual sample is drawn. Sample shall be sent in for verification testing.
- (9) During Mixture Production (Field Verification):** Shall be from a certified supplier. The Contractor shall sample first shipment, then submit 1 per 50,000 gallons. Sample emulsified asphalt in clean ½ gallon plastic container with wide screw top and send to MnDOT Chemical Lab within 7 days of sampling. Sample all emulsified asphalt from the distributor. Sample shall be sent in for verification testing. No Samples required unless directed by the Engineer.
- (10)** Conduct random belt samples and test for aggregate quality as directed by the Engineer.

Bituminous Specialty Items

Type of Test	Spec	Contractor/Producer – QC Testing Rates	Agency- QA Testing Rates
Gradation	2363	1 per 1,000 Ton with a minimum 1 per day.	1 per day. 35 lbs.
PASSRC & PASB	3139.3		
Micro-Surfacing	2354 3139.5	Stockpile: 1/1,500 Tons (min 1/day) Machine Hopper: 1/500 Ton (min 1/day)	Machine Hopper: 1/day, 30 lbs.
Seal Coat, Underseal & Otta Seal	2356 3137.2B	Stockpile: 1/1,500 Tons (min 1/day) Chip Spreader Hopper: 1/day	1/day from Hopper. 30 lbs.
% Crushing – CAA	2363	1 per 1,000 Ton with a minimum 1 per day.	1 per day from gradation test. 35 lbs.
PASSRC & PASB	3139.3		
Moisture / Aggregate	2354	Machine Hopper: 1/500 Tons (min 3/day)	1/day 2lbs
Micro-Surfacing	3139.5		
Sand Equivalence	2354	1/day	Test at Engineer discretion, 25 lbs.
Micro-Surfacing			
Flakiness Index		Sample taken from first load on first day, submit to Agency: 30 lbs.	Agency will test at their discretion, see Lab Manual 1223
Bituminous Seal Coat & Bituminous Underseal	2356		
Bituminous Mixture	2353	1/500 Tons, min 1/day. %AC, Gradation, Max SpG, Adj.AFT	1/day, 20 lbs. 1 cylinder from truck box.
UTBWC	3151.2G		
PASSRC & PASB	3151 2363	Asphalt spot check: min 1/day	
Stone Matrix Asphalt – SMA Lab Manual 1203, 1204, 1205, 1211, 1214, 1806, 1807, 1808, 1813, 1853, 1854, 1855, AI SP-2 AASHTO T305	2365	Tests, %AC, gradation, Gmm, Gmb, Voids, VMA, CAA, Draindown, VCA, fines/effective asphalt. Rate, (1/1000 tons, min.1/day) Agg SpG, mix moisture, TSR to be tested as directed by Engineer. Submit companion 1 per day to agency: 3 full 6" by 12" cylinders	Tests: %AC, Gradation, Gmm, Gmb, Voids, VMA, CAA, VCA, fines/effective asphalt. Agency is not required to do drain down. Copy MDR to Project Engineer and Grading & Base Engineer.
Asphalt Binder Tests		Asphalt Emulsion List	Asphalt Binder List
UTBWC	2353 3151	Asphalt Binder: Sample first load, then 1/250,000 gallons. Sample size of 1 quart metal container. Emulsified Asphalt: Sample first load, then 1/50,000 gallons. Sample size of ½ gallon wide screw top plastic container.	
Micro-Surfacing	2354		
Seal Coat, Underseal & Otta Seal	2356		
Tack Coat	2357		
PASSRC & PASB	3151		
Asphalt Binder Rate		Verify Application Rate 3/day	Verify Application Rate 1/day
Micro-Surfacing	2354		
Fog Seal	2355	Verify Application Rate 1/day	Verify Application Rate 1/day
Seal Coat, Underseal & Otta Seal	2356		
Bit Tack Coat	2357		

Specification 2215 – Cold Inplace Recycling (CIR), Stabilized Full Depth Reclamation (SFDR) and Cold Central Plant Recycling Bituminous (CCPR)

Test Type	Contractor/Producer QC Testing Rates	Agency QA Testing Rates	Grading & Base Manual/Form
Gradation SFDR (Simple) Pre-ground un-stabilized material	1 per mile – report sieves 2" & 3"	Run gradation at the discretion of the Engineer	.215 / 101 report sieve 2" & 3"
Gradation (Entire) (Material to be stabilized)	One per day, give split sample to the Engineer	Run gradation at the discretion of the Engineer	.215 / 101 report sieve 2", 1.5", 1.25", 1", ¾", 3/8", #4, #10, #30.
Gradation (Simple) (Material to be stabilized)	1 per mile for SFDR & CIR. 1 per 2,000 ton for CCPR.	Run gradation at the discretion of the Engineer	.215 & .293 / 101 report sieve 2" & 1.5" for SFDR, 1.5" and 1.25" for CIR
CIR & SFDR Depth Check – Unstabilized and Stabilized	None	1 per day	.284 / 401
SFDR & CCPR Moisture – before injecting with bituminous.	1 per mile of anticipated daily production and after rain. 1 per mile for SFDR after mechanical drying.	Run moisture at the discretion of the Engineer	.245 Speedy tester not allowed.
Penetration Index (DCP) – SFDR only Unstabilized.	2 per mile	1 per mile	.255 / 205
Calibrate: mineral stabilizing agent application rate.	Once using design rate per vane feeder.	Observe contractor calibration	.286 or .287
Moisture: before injecting liquid bituminous material	1 per mile of daily anticipated SFDR & one after rain or mechanical drying out (disking, etc.).	none	.281 / 105
Yield: Mineral Stabilizing Agent and/or Liquid Bituminous Material	1 per transport load each type	1 per day each type	.286 & .287 / 402 & 403
Compaction: Nuclear density for SFDR stabilized and CIR	10 per lane mile, (see note below).	Observe the Contractor.	.282
Control Strip: SFDR Stabilized and CIR	Minimum of once per project	Observe the Contractor.	
Bituminous Material Samples		1 per 50,000 gallons; sample first load	1 quart each sample
Mineral Stabilizing Agent Samples	None	1 sample	none
Foaming asphalt checks expansion ratio & half life	1 per load	Observe the Contractor.	.285
Moisture (stabilized) – before placement of next layer during curing.	2 per day until moisture stabilizes & placement of HMA.	None	Grading & Base Manual

Note: The Engineer may require a Contractor to perform additional nuclear density tests in areas that the Engineer believes are failing density requirements.

Grading and Base Construction Items (1 of 4)

		Material Type	Spec.	Contractor / Producer QC Testing Rates	Minimum Required Agency QA Testing Rates	Verification Testing Sample
Gradation Testing (2) (3)		Aggregate Surfacing	3138	1 / 1,000 CY (CV) stockpile gradation only required for material on hand.	> 250 yd ³ (CV) or 500 Tons and < 2000 yd ³ (CV) or 4000 tons. Material is a minimum of one lot (5). Test two random samples from each lot and average. > 2000 yd ³ (CV) or 4000 Tons. Divide into lots with lot size (5) no greater than 2000 yd ³ (CV) or 4000 Tons. Test two random samples from each lot and average.	1/source 30 lb.
		Aggregate Base	3138			
		Shoulder Base Aggregate	3138			
		Drainable Aggregate Base (OGAB & DSB)	3136			
		Granular and Select Granular Material (borrow/embankment)	3149.2B	1/10,000 CY (CV) only required for material on hand.	1/40,000 yd ³ (CV)	1/source 30 lb.
		Stabilizing Aggregate	3149.2C			
		Reclamation FDR	3135.2B	None	Test at Engineer's discretion. Inspect for oversize chunks (+3"), after the motor grader has overturned the material	None
		Granular Filter	3601.2B	1/source – before delivery on the project. Only required for materials on hand. Spec 1906.2	1/ source	1/source 30 lb.
		Backfill Materials	3149.2D			
		Granular Bedding	3149.2F			
		Aggregate Bedding	3149.2G			
		Coarse Filter Agg.	3149.2H			
		Filter Aggregate	3149.2J			
		Sand Cover	3149.2K			
Proctor	Specified Density *	Non-Granular Material Used to determine optimum moisture & maximum density.	2106 3149	None	1 per major soil, subgrade prep specified density requires 100% of proctor density.	1 sample 25 lb.
Sand Cone, Nuclear Density or LWD		Non-Granular Material For non-granular material, i.e., material that does not meet 3149.2B.1		AGENCY TESTING: Roadway Embankment: One test per 4,000 yd ³ (CV) <u>or if test rolled, One test per 10,000 yd³ (CV)</u> Transverse culverts & abutments: 1 test per every 2 feet of fill. Structures and Longitudinal Trenches: One test per 300 feet of each structure per 2 feet per fill. Sidewalks and Trails: 1 per 500 feet. Subgrade Preparation: One per 25 road stations.		

Grading and Base Construction Items (2 of 4)

Material Type		Spec.	Contractor / Producer QC Testing Rates	Minimum Required Agency QA Testing Rates	Verification Testing Sample
Penetration Index Method (DCP) or LWD *	Aggregate Base	3138 2211.3C	None	1 DCP tests per 500 yd ³ (CV) or 1 per 1000 Tons. If test rolled, 1 test / 1,500 yd3 (CV) or 3000 Tons.	None
	Shoulder Base Aggregate				
	Reclamation FDR	3135.2B 2215.2C		1 DCP test per 3,000 yd ² . If test rolled, 1 test / 10,000 yd ²	
	Walks & Trails	2521		1 per 500 feet of Sidewalk or Trail	
	Granular Materials Subgrade Preparation (for materials meeting 3149.2B1)	3149.2B	AGENCY TESTING: Roadway Embankment: One test per 2,000 yd3 (CV) <u>or if test rolled, One test per 6,000 yd3 (CV)</u> Transverse culverts & abutments: 1 test per every 2 feet of fill. Structures and Longitudinal Trenches: One test per 300 feet of each structure per 2 feet per fill. Sidewalks and Trails: 1 per 500 feet. Subgrade Preparation: One per 25 road stations.		
Moisture Content Test During All Compaction Methods (4)	Aggregate Base, Shoulder, Surfacing & Walks	3138	None	For 2118, 2211,2221, and 2521: 1 / 1,000 yd3 up to 10 Maximum For 2451: 1 per structure, for multiple adjacent structures, may test once, use judgement For Quality Compaction: Test as directed by Engineer.	None
	Drainable Aggregate Base (OGAB & DSB)				
	Reclamation FDR	3135.2B	None	1 / 20,000 yd ²	
	All Embankment Materials	2106 3149	None	1/10,000 yd3 up to 10 Maximum For Quality Compaction: Test as directed by Engineer.	
	Subgrade Preparation	2106 3149		1 per 25 road stations For Quality Compaction: Test as directed by Engineer.	
Percent Crushing	Particle Count (1)	1906.2	1 required for Material on hand	1/source unless directed by Engineer, (required for 3138.2B & C, 3149.2C & G1, 3136.2B).	1 / source
Quality	Aggregate Quality Tests	3138 3149 3601	1 required for material on hand, Spec 1906.2	1/ source unless directed by Engineer	1 / source 30lb
Depth Check	Reclamation FDR	3135.2B	1/Mile.	1 per day unless directed by Engineer	

Material Type		Spec.	Contractor / Producer QC Testing Rates	Minimum Required Agency QA Testing Rates	Verification Testing Sample
Test Rolling	Test Rolling (as directed in the special provisions)	2111	As directed by the Engineer the contractor will perform test rolling at the top of all • Subgrade • Base layers (2211) • Non-Stabilized FDR (2215) • Granular layers not meeting the requirements of 3149.2B2 (2106) • Minimum 12' width and 300' length. Agency to observe test rolling.		

Verification Testing Samples are companion split samples to the QA sample:

- Companion gradation, proctor, QA crushing, aggregate quality samples not required 1,000 tons or less.
- Include the laboratory companion with the first field sample.
- Include the field sample results with the laboratory sample.
- Laboratories with AMRL Accreditation are not required to submit laboratory companion samples.
- Carbonate aggregate materials require 50 lb. samples for the laboratory testing.

NOTES:

(1) Percent crushing test is not required when the material is crushed from a quarry or contains 25% or greater recycled materials.

(2) Submit a laboratory companion to the first Acceptance Gradation sample for a bituminous extraction, see 3138.2C. Full Depth Reclamation samples are not required.

(3) The Certification of Aggregates and Granular Materials procedure and documentation of testing locations is at the discretion of the Engineer.

(4) For quality compaction per spec 2106.3G.2, test at Engineer's discretion.

(5) Lot sizes may be adjusted by the Engineer. This may be good practice if parts of the project are taking place in separate areas or at separate times, such as many turn lane or excavation areas or separate project stages.

* Review the Special Provisions. The Grading and Base Manual allows the nuclear density gauge, see pages 60 and 65.

NOTES:

Conversions: 1 ton = 0.55 yd³ (CV), 1 ton = 0.7 yd³ (LV), 1 yd³ (CV) = 1.8 tons.

Contact the MnDOT District IA Inspector to provide servicing of your Federal Aid Project.

Less than 500 tons (250 CY) may be accepted by the Engineer without testing.

Grading and Base Construction Items (4 of 4)

Guidelines for Required Crushing & Aggregate Quality Tests

	3149 Granular Materials	3138 Aggregate for Surface and Base	3136 Drainable Bases
Crushing	Yes, for Stabilizing Aggregate, Fine Aggregate Bedding and Medium Filter Aggregate. Test waived if material contains recycled at twice the minimum crushing requirement. Not required for quarried sources.	Yes, for Class 5, 5Q & 6. Test waived if material contains recycled at twice the minimum crushing requirement. Not required for quarried sources. Class 2 must contain 100% crushed quarry rock.	Yes. Not required for quarried sources.
Bitumen Content	At the discretion of the Engineer	At the discretion of the Engineer	Not applicable
LAR	Not applicable	Yes, if source is carbonate quarry and does not contain bitumen.	Yes
Insoluble Residue	Yes, if source is carbonate quarry and does not contain bitumen.	Yes, if source is carbonate quarry and does not contain bitumen.	Yes, if source is carbonate quarry.
Litho Exam & Shale Float Test	Yes, for Medium Filter Aggregate	Yes, for Class 3, 4, 5, 5Q & 6, when not from quarried rock, and does not contain bitumen.	Yes, when not from a quarried source.

Testing procedures in the [Grading & Base Manual](#).

Forms and worksheets at the [Grading & Base website](#).

Gradation worksheets at the [SALT Construction website](#).

****MAKE SURE TO FILL OUT THE REQUIRED PRELIMINARY AND FINAL GRADING AND BASE REPORTS AND SUBMIT TO PROJECT ENGINEER.****

http://www.dot.state.mn.us/materials/gradingandbasedocs/Forms/form001_08_043019.xlsx

Certified Ready-Mix Concrete (1 of 3)

The Prime Contractor is responsible to assure that all ready-mix concrete used is produced by an annually Certified Ready-Mix plant as detailed in Specification 2461.3F.

Material Spec.	Test Type (Concrete Manual)	Contractor / Producer QC Testing Rates				Form
bridge 2406.2 2411.2 2461.2 2461.3 general 2301** 2452.2 2461.2 2461.3 2506.2 2511.2 2514.2 2520.2 2521.2 2531.2 2533.2 2545.2 2554.2 2557.2 2564.2 2565.2	Gradation (5-694.145) (5-694.148) 3126, 3131, 3137	For all JMF's & Bridge Deck Mix Designs Daily Concrete Quantity: 1 per fraction per source per day between 20 – 400 yd³ . If over 400 yd3 per day, take a second gradation after the DAILY total exceeds 400 yd3. Bridge Deck Concrete must have passing gradations prior to mixing.				Concrete Agg. Work sheet, Agg. Grad. Control Charts, R-M Plant QC workbook. R-M Plant QA Workbook <

Certified Ready-Mix Concrete (2 of 3)

Spec.		Test Type	Agency QA Testing Rates (1)	Form
bridge 2406.2 2411.2 2461.2 2461.3 general 2301** 2452.2 2461.2 2461.3 2506.2 2511.2 2514.2 2520.2 2521.2 2531.2 2533.2 2545.2 2554.2 2557.2 2564.2 2565.2	Concrete Field-Testing Rates	<u>Sampling Locations for Air, Slump (when required), Temperature and Cylinder Testing</u> First load each day per mix - Take sample after discharging approximately 1/4 yd3, stop further discharge until both slump and air content test are completed. The first load of concrete <u>must have passing air content and slump prior to placement</u> . Cast strength specimens from the same load as the air content and slump test. Test whenever adjustments are made to the mix. Take all tests at the point of placement. Subsequent tests - Sample from the middle portion of the load.		
		Air Content - Type 3 Concrete (5-694.541)	1 test per 100 yd3. Test first load each day per mix. Test when adjustments are made to the mix.	
		Slump (5-694.531)	Test first load each day per mix, then as necessary to verify passing slump. For Bridge Concrete: 1 test per 100 yd3. No testing required for slip form placement.	
		Air and Concrete Temperature (5-694.550)	Record temperature each time air content, slump or compressive strength specimen is performed/fabricated.	
		Compressive Strength (5-694.511) Standard cylinder size is 4 x 8, use 6 x 12 with aggregate greater than 1 1/4". Review 2461.3G.5 Test Methods and Specimens.	<u>General Concrete Grades F, G, M, P, and R:</u> 1 set of 3 cylinders per 300 yd3 per mix per day.	2409 Concrete Cylinder ID Card
			<u>Bridge Concrete Grades B, S, and Y:</u> 1 set of 3 cylinders per 100 yd3, then 1 set of 3 cylinders per 300 yd3 per mix per day	
			Agency will break 1 set of 3 cylinders at 28 days. Agency will cast up to 3 control cylinders, any additional control cylinders are the responsibility of the Contractor.	
			Cellular Concrete: 1 set of 4 cylinders (28 days) per day, fill in 2 equal lifts, <u>do not rod</u> , lightly tap the sides, cover and move to area with no vibration. Do not disturb for 24 hours.	

NOTES:

(1) Review the requirements of 2461.3F Certified Ready-Mix Concrete, 2461.3G Concrete Placement and 5-694.010 Inspector's Checklist in the Concrete Manual.

***Small Quantity Requirements** are for less than 20 yd3 per day, Plant Monitoring is not required but **Concrete Field Testing is required.**

****Concrete Pavement:** Use Certified Ready-Mix Concrete testing rates when: a) The entire concrete paving project is less than 3,500 cu. yd. b) When a secondary plant is used to provide minor work.

Certified Ready-Mix Concrete (3 of 3)

The Prime Contractor is responsible to assure that all ready-mix concrete used is produced by an annually Certified Ready-Mix plant as detailed in Specification 2461.3F.

Guidelines

- The testing rates shown in this Schedule of Materials Control are minimums. Take as many tests as necessary to ensure quality concrete. Should circumstances arise on a project which makes the testing rate impractical, contact the Concrete Engineering Unit.
- All samples shall be taken in a random manner using an appropriate number generator.
- The first load of concrete for any pour must have passing air content and slump results, prior to placing.
- If batching or field adjustments are made, test the adjusted load for air content and if suspect, slump, before it gets into the work. The Engineer will determine if additional testing is required after each water adjustment made during slip form placement. Continue to test for air content and slump, if suspect, when test results are inconsistent or marginal.
- If any field test fails, reject the concrete or if the Producer adjusts the load to meet requirements, record the adjustments on the Certificate of Compliance. Retest the air content of the load, slump if required, and record the adjusted test results. Test the next load for air content and slump, if required, before it gets into the work.
- Material not meeting requirements shall not knowingly be placed in the work. If failing concrete inadvertently gets placed in the work, review either the MnDOT Standard Specifications for Construction or contact the Concrete Engineering Unit for monetary deduction recommendations.

Best practices

- It is recommended that the Agency Plant Monitor be present during critical pours, such as superstructure or paving concrete (i.e., 3A21, S mixes, JMF mixes).
- It is recommended that the Agency representative continually monitor the progress of all concrete pours in the field and review Certificate of Compliances. It is not a recommended practice to only perform minimum testing requirements and leave the pour.
- It is recommended to make standard strength cylinders after the first load of concrete unless that is the only load of concrete for that mix that day.
- The Agency is responsible for verification sampling. For safety and consistency in sampling and splitting of the sample, it is recommended that the agency and the producer/contractor obtain the verification sample in tandem. This will allow the producer/contractor to witness the sampling process and take possession of the verification companion.

Concrete Plant and Field Materials

All materials must come from certified or qualified sources. All certified sources must state so on the delivery invoices. The most current list of certified/approved sources can be found at MnDOT Material website. Materials listed on the Approved/Certified Products List are not required to be sampled but need to be listed on the Material Acceptance Summary detailed in the SALT SMC. Samples can be submitted as directed by the Engineer.

Concrete Plant Batching Materials	Material	Spec. No.	Agency QA Field Sampling Rate	Form No.
	Portland Cement	3101	Shall be a Certified Supplier - For certified ready-mix and concrete paving sample rates: 1 sample when the plant is certified. Take additional samples if the plant changes sources or as the contract requires. The producer obtains a 5 lb. sample and stores the sample in a sealed container provided by the Agency and includes the supplier's delivery invoice from which the sample is obtained.	24300 ID Card Cement Samples
	Slag	3102		
	Blended Cement	3103		
	Fly Ash	3115		24308 Fly Ash
	Admixtures (Acceleration, Retarding, Water-Reducing, Air-Entraining, etc.)	3113	For all concrete: 1 sample of Air Entrainment and Type A Water Reducer in a 1/2-pint plastic container provided by the Agency when the plant is certified. Take additional samples if the plant changes sources or as the contract requires. The Producer should agitate the admixture tank prior to obtaining samples from dispensing tubes and store the samples in sealed plastic containers provided by the Agency.	2410 Sample ID Card
Water	3906	1 Non-Potable Water sample in a 1-gallon clean glass or plastic container from a questionable source. Clarified Water: 1 per month during Department production		
Concrete Field Materials	Preformed Joint Filler	3702	Visual Inspection	2410 Sample ID Card
	Preformed Elastomeric Type	3721	1 per lot. Only materials from a qualified source. Link to Approved Products List.	
	Silicone Joint Sealer	3722		
	Hot Poured Elastomeric Type	3723 3725		
	Burlap	3751	Visual Inspection	
	Colored Concrete Membrane Curing Compound	3752	Visual Inspection - Use only from qualified source.	
	Membrane Curing Compound	3753 3754 3755	Visual Inspection - Use only pre-approved curing compounds.	
	Plastic	3756	Visual Inspection - Must be white opaque and free from holes.	
	Refer to the "Metals" schedule for sampling requirements for concrete reinforcement.			

Concrete Pavement – Agency (1 of 2)

Test Type (concrete manual)	Spec.	Concrete Paving Batch Plant Agency QA Testing	Certified Ready-Mix Plant Agency QA Testing	Form
Gradation (1) (5-694.145) (5-694.148)	3126 3131 3137	Daily Concrete Quantity ≥ 500 Agency QA Testing Rates: Verification only Verification Sample: -, *1 per fraction per source per day, split and tested by both Agency and Contractor	Daily Concrete Quantity ≥ 100 yd3 Agency QA Testing Rates: Verification only Verification Sample: -, *1 per fraction per source per week, split and tested by both Agency and Contractor	JMF Concrete Aggregate Workbook
Aggregate Moisture - QC Verification (2) (5-694.142)	2301	If w/c incentives apply: 1 per 1000 yd3 or every 4 hours, whichever is greater. Take initial sample within the first 250 yd3.	<u>If w/c incentives apply:</u> 1 per 200 yd3 or every 4 hours, whichever is greater. Take initial sample within the first 100 yd3.	Concrete W/C Ratio Work sheet
Water Content, Microwave Oven Verification (3) (5-694.532)	2301	Take initial sample within the first 250 yd3. At least one additional verification test should be taken if more than 1000 yd3 is produced in a day.	Take initial sample within the first 100 yd3. At least one additional verification test should be taken if more than 400 yd3 is produced in a day.	
Coarse Aggregate, -200 sieve (5-694.146)	3131 3137	Test Verification sample on the first day of production and each time the Contractor mobilizes the plant, changes the aggregate sources, or the cleanliness of the coarse aggregate is in question, then 1 per week randomly thereafter. -200 test may be performed at the lab instead at the plant at the discretion of the Engineer.		JMF Concrete Aggregate Workbook
Coarse and Fine Aggregate Quality (4)	3126 3131 3137	During concrete production: 1 randomly selected test each fraction every 20,000 yd³ of production. Split the Quality sample 4 ways: 1) Provide 2 quarters of the sample to the producer/contractor. 2) Submit the remaining sample to the lab for quality testing including testing the -200 sieve on the coarse aggregate.		2410 Sample ID Card
Alkali Silica Reactivity (ASR) Testing	2301	1 per paving project per sand source. Provide one 5 lb. sample of: cement, supplementary cementitious material (fly ash or slag), and sand. Write "Project Specific ASR Testing" on all 3 sample cards. ASR Testing is not required if the entire project is less than 3,500 cubic yards.		2410 24300 24308
Coarse Aggregate Quality Testing of Incentive / Disincentive	3137	If coarse aggregate quality incentives apply: Test the Class B aggregates for % absorption and Class C aggregates for % carbonate including any other test necessary to make those determinations. Sample the 2 largest fractions in accordance with the following table and 2301:		Coarse Agg Quality Incentive / Disincentive Work sheet 2410 Sample ID Card
		Coarse Aggregate Quality Incentive/Disincentive Sampling Rates		
		Plan Concrete Cubic Yards	Samples per fraction	
		3,500 - 7,500	3	
		7,501 - 10,000	5	
		10,001 - 25,000	10	
		25,001 - 50,000	15	
50,001 +	20			

*Use Certified Ready-Mix Concrete testing rates when: a) The entire concrete paving project is less than 3,500 cu. yd. b) When a secondary plant is used to provide minor work.

Concrete Pavement – Agency (2 of 2)

Test Type	Spec.	Concrete Field Testing - Agency QA Testing	Form
Air Content before consolidation	Review Concrete Manual Website	1 correlation air test per day	2162 Test Beam Data
Concrete Temperature		Record temperature each time air content, slump or strength test specimen is performed/fabricated by the Agency.	
Flexural Strength		Supply beam boxes or cylinder molds. Cure and test beams and cylinders MnDOT standard beam box size is 6" x 6" x 20" unless others are approved by the Concrete Engineer.	
Opening to Traffic Strength		Supply beam boxes or cylinder molds for field control testing. Cure and test beams and cylinders.	
Concrete Pavement Texture		Determine texture testing locations using random numbers. Observe Contractor Testing when possible.	Probing, Coring, Texture and MIT-Scan T2 Report
Thickness		Determine probing and coring locations using random numbers. Initial pavement at core locations and re-initial the sides of specimens after coring to clearly verify their authenticity. Field measure cores to the nearest 1/8". Transport to the MnDOT Office of Materials and Road Research for final thickness determination	
Surface Smoothness/ Dowel and Tie Bar Steel Location		Observe Contractor Testing when possible	

NOTES:

(1) All gradation samples shall be taken in the presence of the Agency, unless otherwise authorized by the Engineer. All samples shall be taken off the belt leading to the weigh hopper unless otherwise approved by the Engineer. **All gradations and quality tests require companion samples.** If Coarse Aggregate Quality Incentive / Disincentives apply: The Agency may also use the QA samples for incentive / disincentive testing. Notify the Contractor/Producer to double the QC/QA sample size. If well-graded aggregate incentives apply: Use the Contractor's gradation results for well-graded aggregate incentive calculations as verified by Agency testing. Use the Well-graded Concrete Agg. Worksheet.

(2) If w/c incentives apply: Use aggregate moisture results for determining the water content to calculate the w/c incentive/disincentive. Use the Concrete W/C Ratio Calculation Worksheet and do not leave sample unattended. Microwave oven verification testing to verify the w/c ratio is completed in conjunction with Agency aggregate moisture testing. Do not leave samples unattended.

(3) If w/c incentives apply: Microwave oven verification testing to verify the w/c ratio is completed in conjunction with Agency aggregate moisture testing. Do not leave samples unattended.

(4) Prior to concrete production: Obtain pre-production samples for quality testing at least 16 hours prior to concrete production. Samples may be taken from the stockpile and -200 test may be performed at the lab instead at the plant at the discretion of the Engineer. If the entire project is <3,500 yd³, pre-production sampling is not required.

Minimum Aggregate Sample Size				
*companion required, double sample				
Aggregate Size	Gradation*	Quality*	Moisture	% -200 C.Agg
3/4" Plus, #4	30 lb.	50 lb.	2000 g	5000 g
3/4" Minus, #67	10 lb.	30 lb.	2000 g	2500 g
#7, CA-70	6 lb.	20 lb.	2000 g	2500 g
CIA to meet #67	6 lb.	20 lb.	500 g	500 g
CIA to meet JMF	500 g	20 lb.	500 g	500 g
FIA, CS, FS	500 g	20 lb.	500 g	-
CA-80, #89	500 g	20 lb.	500 g	500 g
Fine Aggregate	500 g	20 lb.	500 g	-

Concrete Pavement – Producer/Contractor (1 of 2)

Test Type (concrete manual)	Spec.	Concrete Paving Batch Plant Contractor/Producer QC Testing	Certified Ready-Mix Plant Contractor/Producer QC Testing
Gradation (1) (5-694.145) (5-694.148)	3126 3131 3137	When > 250 yd ³ produced/ day: 1 per 2500 yd ³ per fraction per source. Take initial samples for aggregate gradation testing within the first 500 yd ³ . Test the verification companion sample on the day the sample was taken.	When 20-400yd ³ produced/ day: 1 per fraction per source. If over 400 yd ³ per day, take a second gradation after the total exceeds 400 yd ³ . Test the verification companion sample on the day the sample was taken.
Coarse Aggregate -200 sieve (5-694.146)	3131 3137	Test the verification companion sample. Test these samples at the plant.	
Aggregate Moisture QC Verification (2) (5-694.142)	2301	If w/c incentives do not apply: 1 per 1000 yd ³ , or 1 completed every 4 hours, whichever is the higher sampling rate.	If w/c incentives do not apply: 1 completed every 4 hours.
Water Content, Microwave Oven Verification	Review Concrete Manual 2301	If w/c incentives apply: Obtain the plastic concrete sample at the plant. See Concrete Manual (5-694.532)	
Unit Weight QC		Test one load of concrete per day at the plant. See Concrete Manual (5-694.542)	
Air Content QC (5-694.541)		Test the first load of concrete at the plant	
Coarse Aggregate Quality	3126 3131 3137	Test at Producer/Contractor Discretion	
Unit Weight		Test 1 load of concrete per day at the plant.	
Air Content for Type 3 Concrete (QC)		Test the first load of concrete at the plant.	
Coarse Aggregate Quality Testing for Incentive / Disincentive	3137	Test at the Contractor's discretion.	

* Use Certified Ready-Mix Concrete testing rates when: a) The entire concrete paving project is less than 3,500 cu. yd. b) When a secondary plant is used to provide minor work.

Concrete Pavement – Producer/Contractor (2 of 2)

NOTES:

(1) Performing testing on representative material at the end of the most recent day of production is allowed. If well-graded aggregate incentives apply: Use the Contractor's gradation results for well-graded aggregate incentive calculations as verified by Agency testing. Washing the fine aggregate gradation (QC) sample is not required when the result on the -#200 sieve of the unwashed sample is less than 1.0%. Wash all fine aggregate Verification Companion samples.

(2) Complete the initial moisture content and adjust the batch water prior to the start of concrete production each day. If weather conditions allow, performing moisture testing on representative material at the end of production the prior evening is allowed. Enter results into the batching system in real time.

Test Type	Spec.	Concrete Field Testing - Contractor QC Testing
Air Content before consolidation for Type 3 concrete	Review Concrete Manual Website	1 per 300 yd ³ or 1 per hour, whichever is less. Test first load each day per mix.
Slump		Test slump if concrete is suspected to be outside of required slump range as directed by the Engineer.
Concrete Temperature		Record temperature each time air content, slump or strength test specimen is performed/fabricated by the Contractor.
Flexural Strength		For information only: 1 beam (28-day) per week per mix. 1 cylinder (28-day) per week per mix may be substituted at the discretion of the Engineer. Provide moist curing environments, fabricate beams or cylinders, deliver to curing site, and clean beam boxes
Opening to Traffic		For opening to traffic: Make field control beams within the last hour of concrete poured each day. Substitute field control cylinders for field control beams at the discretion of the Engineer. Maturity testing is allowed in lieu of field control cylinders or beams. Fabricate beams or cylinders, deliver to curing site, and clean beam boxes.
Concrete Pavement Texture		Perform texture testing at locations determined by the Engineer in accordance with the Contract
Thickness		Probe, scan and core at locations determined by the Engineer in accordance with the Contract
Surface Smoothness		Measure smoothness of the final concrete as required by the Contract. Perform all profiling in the presence of the Engineer unless otherwise approved by the Engineer.
Dowel Bar and Tie Bar Steel Location		For Concrete projects greater than 3500 yd ³ . On the first day and each day of slip form pavement: (1) Verify the adequacy of the dowel bar anchoring by scanning seven random doweled contraction joints in each subplot. (2) Verify the presence and alignment of tie bar steel by scanning 75 lin. Ft. in each subplot. If the Engineer determines the first day's dowel bar anchoring and tie bar placement processes are acceptable, the Engineer may allow a reduction in scanned joints in each subplot as follows: (1) Verify the adequacy of the dowel bar anchoring by scanning four random doweled contraction joints per subplot. (2) Verify the presence and alignment of tie bar steel by scanning 25 lin. ft. out of every subplot.

Concrete Wearing Course for Bridges

Test Type (Concrete Manual)	Spec.	Contractor/Producer QC Testing	Agency QA Testing	Form
Gradation, Quality, Coarse Agg -200 QC/Verification (5-694.145) (5-694.146) (5-694.148)	3126 3137	Prior to production: The Contractor shall provide the Agency with: Aggregate pit numbers, 1 passing gradation result per fraction per source. Test Agency companion samples are Contractor's discretion. No quality tests are required.	Prior to production and each time aggregate is delivered to site: 1 gradation and quality per fraction prior to concrete production and each time aggregate is delivered to the site. Identify quality samples with a "Q" on the Sample ID Card and the Quality companion sample.	2410 Sample ID Card
Air Content - Type 3 Concrete (Verification) (5-694.541)	2431	None	1 per 15 yd ³ , Test at beginning of pour each day.	Weekly Report of Low Slump Concrete
Slump (Verification) (5-694.531)		None	1 per 15 yd ³ Test at beginning of pour each day. For concrete from a concrete mobil, allow mix to hydrate 5 minutes before slump test to assure all cement is saturated.	
Compressive Strength (5-694.511)		None	1 cylinder (28 day) per 30 yd ³ , standard cylinder mold size is 4 x 8 inch.	2409 Cyl. ID Card
Cement	3101	None	Each time cement is delivered to site. Obtain a 5 lb. sample. Store sample in a sealed container and include the supplier's delivery invoice from which the sample is obtained.	2430 Sample ID Card
Admixtures	3113	None	Each time new lot/batch admixture is delivered to site: Obtain a ½ pint sample. Store the sample in a sealed plastic container.	2410 Sample ID Card
Test	Minimum Sample Size All gradation and aggregate quality tests require companion samples, double sample size. Samples taken at location identified on Contact Report located at plant.			
Gradation	6 lb. for # 7, 500 g for CA-80		500 g for Sand	
Quality	30 lb. for Coarse Aggregate		20 lb. Fine Aggregate	

Concrete Pavement Repair – CPR for 3U18

Test Type	Spec.	Contractor/Producer QC Testing	Agency QA Testing For volumetric batching only.	Forms
Gradation, Quality, Coarse Agg -200	3126 3137	Prior to production: The Contractor shall provide the Agency with: Aggregate pit numbers, 1 passing gradation result per fraction per source. No quality test results are required. Test companion samples at Contractor's discretion.	Gradation: Prior to concrete production and each time aggregate is delivered to the site. 1 per aggregate fraction prior to production and each time aggregate is delivered to the site. Quality Testing & Coarse Agg -200: 1 test per aggregate fraction per source. The Agency may use the gradation results for the Quality Samples as a substitute for 1 required field gradation. Identify quality samples with a "Q" on the Sample ID Card and the Quality companion sample.	2410 Sample ID Card
Air Content - Type 3 Concrete (Verification)	Review Concrete Manual Website	None	1 per 15 yd ³ or 1 per 4 hours whichever results in the highest sampling rate. Test at beginning of pour each day.	21412 Weekly Report of Low Slump Concrete
Slump (Verification)		None	1 per 15 yd ³ , Test at beginning of pour each day. Allow mix to hydrate 5 minutes before slump test to assure all cement is saturated. Test slump if concrete is suspected to be outside of required slump range.	
Compressive Strength		None	1 set of 3 cylinders (28 day) per 30 yd ³ . The Agency will cast up to three (3) field control cylinders, standard cylinder mold size is 4 x 8 inch.	2409 Cyl. ID Card
Type 1 Cement	3101	None	For Volumetric batching only: Each time cement is delivered to site. Obtain a 5 lb. sample. Store sample in a sealed container and include the supplier's delivery invoice from which the sample is obtained.	2430 Sample ID Card
Admixtures	3113	None	Each time new lot/batch admixture is delivered to site: Obtain a ½ pint sample. Store the sample in a sealed plastic container.	2430 Sample ID Card
Test	Minimum Sample Size All gradation and aggregate quality tests require companion samples, double sample size. Samples taken at location identified on Contact Report located at plant.			
Gradation	6 lb. for # 7, 500 g for CA-80		500 g for Sand	
Quality	30 lb. for Coarse Aggregate		20 lb. Fine Aggregate	

Dowel Bar Retrofit – (DBR)

Test Type	Spec.	Contractor/Producer QC Testing	Agency QA Testing	Form
Gradation Testing (Verification), Quality Testing including, Coarse Agg -200	3137	Prior to production: The Contractor shall provide the Agency with: Aggregate pit numbers, 1 passing gradation result per fraction per source. No quality test results are required. Test companion samples are Contractor's discretion.	Gradation: Prior to concrete production and each time aggregate is delivered to the site. 1 per aggregate fraction prior to production and each time aggregate is delivered to the site. Quality Testing & Coarse Agg -200: 1 test per aggregate fraction per source. The Agency may use the gradation results for the Quality Samples as a substitute for 1 required field gradation. Identify quality samples with a "Q" on the Sample ID Card and the Quality companion sample.	2410 Sample ID Card
Test Type	Spec.	Agency QA Testing		Form
DBR Material Compressive Strength	Review Concrete Manual	Contractor Testing: Any additional field control cylinders are the responsibility of the Contractor.		2409 Cylinder ID Card
		Agency Testing: 1 set of 3 cylinders (28 day) The Agency will cast up to three (3) field control cylinders, standard cylinder mold size is 4 x 8 inch.		
Test	Minimum Sample Size			
	All gradation and quality tests require companion samples, double sample size. Samples taken at location identified on Contact Report locates at plant.			
Gradation	500 g for # 89 & Sand			
Quality	30 lb. Coarse Aggregate		20 lb. Fine Aggregate	

Landscaping and Erosion Control Items

Kind of Material	Spec. #	Minimum Required Agency QA Acceptance Testing (Field Testing Rate)
Manufactured Topsoil Borrow, Salvaged Topsoil (stockpiled)	3877.2	As directed by the Engineer
Plant Stock & Landscape Materials	3861 and 2571.2A1	Materials must be in accordance with the Inspection and Contract Administration Guidelines for MnDOT Landscape Projects of which determines the minimum and maximum criteria thresholds. Certificate of Compliance, Nursery stock certificate registered with MN Dept. of Agriculture. Out of state products subject to pest quarantines must accompanied by documentation certifying all products are free of regulated pests.
Erosion Control Blanket	3885	Visual Inspection and Check approved products or approved vendors list - As directed by the Engineer.
Erosion Control Netting	3885	
Silt Fence	3886	
Erosion Stabilization Mat	3885	
Flotation Silt Curtain	3887	Accepted, based on manufacturers certification of compliance. Check weight of fabric.
Filter Logs	3897	Visual Inspection
Flocculants	3898	Obtain copy of Certificate of Compliance and MSDS
Fertilizer	3881	Obtain copy of invoice of blended material stating analysis.
Agricultural Lime	3879	Contractor must supply amount of ENP (Equivalent Neutralizing Power) for each shipment.
Mulch - Type 3	3882	Certified Weed Free (Certified sources only) Check for Certified Vendor tag from Minnesota Crop Improvement Association (MCIA).
Mulch - Type 6 - Woodchips		All wood chips supplied by a supplier outside the Emerald Ash Borer quarantine area or have an Emerald Ash Borer Compliance Agreement with the MDA
Seeds	3876	(Certified Vendors Only) (Mixes 100-299) Check for Certified Vendor tag from Minnesota Crop Improvement Association (MCIA).
Native Seed		(Mixes 300-399) certified seed only. Check for Certified Vendor tag from Minnesota Crop Improvement Association (MCIA).
Sod	3878	Visual Inspection - Check approved products list - As directed by the Engineer. Check for Certified Vendor tag from Minnesota Crop Improvement Association (MCIA) for salt tolerant sod.
Compost (from Certified Source)	3890	
Compost (from Non-Certified Source)		Visual Inspection - As directed by the Engineer.
Hydraulic Soil Stabilizer	3884	Check Approved/Qualified Products List - As directed by the Engineer.

Chemical Items

Kind of Material	Spec. No.	Minimum Required Agency QA Acceptance Testing (Field Testing Rate)
Asphalt Plank	3204	Visual Inspection - As directed by the Engineer.
Calcium Chloride	3911	Review the percentage required as per specification. Check for listing on Qualified Products website.
Magnesium Chloride	3912	
Hot-Pour Crack Sealant (for Crack Sealing/Filling)	3719 3723 3725	Retain Certification of Compliance. Check for listing on Qualified Products website.
Pavement Joint Adhesive	Special Provisions	Retain Certification of Compliance
Waterproofing Materials		
Membrane Waterproofing System	3757	Visual Inspection - Check qualified products list.
Waterproofing Materials - Three Ply System		
Asphalt Primer	3165	Verify supplied material meets ASTM D 41
Waterproofing Asphalt	3166	Verify supplied material meets ASTM D 449
Fabric	3201	Verify supplied material meets ASTM D 41
Paints		
Waterborne Latex - Traffic Paint	3591	Visual Inspection - Check qualified products list - retain Certificate of Compliance.
Epoxy Traffic Paint	3590	
Traffic Marking Paint	Special Provisions	
Non-Traffic Striping Paints	3500 Series	Retain Certification of Compliance
Bridge Structural Steel Paint	3520	Visual Inspection - Check approved products list - retain Certificate of Compliance.
Exterior Masonry Paint	3584	
Noise Wall Stain	Special Provisions	
Drop-on Glass Beads	3592	Visual Inspection - Check qualified products list. Retain Certificate of Compliance.
Pavement Marking Tape	3354	Visual Inspection - Check qualified products list. Retain Certificate of Compliance.
	3355	
	Special Provisions	
Signs and Markers	3352	Visual Inspection - Check qualified products list.

Metals (1 of 2)

Kind of Material	Spec. No.	Minimum Required Agency QA Acceptance Testing (Field Testing Rate) *
Guard Rail		
Fittings - Splicers, Bolts, Posts etc.	3381	Visual Inspection - Materials shall be approved before use. Call MnDOT inspector at 218-846-3613 to see if material has been approved.
Structural Plate Beam	3382	
Non-High Tension Guard Rail Cable	3381	
High Tension Guard Rail Cable	Special Provisions	
Steel Posts		
Steel Signposts	3401	Visual Inspection - As directed by the Engineer. Retain Certificate of Compliance in Project file.
Fence Posts, Brace Bars, Rails and others	3403	Visual Inspection - As directed by the Engineer. Retain Certificate of Compliance and certified mill analysis in project file.
	3406	
	3379	
Fence		
Barbed Wire	3376	Visual Inspection Retain Certification of Compliance, As directed by the Engineer.
Woven Wire		
Chain Link Fabric		
Components: cup, cap, nut, bolt, end clamp, tension band, truss rod tightener, hog ring, tie wire, tension stretcher bar, truss rod, clamp & tension wire		
Gates	3379	
Pipe		
Water Pipe and other Piping Materials	3364, 3365, 3366 & Special Provisions	Visual Inspection - As directed by the Engineer.
Reinforcing Steel - Inspected by MnDOT & will be charged back to the Local Agency.		
Uncoated Bars	3301	Retain Certificate of Compliance & Certified Mill Analysis
Epoxy Coated Bars	3301	For Epoxy-Coated bars, steel will be tagged "Inspected" when it has been sampled and tested by Mn/DOT prior to shipment, & it will be tagged "Sampled" when testing has not been completed prior to shipment. If the Epoxy-Coated bars are not tagged "Sampled" or "Inspected", submit samples (1 bar 3ft long for each size for each day's coating production), Certificate of Compliance, & Certified Mill Analysis for testing. Maintain original Cert. of Compliance & Certified Mill Analysis in project file.
Spirals	3305	
Stainless Steel Bars	Special Provisions	Visual Inspection Testing as directed by the Engineer (2 bars 3 ft. long per heat per bar size). Certified Mill Test Reports to be filed.

Metals (2 of 2)

Kind of Material	Spec. No.	Minimum Required Agency QA Acceptance Testing (Field Testing Rate) *	
Reinforcing Steel - Inspected by MnDOT & will be charged back to the Local Agency.			
Steel Fabric	3303	2 sq. ft. if epoxy coated.	Visual Inspection - Retain Certificate of Compliance.
Dowel Bars	3302	One dowel bar and basket from each shipment.	
Prestress/Post Tension Strands	3348 Spec Prov	One sample of 2 strands by 6 ft. from each heat/production lot.	
Castings			
Drainage Castings	3321	Visual Inspection - Check approved / qualified list.	
	2471		
Electrical	2565		
Anchor Rods (Cast in Place) and Structural Fasteners	3385 3391	Visual Inspection - Check approved / qualified list. Testing as directed by the Engineer (see notes below)	
Notes: Manufacturer must have one yearly passing test from the Department for each anchor rod or bolt type. Prior to installation, obtain copy of MnDOT passing test report from supplier. Specs 3385.2 A, B, & C require anchor rod markings per ASTM F 1554 S3. The end of each anchor bolt intended to project from the concrete must be die stamped with the grade identification as follows: Grade 36 = AB36, Grade 55 = AB55, Grade 105 = AB105.			
Anchorages (Drilled In)	Special Provisions	Visual Inspection - Check qualified products list.	
Structural Steel	Inspected by MnDOT & will be charged back to the Local Agency.		
Steel Bridge - Beams, Girders, Diaphragms, etc.	2471	Structural Metals Inspection Tag and field inspection for damage/defects, check dimensions for contract compliance. Review approved products list as directed by the Engineer. Note: Structural metals products will be inspected at the plant and will be shipped with a Structural Metals Inspection Tag. An inspection confirmation report will be completed by Structural Metals Inspection staff and sent to the field personnel. Only approved suppliers are allowed to supply Structural Metals products. A list of approved suppliers can be found on the Bridge Office website .	
Concrete Girders- Diaphragms and sole plates			
Expansion Joints			
Steel Bearings			
Railing-Structural tube and ornamental			
Drainage Systems			
Protection Angles			
Overhead Sign structures	2564 2471		
High Mast Lighting Structures	2545 2471		
Monotube Signal Structures	2565 2471		

*Check domestic steel requirement under 1601 Special Provision.

Geosynthetics, Pipe, Tile, Precast/ Prestressed Concrete

Kind of Material	Spec. No.	Minimum Required Agency QA Acceptance Testing (Field Testing Rate)
Corrugated Metal Products		
Culvert Pipe Under Drains Erosion Control Structures	3225 thru 3229, 3351, 3399	Make certain pipe is Certified on Invoice, retain certificate of compliance and certified mill analysis in project file.
Structural Plate	3231	
Aluminum Structural Plate	3233	Retain the Certificate of Compliance and mill analysis in project file.
Pipe		
Clay Pipe	3251	Visual Inspection
Reinforced Concrete Pipe and Arches, Precast Cattle Pass Units, Sectional Manhole Units	3236	Field Inspection: Check for damage and defects. Check dimensions and class as required.
Non-Reinforced Concrete Pipe	3253	
Drain Tile (Clay or Concrete)	3276	Visual Inspection - Acceptance as directed by the Engineer.
Thermoplastic (TP) Pipe ABS and PVC	3245	Obtain Certificate of compliance. Check for approved marking printed on pipe. Field Inspect for damage or defects.
Corrugated Polyethylene Pipe	3278	Check for markings (AASHTO M 252) Certificate of Compliance. Field Inspect for damage or defects.
Corrugated Polyethylene Pipe - Dual Wall 12"-48"	3247	Visual Inspection - Check approved products list. Obtain Certificate of Compliance.
Precast/Prestressed Concrete Structures - Inspected by MnDOT & will be charged back to the Local Agency.		
Reinforced Precast Box Culvert	3238	Field Inspection: Check for damage and defects. Check dimensions as required. Check for the "MnDOT" stamp and signature on the certification document.
Precast/Prestressed Concrete Structure (beams, posts, etc.)	2405	
Manholes and Catch Basins	2506 3622	
Sewer Joint Sealing Compound	3724	Visual Inspection - Acceptance as directed by the Engineer.
Preformed Plastic Sealer for Pipe	3726 Type b	Visual Inspection - Acceptance as directed by the Engineer.
Bituminous Mastic Joint Sealer for Pipe	3728	
EPS Geofoam	Special Provisions	Visual Inspection - Acceptance as directed by the Engineer. Check for yellow aged material, uniformity and dimensions.
Geotextile Fabric and Geogrid Reinforcement	3733 and Special Provisions	Obtain Certificate of Compliance stating minimum average roll values (MARV). MARV must meet Project requirements. Fabric must be listed on Geotextile Small Quantity Acceptance List .
Geotextile Small Quantity Acceptance List		
Silt Fence	3886	Visual Inspection - Check approved products list.

Electrical and Signal Equipment Items (1 of 2)

Kind of Material	Spec. No.	Minimum Required Agency QA Acceptance Testing (Field Testing Rate)
Lighting Standards (Aluminum or Steel)	3811	Visual Inspection - Obtain Certificate of Compliance. The Fabricator will submit "Certificate of Compliance," on a per project basis, to the Project Engineer.
Hand Holes (Precast, PVC, and LLDPE)	2545	Visual Inspection - Check approved/qualified products list. Traffic signal and street lighting projects require hand holes to be listed on the MnDOT Signals Approved Products List (APL). For cast iron frame and cover: see Metals - Drainage and Electrical Castings
	2550	
	2565	
Foundation	2545	Slump as needed, 1 cylinder per 25 cu. yds. Rebar is required in concrete foundations as specified in the Contract documents for all traffic control signals and roadway lighting projects.
Steel Screw In Foundations	2545 2565	See Approved/Qualified Products List for Roadway Lighting and Signals.
Conduit and Fittings		
Metallic	3801	Visual Inspection - Conduit shall be labeled as being listed by a National Recognized Testing Laboratory (NRTL). For traffic signal and street lighting projects, specific requirements are contained in the Special Provisions for each project.
	3802	
Non-Metallic (Rigid and HDPE)	3803	
	Special Provisions	
Anchor Rods and Bolts (Cast in Place)	3385	Visual Inspection - Manufacturer must have one yearly passing test from the Department for each anchor rod or bolt type. Prior to installation, obtain copy of Mn/DOT passing test report from supplier. Specs 3385.2 A, B, & C require anchor rod markings per ASTM F 1554 S3. The end of each anchor bolt intended to project from the concrete must be die stamped with the grade identification as follows: Grade 36 = AB36, Grade 55 = AB55, Grade 105 = AB105.
Anchorages (Drilled In)	Special Provision	Visual Inspection - Check qualified products list.
Miscellaneous Hardware	2545 2565	Visual Inspection - Check approved products list. Will carry "Inspected" tag if sampled and tested prior to shipment. No sample necessary if "Inspected". Do not use if not tested. Field sample at sampling rate for laboratory testing. For traffic signal and street light lighting projects, various miscellaneous hardware is required to be listed on the MnDOT Signals and Lighting Approved Products Lists (APL). The Contract documents indicate, which items must be on the Signals and/or Lighting APL.

Electrical and Signal Equipment Items (2 of 2)

Kind of Material	Spec. No.	Minimum Required Agency QA Acceptance Testing (Field Testing Rate)
Cable and Conductors		
Power Conductors	3815.2B1	Visual Inspection - Make certain the conductors are the type specified. Submit Field Inspection report showing type and quantities used. Shall be labeled as being listed by a National Recognized Testing Laboratory (NRTL) and type where applicable.
Loop Detector Conductors (No Tubing)	3815.2B2 (a)	
Electrical Cables and Single Conductors with Jacket	3815.2B2(b) 3815.2B3	Visual Inspection - Usually inspected at the distributor. Documentation showing project number, reel number(s), & MnDOT test number(s) will be included with each project shipment. If such documentation is not received from Contractor, submit sample for testing along with material certification from manufacturer. Do not use if not tested. Pre-inspected materials will not be tagged; an inspection report will be sent by the MnDOT inspector for each shipment. Project inspectors should verify that the shipping documents agree with this inspection report. Call Steve Grover at 651-366-5540 or Cindy Schellack at 651-366-5543 with questions. For traffic signal and street lighting projects, the Special Provisions for each project contain electrical cable and conductor specifications.
	3815.2B5	
	3815.2C1 thru .2C8	
	3815.2C14	
	Special Provisions	
Fiber Optic Cables	3815.2C13	Visual Inspection - Check approved products list for Traffic Management Systems.
Ground Rods	2545	Visual Inspection - Check approved products list. Shall be labeled as being listed by a National Recognized Testing Laboratory (NRTL). Detail materials on Materials Acceptance Summary.
	2565	
Luminaires and Lamps	3810	Visual Inspection - Check approved products list. Traffic signal and street lighting projects require luminaires and lamps to be listed on the MnDOT Lighting Approved/Qualified Products List (APL). The conductors shall be labeled as being listed by a National Recognized Testing Laboratory (NRTL) and type, where applicable.
Electrical Systems	2565	Electrical Systems are to be reported as a "System" using the LIGHTING, SIGNAL AND TRAFFIC RECORDER INSPECTION REPORT. To be certified by the Project Engineer.
Traffic Signal Systems	2565	Traffic Signal Systems are to be reported as a "System" using the LIGHTING, SIGNAL AND TRAFFIC RECORDER INSPECTION REPORT. To be certified by the Project Engineer.

Brick, Stone, and Masonry Units

Kind of Material	Spec. No.	Minimum Required Agency QA Acceptance Testing (Field Testing Rate)
Brick		
Sewer (clay) and Building	3612 to 3615	Visual Inspection - Acceptance as directed by the Engineer.
Sewer (Concrete)	3616	Visual Inspection - Acceptance as directed by the Engineer. Air entrainment required. Obtain air content statement from supplier.
Concrete Masonry Units		
Sewer Construction	3621	Visual Inspection - Acceptance as directed by the Engineer. Air entrainment required. Obtain air content statement from supplier.
<u>Modular Block Retaining Walls</u>	Review Current Special Provisions	Visual Inspection - Note: All lots of blocks upon delivery shall have Manufacturer or Independent laboratory test results to verify passing both compression and freeze-thaw requirements. * Wall units and cap units are considered separate block types.
Reinforced Concrete Cribbing	3661	Visual Inspection - Acceptance as directed by the Engineer. Will be stamped when inspected prior to shipment.
Stone for Masonry or Rip-Rap	2511, 3601 and Special Provisions	Visual Inspection - Acceptance as directed by the Engineer.

Remarks: each source shall be approved by Project Engineer or supervisor for quality, prior to use. For questions on quality, contact District Materials or Geology Unit.

Miscellaneous Materials

Kind of Material	Spec. No.	Minimum Required Agency QA Acceptance Testing (Field Testing Rate)
Timber, Lumber Piling & Posts	3412 to 3471 & 3491	Visual Inspection - Acceptance as directed by the Engineer. Untreated materials shall be inspected in the field. Treated materials shall be Certified on the Invoice or Shipping Ticket. Material is inspected and stamped by an Independent Agency as per Specification 3491. Contact Laboratory for additional information.
Miscellaneous pieces and Hardware (Galvanized)	3392 3394	Visual Inspection - Acceptance as directed by the Engineer.
Insulation Board	3760	
Elastomeric Bearing Pads - Plain or Laminated	3741 and Special Provisions	Check dimensions. Check repair of tested pad. Obtain copy of Certificate of Compliance. DO NOT USE ANY PADS THAT ARE NOT CERTIFIED.
Cotton Duck Bearing Pads		

Approved/Qualified Products & Resources

Approved/Qualified Products

- [Asphalt Products](#)
- [Bridge Products](#)
- [Concrete Products](#)
- [Crack and Joint Material Products](#)
- [Drainage](#)
- [Erosion Control and Landscaping Products](#)
- [Geosynthetic](#)
- [Maintenance Shop Supplies](#)
- [Paint/Stain/Coating Systems \(Non-Pavement\)](#)
- [Pavement Markings](#)
- [Precast Concrete](#)
- [Roadside Barriers](#)
- [Roadway Lighting Products](#)
- [Signals Products](#)
- [Signing Products](#)
- [Snow and Ice Chemical Products](#)
- [Temporary Traffic Control Devices](#)
- [Traffic Management Systems/ITS](#)
- [Truncated Domes](#)
- [Vehicle Safety Lighting](#)
- [Walls \(Retaining/Noise\)](#)

Additional Resources

- [SALT Construction webpage](#)
- [Bituminous Engineering](#)
 - [Asphalt Binder Certified Supplier](#)
 - [Asphalt Emulsion Certified Supplier](#)
- [Concrete Engineering](#)
 - [MnDOT Concrete Manual](#)
 - [QC & QA RM Plant Workbooks](#)
 - [MnDOT Certified Ready-Mix Program](#)
- Grading & Base Engineering
 - Testing procedures in the [Grading & Base Manual](#)
 - Forms and worksheets at the [Grading & Base website](#)
 - Gradation worksheets on the [SALT Construction website](#)

Contacts

MnDOT Construction and Materials State Aid Contacts

Districts 1, 2, 3, 4

Ross Hendrickson, State Aid Construction Specialist

ross.hendrickson@state.mn.us

218-766-3745

Districts 6, 7, 8

Rollin Larson, State Aid Construction Specialist

rollin.larson@state.mn.us

507-205-6403

Metro

Michael Pretel, State Aid Construction Engineer

michael.pretel@state.mn.us

651-755-3346

MnDOT Specialty Offices Contacts

Grading & Base

Terry Beaudry terry.beaudry@state.mn.us	Grading & Base Engineer	651-366-5456
John Bormann john.bormann@state.mn.us	Grading & Base Specialist	651-366-5596

Bituminous*

John Garrity john.garrity@state.mn.us	Bituminous Engineer	651-366-5577
Greg Johnson Greg.johnson@state.mn.us	Asst. Bituminous Engineer	651-366-5464
Chelsea Bennett chelsea.bennett@state.mn.us	Asst. Bituminous Engineer	651-366-5482
Joel Ulring joel.ulring@state.mn.us	Pavement Preservation	651-366-5432
Mike Skurdalsvold	Bituminous Mix Design Specialist	612-499-2998
Ray Betts ray.betts@state.mn.us	Bituminous Trial Mix Lab Tech	651-366-5469
Rich Kane richard.kane@state.mn.us	Bituminous Plant & Lab Testing	612-437-3005

*See website for the contact list by topic

Concrete*

Maria Masten maria.masten@state.mn.us	Concrete Engineer	651-334-4015
Jacob Gave jacob.gave@state.mn.us	Asst. Concrete Engineer	612-554-9289
Rob Golish robert.golish@sate.mn.us	Asst. Concrete Engineer	651-216-0516
Matt Herbst	Concrete Engineering Specialist	651-283-7127

2024 SALT Schedule of Materials Control – Local Government Agency

Matt.herbst@state.mn.us		
Brad Swenson brad.swenson@state.mn.us	Concrete Engineering Specialist	218-232-1012
Gordy Bruhn gordon.bruhn@state.mn.us	Concrete Field Engineering Specialist	651-398-9597
Mike Daniels michael.daniels@state.mn.us	Concrete Engineering Specialist	320-293-9421

*See website for the contact list by topic

Contacts for other materials can be found on the [Materials and Road Research Contacts webpage](#).

Contacts for Approved Products can be found at the [Approved/Qualified Products Contact webpage](#).

Materials Lab. Contacts	Independent Assurance
District 1, Duluth Leila DeLuca Phone: 218-725-2738 D1.duluth.lab.dot@state.mn.us	Nadine Miller Phone: 218-725-2737 Cell: 218-348-6297 nadine.miller@state.mn.us
District 2, Bemidji Jason Kissel Phone: 218-755-6542 jason.kissel@state.mn.us Mike Murphy (Concrete & Aggregates) Phone: 218-755-6593 mike.murphy@state.mn.us Dustin Reese (Bituminous) Phone: 218-755-6593 dustin.reese@state.mn.us	Ray Wesley Cell: 218-766-6949 raymond.wesley@state.mn.us
District 3A, Baxter Tom Boser Phone: 218-828-5755 tom.boser@state.mn.us	Matt Miles Cell: 218-232-6748 matt.miles@state.mn.us
District 3B, Saint Cloud Nick Fisher Phone: 320-2236500 nicholas.fisher@state.mn.us Andy Kostreba Phone: 320-223-6554 andy.kostreba@state.mn.us	Travis Erickson Cell: 320-291-3582 travis.erickson@state.mn.us
District 4, Detroit Lakes Bruce Bryngelson Phone: 218-846-3614 bruce.bryngelson@state.mn.us Wayne Koons	Casey Clarke Cell: 218-849-7393

2024 SALT Schedule of Materials Control – Local Government Agency

Phone: 218-846-3617 wayne.koons@state.mn.us	casey.clarke@state.mn.us
Metro District, Maplewood Lab Brent Sculley Phone 651-366-5409 brent.scolley@state.mn.us	Waters Edge Phone: 651-234-7356 Zachary Lyrek-Hanks Phone: 651-775-1018 zachary.Lyrek-Hanks@state.mn.us West Karl Sinclair Phone: 651-775-0998 karl.sinclair@state.mn.us East Kris Westerbur Phone: 651-755-1151 kristopher.westerbur@state.mn.us Kaleb Kollmann Phone: 651-478-0339 kaleb.kollmann@state.mn.us
District 6, Rochester Scott Swanson Phone: 507-286-7580 scott.a.swanson@state.mn.us Jeff Bale (Aggregates) Phone: 507-286-7586 jeff.bale@state.mn.us Joe Drees (Bituminous) Phone: 507-286-7582 joe.drees@state.mn.us Gary Vinge Phone: 507-286-7585 gary.vinge@sate.mn.us	Dennis Hayes Cell: 507-251-0138 dennis.hayes@state.mn.us
District 7, Mankato Lee McLaughlin Phone: 507-304-6189 lee.mclaughlin@state.mn.us	Mitch Jordahl Cell: 507-380-9619 mitch.jordahl@state.mn.us
District 8, Willmar and Marshall Jon Vlaminck Phone: 320-214-6348 Cell: 320-894-7409 jon.vlaminck@state.mn.us District 8B, Marshall Matt Steinbronn Phone: 507-537-2068 matthew.steinbronn@state.mn.us	Paul Janke Cell: 320-212-5739 paul.janke@state.mn.us

Sample Sizes

Lbs.		
Bituminous	35	Aggregate for Gradation QC/QA
	80	for each plus #4 Aggregate Type for Quality Testing
	35	for each minus #4 Aggregate Type for Quality Testing
	80	for each RAP material for Quality Testing
	10	RAS (shingles) for Processed Gradation and Quality Testing
	65	for Mix Properties (QC/QA) 3 full 6" by 12"-cylinder molds for QA
	90	for TSR (QC/QA) 4 full 6" by 12"-cylinder molds for QA
	90	for Aggregate Specific Gravity QC/QA
	-	1 quart of Asphalt Binder QA
	-	1/2 gallon for Asphalt Emulsion QA
Grading & Base	30	Aggregate for Gradation (Companion sample from 60 lb. split).
	25	Moisture Density Test – Proctor (Companion from 50 lb. split).
	30	Aggregate Quality/Percent Crushing Test - 1 per source
Ready-Mix Concrete	25	Gradation 3/4" plus
	10	Gradation 3/4" minus
	6	Gradation CA 70 & #7
	1	Gradation - Sand (500 g), CA 80, #89.
	4.4	Moisture Test Coarse Aggregate (2000 g)
	1.1	Moisture Test Fine Aggregate (500 g)
	50	Quality 3/4" plus - lab sample
	30	Quality 3/4" minus - lab sample
	30	Fine Aggregate - lab sample
	10	3/4" Plus for the -200 Coarse Aggregate Test (5000 grams)
	6	3/4" Minus for the -200 Coarse Aggregate Test (2500 grams)
	5	Cement, Blended Cement, Fly Ash
	-	1/2-pint plastic container for admixtures.

Equal Employment Opportunity (EEO) State and Federal Laws, Policies and Rules**Minnesota Affirmative Action Requirements**

Minn. Stat. § 363A.36, Minn. R. 5000.3520 - .3530

General

- A. The Contractor agrees that Minn. Stat. § 363A.36 and its accompanying rules are incorporated into any Contract executed with the Minnesota Department of Transportation (MnDOT) based on these specifications or any modification thereof. Upon request, MnDOT will provide the Contractor with a copy of Minn. Stat. § 363A.36 and its accompanying rules.
- B. MnDOT intends to execute its responsibility to require affirmative action by the Contractor. This includes providing the Minnesota Department of Human Rights (MDHR) with information indicating that the Contractor is not in compliance with Minn. Stat. § 363A.36 and its accompanying rules.

Contractor Responsibilities

- A. The Contractor must take affirmative action to employ and advance in employment qualified minorities and women at all levels of employment, including the executive level. This applies to all employment practices, including, but not limited to, the following:
 - 1. Hiring, upgrading, demotion, or transfer
 - 2. Recruitment, or recruitment advertising
 - 3. Layoff, or termination
 - 4. Rates of pay, or other forms of compensation; and selection for training, including apprenticeship
- B. The Contractor must demonstrate that specific and significant actions to recruit, hire, and retain minorities and/or women are being taken if the applicable workforce participation goals will not be met.
- C. The Contractor must comply with the affirmative action requirements of Minn. Stat. § 363A.36 and its accompanying rules, as well as any subsequent rules and relevant orders issued by MDHR pursuant to this same law.

Notice

- 1. The Contractor must post notices in a form stipulated by the Commissioner of MDHR in conspicuous places. These notices must outline the following:
 - 1. The rights of employees and applicants
 - 2. The legal obligation to take affirmative action to employ and advance in employment employees and applicants who are minorities and women. The notices can be found here:
<http://www.dot.state.mn.us/const/labor/posterboards.html>

Noncompliance

- A. The Contractor's failure to implement or make a good faith effort to implement an affirmative action plan approved under Minn. Stat. § 363A.36 and its accompanying rules may result in the suspension or revocation of its certificate of compliance. Should either of these consequences occur, MnDOT may abridge or terminate the Contract awarded.
- B. The Contractor's failure to take specific and significant actions to recruit, hire, and retain minorities and/or women if the workforce participation goals will not be met may result in the suspension or revocation of its certificate of

compliance. Should either of these consequences occur, MnDOT may abridge or terminate the Contract awarded.



VIOLENCE-FREE AND RESPECTFUL WORKPLACE

(INCLUDES GENERAL HARASSMENT, RETALIATION,
AND WEAPONS)

POLICY HR014, EFFECTIVE 2015-07-17

POLICY STATEMENT

The Minnesota Department of Transportation (MnDOT) is committed to providing a safe and respectful workplace free from inappropriate behaviors for all employees. MnDOT employees, contractors and vendors (third parties) conducting business with MnDOT must:

- Understand the [Workplace Violence Continuum](#) and the behaviors that constitute a violation of this policy;
- Report any persons who violate this policy;
- Take appropriate action in situations that involve policy violation.

MnDOT fully adopts the [MMB Respectful Workplace](#) policy, to build and maintain a workplace that is respectful and professional toward all employees and third parties.

MnDOT's Violence-Free and Respectful Workplace policy addresses only behavior and communication that do not involve protected class status. The [MnDOT Discrimination Policy](#) addresses harassment based on race, color, creed, religion, national origin, sex, marital status, disability, sexual orientation, age, genetic information, or status with regard to public assistance.

REASON FOR POLICY

- Identify the types of behavior that constitute workplace violence
- Define roles and responsibilities of all MnDOT employees and third parties
- Clarify reporting procedure for policy violation.

WHO NEEDS TO KNOW THIS POLICY?

- All MnDOT employees
- All third parties conducting business with MnDOT

DEFINITIONS

Formal Complaint

A formal complaint is a written statement of workplace concern that alleges violation of this policy by an employee or third party.

SENIOR OFFICER

Tracy Hatch

Deputy Commissioner/CFO/COO

POLICY OWNER

Karin van Dyck

Director, Office of Human Resources

POLICY CONTACT

Jodi Mathiason

Labor Relations Manager

Office of Human Resources

Jodi.Mathiason@state.mn.us

651-366-3404

POLICY HISTORY

2015-07-17, Established

[MnDOT Policy Website](#)

General Harassment

Conduct that has the effect of unreasonably interfering with the employee's work performance, behavior made with the intent to cause fear, or creating an intimidating, hostile, or offensive work environment. Legitimate job-related efforts of a supervisor to direct or evaluate an employee or to have the employee improve his or her performance are not general harassment.

Professionalism

Professionalism is a display of good judgment and proper behavior expected in the workplace from employees and third parties.

Respectful Behavior

Positive interactions with employees and third parties, in a manner that a reasonable person finds appropriate.

Retaliation

Adverse action response to an employee's participation in a complaint, report, investigation, or lawsuit about workplace violence (protected activity).

Third Party

A third party is a contractor or vendor conducting business with MnDOT.

Weapon

Weapon is anything intended to harm or intimidate another person. Examples may include, but are not limited to, all firearms, non-firearms such as knives, martial arts devices, explosives, combustible devices, and chemical substances.

Workplace Violence Continuum

Violence or inappropriate behaviors that range from bullying, verbal abuse, arguments, property damage, vandalism, sabotage, pushing, theft, physical assaults, rape, and arson, to murder. Workplace violence can occur while on state property or while performing work for MnDOT at any location, by a state employee, third party, or the public.

PROCEDURES

Obligation to Report Workplace Violence

In a life-threatening situation, call 9-1-1 or other emergency contact at the work location, if making the call does not pose a risk to the well-being of the employee.

Any employee who is the subject of, or who witnesses workplace violence must immediately report the incident in one or all of the following ways:

- Report the behavior to his/her supervisor, manager or Human Resources office;
- Submit a completed [Violent Incident Report Form](#) to the Human Resources Office;
- Report by using the [Report Wrongdoing/Questionable Activity Form](#); the information reported must include the details of the situation.

Any employee who violates this policy or is found to have witnessed an act of workplace violence and did not report it may be subject to discipline, up to and including discharge. Violation of this policy by third parties conducting business for MnDOT may jeopardize their contractual relationship with the agency.

Informal Resolution

Any employee can choose to explore options with Human Resources to address concerns.

- The employee subjected to inappropriate behavior should have a conversation with the other individual(s) involved whenever possible, if it does not pose a risk to the well-being of the employee;
- The employee is encouraged to speak with his/her supervisor, Human Resources, union representative, or Employee Assistance Program (EAP) for assistance or guidance on how to resolve the situation;
- If the concern is about a supervisor or manager, employees may contact Human Resources, union representative or EAP to discuss options for resolution.

Formal Complaints

A formal complaint must be submitted in writing to Human Resources and include the details of the situation. As with all investigations alleging employee misconduct, investigations related to this policy will occur in a timely, fair, and objective manner. ***This process does not supersede any applicable grievance or dispute resolution process under a collective bargaining agreement or plan.***

- Complaints must be submitted to the Human Resources Office, and include the details of the situation;
- The person receiving a complaint must acknowledge receipt of the complaint in writing;
- A prompt review of the complaint will be conducted and addressed;
- All data associated with a complaint, including any investigation and any outcome is government data, [Minnesota Statutes Chapter 13](#), Government Data Practices Act governs the release or non-release of data.

Retaliation

Any employee who perceives retaliation because he or she filed a complaint about workplace violence should immediately contact the Human Resources Office, Labor Relations.

RESPONSIBILITIES

Employees

- Conduct one's self in a manner that demonstrates professionalism and respect for all others while working for and representing MnDOT;
- Be familiar with this policy and understand the meanings and definitions included;
- Document and report all behaviors or incidents that may violate this policy to a manager, supervisor, or Human Resources Office;
- Fulfill all mandatory training requirements:
 - Respectful Workplace (*MnDOT employees*)
 - Workplace Violence Prevention (*MnDOT employees*)
- Cooperate in investigations of alleged violations of this policy, including investigations of general harassment, inappropriate behaviors, weapons, and retaliation.

Managers/Supervisors *In addition to the responsibilities of Employees (as described above)*

- Be familiar with this policy to achieve and maintain compliance with this policy;
- Document and take timely and appropriate action when a complaint is made alleging violations of this policy and collaborate with Human Resources in the process;
- Ensure employees fulfill mandatory training requirements:
 - Respectful Workplace (*MnDOT employees*)
 - Workplace Violence Prevention (*MnDOT employees*)

Human Resources Offices

- Assist with the resolution and investigation of inappropriate behaviors that may violate this policy;
- Provide consultation to employees, supervisors, and managers on options and the appropriate course of action, to including guidance regarding resources for alternative solutions;
- Provide consultation to employees, supervisors, and managers on applicable rules, policies, procedures, and learning opportunities;
- Design and provide mandatory training, offer resources and/or training to assist employees in dealing with situations that may lead to potential violence.

Third Parties (contractor or vendor)

- Conduct one's self in a manner that demonstrates professionalism and respect for all others while working with MnDOT and the public;
- Refer to the [MnDOT Policies](#) webpage to become familiar with all of MnDOT policies;
- Document and report all behaviors or incidents that may violate this policy;
- Cooperate in investigations of alleged violations of this policy including investigations of general harassment, inappropriate behaviors, weapons, and retaliation.

FORMS/INSTRUCTIONS

[Violent Incident Report Form](#)

[Report Wrongdoing/Questionable Activity Form](#)

RELATED INFORMATION

[MnDOT Violent Incident Advisory Team \(VIAT\)](#)

[MnDOT Discrimination Policy](#)

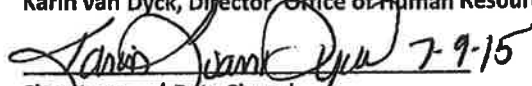
[Minnesota Statutes §609.02, Subd. 6](#) *Dangerous Weapons*

[Employee Assistance Program \(EAP\)](#)

POLICY OWNERSHIP AND AUTHORIZATION

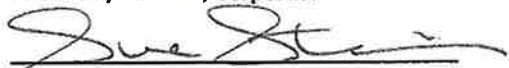
Policy Owner

Karin van Dyck, Director, Office of Human Resources


Signature and Date Signed 7-9-15

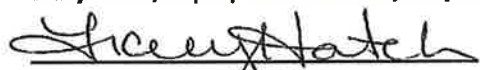
Governance Council

Sue Stein, Director, Corporate Services Division


Signature and Date Signed 7-16-15

Responsible Senior Officer

Tracy Hatch, Deputy Commissioner/CFO/COO


Signature and Date Signed 7.17.15

SPECIFIC FEDERAL EQUAL OPPORTUNITY RESPONSIBILITIES

(23 CFR 230, Subpart A, Appendix A, FAPG June 6, 1996)

1. General.

- a. Equal employment opportunity requirements not to discriminate and to take affirmative action to assure equal opportunity as required by Executive Order 11246 and Executive Order 11375 are set forth in Required contract Provisions (Form PR-1273 or 1316, as appropriate) and these Special Provisions which are imposed pursuant to Section 140 of title 23, U.S.C., as established by Section 22 of the Federal-Aid Highway Act of 1968. The requirements set forth in these Special Provisions shall constitute the specific affirmative action requirements for project activities under this contract and supplement the equal employment opportunity requirements set forth in the Required Contract Provisions.
- b. The contractor will work with the State highway agencies and the Federal Government in carrying out equal employment opportunity obligations and in their review of his/her activities under the contract.
- c. The contractor and all his/her subcontractors holding subcontracts not including material suppliers, of \$10,000 or more, will comply with the following minimum specific requirement activities of equal employment Opportunity: (The equal employment opportunity requirements of Executive Order 11246, as set forth in volume 6, Chapter 4, Section 1, Subsection 1 of the Federal-Aid Highway program Manual, are applicable to material suppliers as well as contractors and subcontractors.) The contractor will include these requirements in every subcontract of \$10,000 or more with such modification of language as is necessary to make them binding on the subcontractor.

2. Equal Employment Opportunity Policy.

The contractor will accept as his operating policy the following statement which is designed to further the provision of equal employment opportunity to all persons without regard to their race, color, religion, sex, or national origin, and to promote their full realization of equal employment through a positive continuing program:

It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, or national origin. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre apprenticeship, and/or on-the-job training.

3. Equal Employment Opportunity Officer.

The contractor will designate and make known to State highway agency contracting officers an equal employment opportunity officer (hereinafter referred to as the EEO Officer) who will have the responsibility for and must be capable of effectively administering and promoting an active contractor program of equal employment opportunity and who must be assigned adequate authority and responsibility to do so.

4. Dissemination of Policy.

- a. All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action will be made fully cognizant of, and will implement, the contractor's equal employment opportunity policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:
 - (1) Periodic meetings of supervisory and personnel office staff will be conducted before the start of work and then not less often than once every six months, at which time the contractor's equal employment opportunity policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer or other knowledgeable company official.
 - (2) All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer or other knowledgeable company official, covering all major aspects of the contractor's equal employment opportunity obligations within thirty days following their reporting for duty with the contractor.

- (3) All personnel who are engaged in direct recruitment for the project will be instructed by the EEO officer or appropriate company official in the contractor's procedures for locating and hiring minority group employees.
- b. In order to make the contractor's equal employment policy known to all employees, prospective employees and potential sources of employees, i.e., schools, employment agencies, labor unions (where appropriate), college placement officers, etc., the contractor will take the following actions:
 - (1) Notices and posters setting forth the contractor's equal employment opportunity policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.
 - (2) The contractor's equal employment opportunity policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

5. Recruitment.

- a. When advertising for employees, the contractor will include in all advertisements for employees the notation "An Equal Opportunity Employer." All such advertisements will be published in newspapers or other publications having a large circulation among minority groups in the area from which the project work force would normally be derived.
- b. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority group applicants, including, but not limited to, State employment agencies, schools, colleges and minority group organizations. To meet this requirement, the contractor will, through their EEO Officer, identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority group applicants may be referred to the contractor for employment consideration. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, he is expected to observe the provisions of that agreement to the extent that the system permits the contractor's compliance with equal employment opportunity contract provisions. (The U.S. Department of Labor has held that where the implementation of such agreements have the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Executive Order 11246, as amended.)
- c. The contractor will encourage his present employees to refer minority group applicants for employment by posting appropriate notices or bulletins in areas accessible to all such employees. In addition, information and procedures with regard to referring minority group applicants will be discussed with employees.

- 6. Personnel Actions.** Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, or national origin. The following procedures shall be followed:
- a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.
 - b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.
 - c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.
 - d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with his/her obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all his avenues of appeal.

7. Training and Promotion.

- a. The contractor will assist in locating, qualifying, and increasing the skills of minority group and women employees and applicants for employment.
- b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor must make full use of training programs, i.e. apprenticeship, and on-the- job training programs for the geographical area of contract performance. Where feasible, 25 percent of apprentices or trainees in each occupation shall be in their first year of apprenticeship or training. In the event the Training Special Provision is provided under this contract, this subparagraph will be superseded as indicated in Attachment 2.
- c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.
- d. The Contractor will periodically review the training and promotion potential of minority group and women employees and will encourage eligible employees to apply for such training and promotion.

8. Unions.

If a contractor relies in whole or in part upon unions as a source of employees, the contractor will use his/her best efforts to obtain the cooperation of such unions to increase opportunities for minority groups and women within the unions, and to effect referrals by such unions of minority and female employees. Actions by the contractor either directly or through a contractor's association acting as agent will include the procedures set forth below:

- a. The contractor will use best efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minority group members and women for membership in the unions and increasing the skills of minority group members and women so that they may qualify for higher paying employment.
- b. The contractor will use best efforts to incorporate an equal employment opportunity clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, or national origin.
- c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the State highway department and shall set forth what efforts have been made to obtain such information.
- d. In the event the union is unable to provide the contractor with a reasonable flow of minority and women referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, or national origin; making full efforts to obtain qualified and/or qualifiable minority group persons and women. (The U.S. Department of Labor has held that it shall be no excuse that the union with which the contractor has a collective bargaining agreement providing for exclusive referral failed to refer minority employees.) In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the State highway agency.

9. Subcontracting.

- a. The contractor will use his best efforts to solicit bids from and to utilize minority group subcontractors or subcontractors with meaningful minority group and female representation among their employees. Contractors shall obtain lists of minority-owned construction firms from State highway agency personnel.
- b. The contractor will use his best efforts to ensure subcontractor compliance with their equal employment opportunity obligations.

10. Records and Reports.

- a. The contractor shall keep such records as necessary to determine compliance with the contractor's equal employment opportunity obligations. The records kept by the contractor will be designed to indicate:
 - (1) The number of minority and non minority group members and women employed in each work classification on the project.

- (2) The progress and efforts being made in cooperation with unions to increase employment opportunities for minorities and women (applicable only to contractor's who rely in whole or in part on unions as a source of their work force),
 - (3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minority and female employees, and
 - (4) The progress and efforts being made in securing the services of minority group subcontractors with meaningful minority and female representation among their employees.
- b. All such records must be retained for a period of three years following completion of the contract work and shall be available at reasonable times and places for inspection by authorized representatives of the State highway agency and the FHWA.
- c. The contractors will submit an annual report to the State highway agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on Form PR-1391. If on-the-job training is being required by a "Training Special Provision", the contractor will be required to furnish Form FHWA 1409.

STANDARD FEDERAL AND STATE EQUAL EMPLOYMENT OPPORTUNITY CONSTRUCTION CONTRACT SPECIFICATIONS
(41 CFR 60-4.3 and Minnesota Statute §363A.36)

Unless noted, the following apply to both Federal/federally assisted projects and State/state assisted projects. Item 3 applies to Federal/federally assisted projects only.

1. As used in these specifications:
 - (a) "Covered area" means the geographical area described in the solicitation from which this contract resulted;
 - (b) "Director" means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority;
 - (c) "Employer Identification number" means the Federal Social Security number used on the Employer's Quarterly Federal Tax Return, U.S. Treasury Department Form 941.
 - (d) "Minority" includes:
 - (i) Black (all persons having origins in any of the Black African racial groups not of Hispanic origin);
 - (ii) Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race);
 - (iii) Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and
 - (iv) American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).
2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of \$10,000 (\$100,000 for State projects) the provisions of these specifications and the Notice which contains the applicable goals for minority and women participation and which is set forth in the solicitations from which this contract resulted.
3. If the Contractor is participating (pursuant to 41 CFR 60-4, 5) in a Hometown Plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work on the Plan area (including goals and timetables) shall be in accordance with that Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO clause, and to make a good faith effort to achieve each goal under the Plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractors toward a goal in an approved Plan does not excuse any covered contractor's or subcontractor's failure to take good faith efforts to achieve the Plan goals and timetables.
4. The Contractor shall implement the specific affirmative action standards provided in paragraphs 7(a) to (p) of these specifications (itemized as 4 [a] to [o], Minnesota Rules 5000.3535). The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minorities and utilization the Contractor should (shall, for State or state assisted projects) reasonably be able to achieve in each construction trade in which it has employees in the covered area. The Contractor shall make substantially uniform progress toward its goals in each craft during the period specified. Covered construction contractors performing construction work in geographical areas where they do not have a Federal or federally assisted construction contract shall apply the minority and female goals established for the geographical area where the work is being performed. Federal goals are published periodically in the Federal Register in notice form, and such notices may be obtained from any office of Federal Contract Compliance programs or from Federal procurement contracting officers. State goals are published periodically in the State Register in notice form, and may be obtained from the Minnesota Department of Human Rights or the Minnesota Department of Transportation Office of Civil Rights. The Contractor is expected to

make substantially uniform progress toward its goals in each craft during the period specified.

5. Neither the provisions of any collective bargaining agreement nor the failure by a union, with whom the Contractor has a collective bargaining agreement, to refer either minorities or women shall excuse the Contractor's obligations under these specifications and Executive Order 11246 and its associated rules and regulations for Federal or federally assisted projects, and Minnesota Statutes, Section §363A.36 of the Minnesota Human Rights Act, or the rules adopted under the Act for State or state assisted projects.
6. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees shall be employed by the Contractor during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees shall be trained according to training programs approved by the Minnesota Department of Human Rights, the Minnesota Department of Labor and Industry, or the United States Department of Labor.
7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications must be based upon its effort to achieve maximum results from its actions. The Contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following (referred to in Minnesota Rules 5000.3535 as items 4(a) to (o)):
 - (a) Ensure and maintain, or for State or state assisted projects make a good faith effort to maintain, a working environment free of harassment, intimidation, and coercion at all sites and in all facilities at which the Contractor's employees are assigned to work. For Federal or federally assisted projects, the Contractor, where possible, will assign two or more women to each construction project. The Contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or women individuals working at such sites or in such facilities.
 - (b) Establish and maintain a current list of minority and women recruitment sources, provide written notification to minority and women recruitment sources and to community organizations when the Contractor or its unions have employment opportunities available, and maintain a record of the organizations' responses.
 - (c) Maintain a current file of the names, addresses, and telephone numbers of each minority and woman off-the-street applicant and minority or woman referral from a union, a recruitment source, or community organization and of what action was taken with respect to each individual. If the individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the file with the reason therefore along with whatever additional actions the Contractor may have taken.
 - (d) Provide immediate written notification to the commissioner of the Minnesota Department of Human Rights for State or state assisted projects, or the director of the Office of Federal Contract Compliance for Federal or federally assisted projects, when the union, or unions with which the Contractor has a collective bargaining agreement, has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's efforts to meet its obligations.
 - (e) Develop on-the-job training opportunities and/or participate in training programs for the areas which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the Contractor's employment needs, especially those programs funded or approved by the State of Minnesota for State or state assisted projects or the Department of Labor, for Federal or federally assisted projects. The Contractor shall provide notice of these programs to the sources compiled under (b).
 - (f) Disseminate the Contractor's equal employment opportunity policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in meeting its equal employment opportunity obligations; by including it in any policy manual and collective bargaining agreement;

by publicizing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and women employees at least once a year; and by posting the company equal employment opportunity policy on bulletin boards accessible to all employees at each location where construction work is performed.

- (g) Review, at least annually, the company's equal employment opportunity policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination, or other employment decisions; including specific review of these items with onsite supervisory personnel such as superintendents, general foremen, etc., prior to the first day of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.
 - (h) Disseminate the Contractor's equal employment opportunity policy externally by including it in any advertising in the news media, specifically including minority and women news media, and providing written notification to and discussing the Contractor's equal employment opportunity policy with other contractors and subcontractors with whom the Contractor does or anticipates doing business.
 - (i) Direct its recruitment efforts, both oral and written, to minority, women, and community organizations; to schools with minority and women students; and to minority and women recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, the Contractor shall send written notification to organizations, such as the above, describing the openings, screening procedures, and tests to be used in the selection process.
 - (j) Encourage present minority and women employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and women youth, both on the site and in other areas of a Contractor's work force.
 - (k) Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3. (This requirement applies only to Federal and federally assisted projects.)
 - (l) Conduct, at least annually, an inventory and evaluation at least of all minority and women personnel for promotional opportunities; and encourage these employees to seek or to prepare for, through appropriate training, such opportunities. (This is Item 4(k) in Minnesota Rules.)
 - (m) Ensure that seniority practices, job classifications, work assignments, and other personnel practices do not have a discriminatory effect by continually monitoring all personnel and employment-related activities to ensure that the equal employment opportunity policy and the Contractor's obligations under these specifications are being carried out. (This is item 4(l) in Minnesota Rules.)
 - (n) Ensure that all facilities and company activities are non segregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes. (This is item 4(m) in Minnesota Rules.)
 - (o) Document and maintain a record of all solicitations or offers for subcontracts from minority and women construction contractors and suppliers, including circulation of solicitations to minority and women contractor associations and other business associations. (This is item 4(n) in Minnesota Rules.)
 - (p) Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's equal employment opportunity policies and affirmative action obligations. (This is item 4(o) in Minnesota Rules.)
8. Contractors are encouraged to participate in voluntary associations which assist in fulfilling one or more of their affirmative action obligations (7(a) to (p) for Federal or federally assisted projects, and 4(a)-(o) for State or state assisted projects). The efforts of a contractor association, joint contractor-union, contractor-community, or other similar group of which the Contractor is a member and participant, may be asserted as fulfilling any one or more of its obligations under 7(a) to (p) or 4(a) to (o) of these specifications provided that the Contractor actively participates in the group, makes every effort to assure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the Contractor's minority and women work force participation, makes a good faith effort to meet its individual goals and timetables, and can

provide access to documentation which demonstrates the effectiveness of actions taken on behalf of the Contractor. The obligation to comply, however, is the Contractor's and failure of such a group to fulfill an obligation shall not be defense for the Contractor's noncompliance.

9. A single goal for minorities and a separate single goal for women have been established. The Contractor however, is required to provide equal employment opportunity and to take affirmative action for all minority groups both male and female, and all women both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order for Federal or federally assisted projects, or Minnesota Rules for State or state assisted projects, if a particular group is employed in a substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of the Executive Order or Minnesota Rules part 5000.3520 if a specific minority group is under-utilized).
10. The Contractor shall not use the goals and timetables or affirmative action standards to discriminate against any person because of race, color, creed, religion, sex, or national origin. Minnesota Statutes §363A.36, part 5000.3535 (Subp. 7) also prohibits discrimination with regard to marital status, status with regard to public assistance, disability, age, or sexual orientation.
11. The Contractor shall not enter into any subcontract with any person or firm debarred from government contracts under the federal Executive Order 11246 or a local human rights ordinance, or whose certificate of compliance has been suspended or revoked pursuant to Minnesota Statutes, Section §363A.36.
12. The Contractor shall carry out such sanctions for violation of these specifications and of the equal opportunity clause, including suspension, termination, and cancellation of existing contracts as may be imposed or ordered pursuant to Minnesota Statutes, Section §363A.36, and its implementing rules for State or state assisted projects, or Executive Order 11246, as amended, and its implementing regulations, by the Office of Federal Contract Compliance Programs for Federal or federally assisted projects. Any contractor who fails to carry out such sanctions shall be in violation of these specifications and Minnesota Statutes, Section §363A.36, or Executive Order 11246 as amended.
13. The Contractor, in fulfilling its obligations under these specifications, shall implement specific affirmative action steps, at least as extensive as those standards prescribed in paragraph 7 of these specifications (paragraph 4 in Minnesota Rules 5000.3535), so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the Contractor fails to comply with the requirements of these Specifications or Minnesota Statutes, Section §363A.36 and its implementing rules, or Executive Order 11246 and its regulations, the commissioner or the director shall proceed in accordance with Minnesota Rules part 5000.3570 for State or state assisted projects, or 41 CFR 60-4.8 for Federal or federally assisted projects.
14. The Contractor shall designate a responsible official to monitor all employment-related activity to ensure that the company equal employment opportunity policy is being carried out, to submit reports relating to the provisions hereof as may be required by the Minnesota Department of Human Rights or the Government, and to keep records. Records shall at least include for each employee the name, address, telephone numbers, construction trade, union affiliation if any, employee identification number when assigned, social security number, race, sex, status (for example, mechanic, apprentice trainee, helper, or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, contractors shall not be required to maintain separate records.
15. Nothing provided in this part shall be construed as a limitation upon the application of other state or federal laws which establish different standards of compliance or upon the application of requirements for the hiring of local or other area residents.

EQUAL OPPORTUNITY CLAUSE
(41 CFR Part 60-1.4 b, 7-1-96 Edition)

The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, the following equal opportunity clause:

During the performance of this contract, the Contractor agrees as follows:

- a. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; and, selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the State Highway Agency (SHA) setting forth the provisions of this nondiscrimination clause.
- b. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- c. The Contractor will send to each labor union or representative of workers with which the Contractor has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- d. The Contractor will comply with all provisions of Executive Order 11246, Equal Employment Opportunity, dated September 24, 1965, and of the rules, regulations (41 CFR Part 60), and relevant orders of the Secretary of Labor.
- e. The Contractor will furnish all information and reports required by Executive Order 11246 and by rules, regulations, and orders of the Secretary of Labor, pursuant thereto, and will permit access to its books, records, and accounts by the Federal Highway Administration (FHWA) and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- f. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract, or with any of such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part, and the Contractor may be declared ineligible for further Government contracts or federally-assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order 11246 or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- g. The Contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraph (1) through (7) in every subcontract or purchase order so that such provisions will be binding upon each subcontractor or vendor, unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246. The Contractor will take such action with respect to any subcontract or purchase order as the Secretary of Labor, SHA, or the Federal Highway Administration (FHWA) may direct as a means of enforcing such provisions, including sanctions for noncompliance. In the event a contractor becomes a party to litigation by a subcontractor or vendor as a result of such direction, the contractor may request the SHA to enter into such litigation to protect the interest of the State. In addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so

participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.



CERTIFICATION OF AGGREGATES AND GRANULAR MATERIALS

Project No:		Contractor's Tester Name:		Tester Certification No (If Required):	
Submitted By: (Prime Contractor)			Submitted To: (Project Engineer)		
Source or Stockpile Location:			Pit #:		
I certify that these materials to be delivered to this project conform to the appropriate specification requirements. (Type/Print Name)					
Certified by: (Contractor's Authorized Representative Signature)				Date:	
Item Number	Class or Type of Aggregate	Quantity	Gradation Tests (If required)		
			Required	Attached	
Tests (If Required)			Quality Tests (If Required) (LAR, Shale, Bitumen, IR, etc.)		
Required	Attached		Required	Attached	

Note:

NOTE: Attach Required test results (gradations, crushing, bitumen content, qualities, etc.), per the Schedule of Materials Control, plan or proposal, etc. Send copy to Project Engineer.

Complete below if salvaged/recycled materials are being used:

Type or Class of Aggregate		Bitumen content of the composite mixture:		%
Bituminous (RAP)	%	Concrete	%	Glass
				%
Specification Gradation Table for 3138.2				
Based upon the percentage of recycled material specified above				

SCHEDULE OF PRICES

NOTICE TO BIDDERS

Particular note should be made in regard to the clarity of numerals (figures) and to the procedure for alterations and the required certificate as directed by Section 1301.

The following abbreviations may be used in item description and unit of measure in the Schedule of Prices.

A	Arch	JA	Jacked
A-S	Antiseepage	LIN FT	Linear Feet
AB	Asbestos Bonded	LG	Long
ACT	Actuated	MAINT	Maintenance
AGG	Aggregate	MATL	Material
ALUM	Aluminum	MGM	1000 Board Feet
ASB	Asbestos	MET	Metal
ASPH	Asphaltic	MOD	Modification
ASSY	Assemblies	MPA	Metal Pipe Arch
B+B	Balled & Burlapped	MTD	Mounted
BC	Bituminous Coated	NON MET	Non Metallic
BIT	Bituminous	NON PERF	Non-Perforated
BLDG	Building	NON REINF	Non-Reinforced
BR	Bridge	OH	Overhead
CAL	Caliper	P-A	Pipe-Arch
CB	Catch Basin	PAVT	Pavement
CEM	Cement	PERF	Perforated
C and G	Curb and Gutter	PL	Plate
CI	Cast Iron	PNEUM	Pneumatic
C-I-P	Cast-in-Place	PREC	Precast
CL	Class	PREST	Prestressed
COMM	Commercial	PVC	Poly Vinyl Chloride
CONC	Concrete	RCPA	Reinforced Concrete Pipe Arch
COND	Conductor	REINF	Reinforced
CONN	Connection	RELO	Relocation
CONST	Construct	RESTOR	Restoration
CONT	Continuously	RMC	Rigid Metallic Conduit
CP	Cattle Pass	RNMC	Rigid Non Metallic Conduit
CTD	Coated	RDWY	Roadway
CU FT	Cubic Feet	S-G	Sand & Gravel
CU YD	Cubic Yard	SIG	Signal
CULV	Culvert	SPE	Special
CWT	Hundred Weight	SQ FT	Square Feet
DES	Design	SQ YD	Square Yard
DBL	Double	STA	Station
DI	Drop Inlet	STD	Standard
DIAM	Diameter	STL	Steel
DRWY	Driveway	STKPL	Stockpile
EXC	Excavation	STR	Strength
EXP	Expansion	STRUCT	Structural
FAB	Fabric	SPPA	Structural Plate Pipe Arch
FE	Fence	SYS	System
FERT	Fertilizer	T	Traffic
F+I	Furnish & Install	TBR	Timber
FOUND	Foundation	TEMP	Temporary
FT LG	Feet Long	THERMO	Thermoplastic
FURN	Furnish	TRTD	Treated
GA	Gauge	UNDERGRD	Underground
GRAN	Granular	UNTRTD	Untreated
HI	High	VAR	Variable
INP	In Place	VM	Vehicular Measure
INST	Install	WEAR	Wearing

Schedule of Prices

No.	Mat No.	Item	Units	Quantity	Unit Price	Total Price
1	2021.501	MOBILIZATION	LS	1	\$	\$
2	2211.507	AGGREGATE BASE (LV) CLASS 5	C Y	130		
3	2232.504	MILL BITUMINOUS SURFACE (2.0")	S Y	67406		
4	2360.509	TYPE SP 12.5 WEARING COURSE MIX (3,B)	TON	12071		
5	2563.601	TRAFFIC CONTROL	LS	1		
6	2563.601	TEMPORARY RAISED PAVEMENT MARKERS	Lump Sum	1		
7	2580.501	INTERIM PAVEMENT MARKING	LS	1		
8	2582.503	4" SOLID LINE MULTI COMP	L F	3200		
9	2582.503	6" SOLID LINE MULTI COMP	L F	28868		
10	2582.503	4" BROKEN LINE MULTI COMP	L F	2900		

GRAND TOTAL BID \$ _____

NON-COLLUSION AFFIDAVIT

The following Non-Collusion Affidavit shall be executed by the bidder:

State Project No. _____

Federal Project No. _____

State of Minnesota _____)

) ss

County of _____)

I, _____, do state under penalty of
(name of person signing this affidavit)

perjury under 28 U.S.C. 1746 of the laws of the United States:

(1) that I am the authorized representative of _____

(name of person, partnership or corporation submitting this proposal)

and that I have the authority to make this affidavit for and on behalf of said bidder;

(2) that, in connection with this proposal, the said bidder has not either directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding;

(3) that, to the best of my knowledge and belief, the contents of this proposal have not been communicated by the bidder or by any of his/her employees or agents to any person who is not an employee or agent of the bidder or of the surety on any bond furnished with the proposal and will not be communicated to any person who is not an employee or agent of the bidder or of said surety prior to the official opening of the proposal, and

(4) that I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signed: _____
(bidder or his authorized representative)

Equal Pay Certificate

An Equal Pay Certificate requires employers to pay men and women equal wages for equal work. The certificate must be obtained through the Minnesota Department of Human Rights (MDHR) and is **valid for four years**.

Businesses who are applying or renewing an Equal Pay Certificate must complete the online form and make an online payment of \$250.

Questions? Please email us at compliance.mdhr@state.mn.us
(<mailto:compliance.mdhr@state.mn.us>) or call us at **651-539-1095**.

Change to Federal Contract Exemption

Companies that have a certificate from the Office of Federal Contract Compliance Program (OFCCP) may now be required to also obtain an Equal Pay Certificate.

Read the requirements below to determine if you are required to apply.

Steps to Apply or Renew

Step 1: Read the Requirements

Confirm you meet all the requirements below before applying.

If you are unsure if you qualify, please **contact us** (<mailto:compliance.mdhr@state.mn.us>) before completing an application.

The FAQs below provide additional information as well.

Step 2: Complete the Application

Apply/Renew (<https://surveys.mn.gov/s/Equal-Pay-Certificate>)

At the end of the application, you will be required to confirm proof of payment

If paying online, complete Step 3 before submitting the application so you can enter your online payment confirmation number.

If paying by check, you will need to enter the check number, name on check, and address on the check in the application.

Step 3: Make an Online Payment

Pay Here

The **fee for an Equal Pay Certificate is \$250**, and the certificate is valid for **four years**. After paying online, you will receive your online payment confirmation number to enter in the application.

You can also pay online with a check by using the routing number and checking or savings account number. If you have any questions, please contact us.

Requirements

Contractors that meet the criteria below must apply for an Equal Pay Certificate.

Contracts with the State of Minnesota and Metropolitan Agencies

- **Business size:** 40 or more full-time employees in Minnesota or in the state of its primary place of business on a single day in the 12 months prior to executing the contract.
- **Contracting Entities:** Contracts with Minnesota state departments and agencies, the Metropolitan Council, the Minnesota Historical Society, the Minnesota Sports Facilities Authority, the Metropolitan Airports Commission, and the Metropolitan Mosquito Control District, and Minnesota State Colleges and Universities.
- **Contract dollar amount:** A contract for goods and services that exceeds \$500,000.

Contracts with Cities, Counties, and Other Political Subdivisions

- **Business size:** 40 or more full-time employees in Minnesota or in the state of its primary place of business on a single day in the 12 months prior to executing the contract.
- **Contracting Entities:** Cities, Counties, Townships, and other Political Subdivisions
- **Contract dollar amount:** A contract for a capital project funded by General Obligation bonds that exceeds \$1,000,000.

Contracts with the University of Minnesota

- **Business size:** 40 or more full-time employees in Minnesota or in the state of its primary place of business on a single day in the 12 months prior to executing the contract.
- **Contracting Entities:** University of Minnesota
- **Contract dollar amount:** A contract for a capital project funded by General Obligation bonds that exceeds \$500,000.

Fast Facts

- A contractor may be required to have both a Workforce Certificate and an Equal Pay Certificate.
- Equal Pay Certificates are not needed for each contract because Equal Pay Certificates are tied to the company, not the contract.
- Some businesses are exempt by statute based on the type of contract. Certain contracts for healthcare services, health insurance, investment options with the State Board of Investments, and other items are exempt from these requirements. **Contact MDHR (<mailto:20compliance.mdhr@state.mn.us>)** for more information.
- If you changed your business name, address, and/or primary contact, let us know by **submitting this form.** (<https://surveys.mn.gov/s/Change-Form>)
- Equal Pay Certificates are required if the company's primary place of business is inside or outside of Minnesota.

Audit Information

To ensure Equal Pay Certificate holders are paying men and women equal wages for equal work, MDHR periodically conducts audits of its Equal Pay Certificate holders.

If a contractor is non-compliant, MDHR can issue fines up to \$5,000 per calendar year for each contract. In addition, MDHR can suspend or revoke a non-compliant contractor's certificate, which could cancel current contracts and limit the contractor's ability to contract on future projects.

For more information about Equal Pay audits, please refer to **Minnesota Statute § 363A.44 Subd. 8** (<https://www.revisor.mn.gov/statutes/cite/363A.44>).

Workforce Certificate

Certain businesses contracting with the State of Minnesota, cities, counties, and the University of Minnesota must have a Workforce Certificate.

Workforce Certificates require contractors to actively work to hire, train, promote, and retain people of color, Indigenous people, women, and/or people with disabilities to ensure that Minnesota's workforce reflects Minnesota's demographics.

Workforce Certificates must be obtained through the Minnesota Department of Human Rights (MDHR) and are **valid for four years**.

Questions? Email us at compliance.mdhr@state.mn.us (<mailto:compliance.mdhr@state.mn.us>) or call 651-539-1095.

Change to Federal Contract Exemption

Companies that have a certificate from the Office of Federal Contract Compliance Program (OFCCP) may now be required to have a Workforce Certificate and, if applicable, an **Equal Pay Certificate** (<https://mn.gov/mdhr/certificates/equalpay/>).

Read the requirements below to determine if you are required to apply.

Steps to Apply or Renew

Step 1: Meet the Requirements

Confirm you meet all the requirements below before applying or renewing for a Workforce Certificate.

If you are unsure if you qualify, please **contact us** (<mailto:compliance.mdhr@state.mn.us>) before completing an application.

The facts below provide additional information.

Step 2: Complete the Application

Apply/Renew (<https://mn.gov/mdhr/certificates/workforce-certificate/apply.jsp>)

The Workforce Certificate application includes:

- Application Form
- Affirmative Action Plan (AAP)
- Workforce and Utilization Analysis (WUA)

If you have questions during the process, **contact us** (<mailto:compliance.mdhr@state.mn.us>).

Step 3: Make an Online Payment

Pay Here

The fee for a Workforce Certificate is \$250. The certificate is valid for four years.

You can pay online by using a credit card or a check by using the routing number and checking or savings account number.

After paying online, you will receive your payment confirmation number to enter in the application form.

Requirements

Contractors that meet the criteria below must apply for a Workforce Certificate.

Contracts with the State of Minnesota and Metropolitan Agencies

- **Business Size:** 40 or more full-time employees in Minnesota or in the state of its primary place of business on a single day in the 12 months prior to executing the contract.

- **Contracting Entities:** Contracts with Minnesota state departments and agencies, the Metropolitan Council, the Minnesota Historical Society, the Minnesota Sports Facilities Authority, the Metropolitan Airports Commission, the Metropolitan Mosquito Control District, and Minnesota State Colleges and Universities.
- **Contract Dollar Amount:** A contract for goods and services that exceeds \$100,000.

Contracts with Cities, Counties, and Other Political Subdivisions

- **Business Size:** 40 or more full-time employees in Minnesota or in the state of its primary place of business on a single day in the 12 months prior to executing the contract.
- **Contracting Entities:** Cities, Counties, Townships, and other Political Subdivisions
- **Contract Dollar Amount:** A contract for a capital project funded by General Obligation bonds that exceeds \$250,000.

Contracts with the University of Minnesota

- **Business Size:** 40 or more full-time employees in Minnesota or in the state of its primary place of business on a single day in the 12 months prior to executing the contract.
- **Contracting Entities:** University of Minnesota
- **Contract Dollar Amount:** A contract for a capital project funded by General Obligation bonds that exceeds \$100,000.

Fast Facts

- The Minnesota Department of Human Rights processes Workforce Certificates **within 15 days** of receipt of the entire application.
- Workforce Certificates are **not** needed for each contract because Workforce Certificates are tied to the company, not the contract.
- All contractors who have a Workforce Certificate must complete an **Annual Compliance Report** ([/mdhr/assets/Annual%20Compliance%20Report%20Packet_tcm1061-443270.xlsx](https://mdhr/assets/Annual%20Compliance%20Report%20Packet_tcm1061-443270.xlsx)).
- If you changed your business name, address, and/or primary contact, let us know by **submitting this form** (<https://surveys.mn.gov/s/Change-Form>).
- Construction contractors with a Workforce Certificate are also required to complete a **Preconstruction Packet** (<https://mn.gov/mdhr/certificates/construction/#Preconstruction>) before a project begins and submit **Monthly Project Reports** (<https://mn.gov/mdhr/certificates/construction/#Monthly>) throughout the life of the project.

- Some contracts are exempt. Contracts for investments options under **Minn. Stat. §356.645** (<https://www.revisor.mn.gov/statutes/cite/356.645>) between the State Board of Investment and businesses/firms are exempt.
- Workforce Certificates are required if the company's primary place of business is inside or outside of Minnesota.

Workforce Certificate Audits

To ensure that contractors are making good faith efforts towards hiring, training, promoting, and retaining people of color, Indigenous people, people with disabilities, and/or women, the Minnesota Human Rights Act authorizes MDHR to audit contractors.

If a contractor is non-compliant, MDHR can issue fines up to \$5,000 per calendar year for each contract. In addition, MDHR can suspend a non-compliant contractor's certificate and/or revoke the contractor's ability to bid on future projects, pursuant to **State. Minn. Stat. §363A.36, subds. 1 and 3** (<https://www.revisor.mn.gov/statutes/cite/363A.36>); **§363A.37** (<https://www.revisor.mn.gov/statutes/cite/363a.37>) and **Minn. R. 5000 et seq** (<https://www.revisor.mn.gov/rules/5000/>).

Contractor Non-Discrimination is the Law Posters

After issuing a Workforce Certificate, MDHR will send the contractor posters in English and Spanish to post at each worksite/facility, including at construction sites. They are also available online here:

- **Contractor Non-Discrimination is the Law (PDF)** (/mdhr/assets/English_MDHR%20Contractor%20Non-Discrimination%20is%20the%20Law_Poster-t_tcm1061-440611.pdf).
- **La No Discriminación Por Parte Del Contratista Es La Ley (PDF)** (/mdhr/assets/Spanish_MDHR%20Contractor%20Non-Discrimination%20is%20the%20Law_Poster_t_tcm1061-440613.pdf).

**ATTACHMENT A
PRIME CONTRACTOR RESPONSE**

RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE

STATE PROJECT NUMBER: _____

This form includes changes by statutory references from the Laws of Minnesota 2015, chapter 64, sections 1-9. This form must be submitted with the response to this solicitation. A response received without this form, will be rejected.

Minn. Stat. § 16C.285, Subd. 7. **IMPLEMENTATION.** ... any prime contractor or subcontractor or motor carrier that does not meet the minimum criteria in subdivision 3 or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project...

Minn. Stat. § 16C.285, Subd. 3. **RESPONSIBLE CONTRACTOR, MINIMUM CRITERIA.** "Responsible contractor" means a contractor that conforms to the responsibility requirements in the solicitation document for its portion of the work on the project and verifies that it meets the following minimum criteria:

- | | |
|-----|---|
| (1) | <p>The Contractor:</p> <ul style="list-style-type: none">(i) is in compliance with workers' compensation and unemployment insurance requirements;(ii) is in compliance with Department of Revenue and Department of Employment and Economic Development registration requirements if it has employees;(iii) has a valid federal tax identification number or a valid Social Security number if an individual; and(iv) has filed a certificate of authority to transact business in Minnesota with the Secretary of State if a foreign corporation or cooperative. |
| (2) | <p>The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 177.24, 177.25, 177.41 to 177.44, 181.03, 181.101, 181.13, 181.14, or 181.722, and has not violated United States Code, title 29, sections 201 to 219, or United States Code, title 40, sections 3141 to 3148. For purposes of this clause, a violation occurs when a contractor or related entity:</p> <ul style="list-style-type: none">(i) repeatedly fails to pay statutorily required wages or penalties on one or more separate projects for a total underpayment of \$25,000 or more within the three-year period, provided that a failure to pay is "repeated" only if it involves two or more separate and distinct occurrences of underpayment during the three-year period;(ii) has been issued an order to comply by the commissioner of Labor and Industry that has become final;(iii) has been issued at least two determination letters within the three-year period by the Department of Transportation finding an underpayment by the contractor or related entity to its own employees;(iv) has been found by the commissioner of Labor and Industry to have repeatedly or willfully violated any of the sections referenced in this clause pursuant to section 177.27;(v) has been issued a ruling or findings of underpayment by the administrator of the Wage and Hour Division of the United States Department of Labor that have become final or have been upheld by an administrative law judge or the Administrative Review Board; or(vi) has been found liable for underpayment of wages or penalties or misrepresenting a construction worker as an independent contractor in an action brought in a court having jurisdiction. Provided that, if the contractor or related entity contests a determination of underpayment by the Department of Transportation in a contested case proceeding, a violation does not occur until the contested case proceeding has concluded with a determination that the contractor or related entity underpaid wages or penalties;* |

(3)	The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 181.723 or chapter 326B. For purposes of this clause, a violation occurs when a contractor or related entity has been issued a final administrative or licensing order;*
(4)	The contractor or related entity has not, more than twice during the three-year period before submitting the verification, had a certificate of compliance under section 363A.36 revoked or suspended based on the provisions of section 363A.36, with the revocation or suspension becoming final because it was upheld by the Office of Administrative Hearings or was not appealed to the office;*
(5)	The contractor or related entity has not received a final determination assessing a monetary sanction from the Department of Administration or Transportation for failure to meet targeted group business, disadvantaged business enterprise, or veteran-owned business goals, due to a lack of good faith effort, more than once during the three-year period before submitting the verification;*
	* Any violations, suspensions, revocations, or sanctions, as defined in clauses (2) to (5), occurring prior to July 1, 2014, shall not be considered in determining whether a contractor or related entity meets the minimum criteria.
(6)	The contractor or related entity is not currently suspended or debarred by the federal government or the state of Minnesota or any of its departments, commissions, agencies, or political subdivisions that have authority to debar a contractor; and
(7)	All subcontractors and motor carriers that the contractor intends to use to perform project work have verified to the contractor through a signed statement under oath by an owner or officer that they meet the minimum criteria listed in clauses (1) to (6).

Minn. Stat. § 16C.285, Subd. 5. **SUBCONTRACTOR VERIFICATION.**

A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project. Prior to execution of a construction contract, and as a condition precedent to the execution of a construction contract, the apparent successful prime contractor shall submit to the contracting authority a supplemental verification under oath confirming compliance with subdivision 3, clause (7). Each contractor or subcontractor shall obtain from all subcontractors with which it will have a direct contractual relationship a signed statement under oath by an owner or officer verifying that they meet all of the minimum criteria in subdivision 3 prior to execution of a construction contract with each subcontractor.

If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors.

A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to subdivision 3, clause (7). A prime contractor and subcontractors shall not be responsible for the false statements of any subcontractor with which they do not have a direct contractual relationship. A prime contractor and subcontractors shall be responsible for false statements by their first-tier subcontractors with which they have a direct contractual relationship only if they accept the verification of compliance with actual knowledge that it contains a false statement.

Subd. 5a. Motor carrier verification. A prime contractor or subcontractor shall obtain annually from all motor carriers with which it will have a direct contractual relationship a signed statement under oath by an owner or officer verifying that they meet all of the minimum criteria in subdivision 3 prior to execution of a construction contract with each motor carrier. A prime contractor or subcontractor shall require each such motor carrier to provide it with immediate written notification in the event that the motor carrier no longer meets one or more of the minimum criteria in subdivision 3 after submitting its annual verification. A motor carrier shall be ineligible to perform work on a project covered by this section if it does not meet all the minimum criteria in subdivision 3. Upon request, a prime contractor or subcontractor shall submit to the contracting authority the signed verifications of compliance from all motor carriers providing for-hire transportation of materials, equipment, or supplies for a project.

Minn. Stat. § 16C.285, Subd. 4. VERIFICATION OF COMPLIANCE.

A contractor responding to a solicitation document of a contracting authority shall submit to the contracting authority a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in subdivision 3, with the exception of clause (7), at the time that it responds to the solicitation document.

A contracting authority may accept a signed statement under oath as sufficient to demonstrate that a contractor is a responsible contractor and shall not be held liable for awarding a contract in reasonable reliance on that statement. A prime contractor, subcontractor, or motor carrier that fails to verify compliance with any one of the required minimum criteria or makes a false statement under oath in a verification of compliance shall be ineligible to be awarded a construction contract on the project for which the verification was submitted.

A false statement under oath verifying compliance with any of the minimum criteria may result in termination of a construction contract that has already been awarded to a prime contractor or subcontractor or motor carrier that submits a false statement. A contracting authority shall not be liable for declining to award a contract or terminating a contract based on a reasonable determination that the contractor failed to verify compliance with the minimum criteria or falsely stated that it meets the minimum criteria. A verification of compliance need not be notarized. An electronic verification of compliance made and submitted as part of an electronic bid shall be an acceptable verification of compliance under this section provided that it contains an electronic signature as defined in section 325L.02, paragraph (h).

CERTIFICATION

By signing this document I certify that I am an owner or officer of the company, and I certify under oath that:

- 1) My company meets each of the Minimum Criteria to be a responsible contractor as defined herein and is in compliance with Minn. Stat. § 16C.285, and**
- 2) if my company is awarded a contract, I will submit Attachment A-1 prior to contract execution, and**
- 3) if my company is awarded a contract, I will also submit Attachment A-2 as required.**

Authorized Signature of Owner or Officer:

Printed Name:

Title:

Date:

Company Name:

NOTE: Minn. Stat. § 16C.285, Subd. 2, (c) If only one prime contractor responds to a solicitation document, a contracting authority may award a construction contract to the responding prime contractor even if the minimum criteria in subdivision 3 are not met.

ATTACHMENT A-1

FIRST-TIER SUBCONTRACTORS LIST

SUBMIT PRIOR TO EXECUTION OF A CONSTRUCTION CONTRACT

STATE PROJECT NUMBER: _____

Minn. Stat. § 16C.285, Subd. 5. A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project. Prior to execution of a construction contract, and as a condition precedent to the execution of a construction contract, the apparent successful prime contractor shall submit to the contracting authority a supplemental verification under oath confirming compliance with subdivision 3, clause (7). Each contractor or subcontractor shall obtain from all subcontractors with which it will have a direct contractual relationship a signed statement under oath by an owner or officer verifying that they meet all of the minimum criteria in subdivision 3 prior to execution of a construction contract with each subcontractor.

FIRST TIER SUBCONTRACTOR NAMES* (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located

*Attach additional sheets as needed for submission of all first-tier subcontractors.

SUPPLEMENTAL CERTIFICATION FOR ATTACHMENT A-1	
By signing this document I certify that I am an owner or officer of the company, and I certify under oath that: All first-tier subcontractors listed on attachment A-1 have verified through a signed statement under oath by an owner or officer that they meet the minimum criteria to be a responsible contractor as defined in Minn. Stat. § 16C.285.	
Authorized Signature of Owner or Officer:	Printed Name:
Title:	Date:
Company Name:	

ATTACHMENT A-2

ADDITIONAL SUBCONTRACTORS LIST

PRIME CONTRACTOR TO SUBMIT AS SUBCONTRACTORS ARE ADDED TO THE PROJECT

STATE PROJECT NUMBER: _____

This form must be submitted to the Project Manager or individual as identified in the solicitation document.

Minn. Stat. § 16C.285, Subd. 5. ... If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors. ...

ADDITIONAL SUBCONTRACTOR NAMES* (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located

*Attach additional sheets as needed for submission of all additional subcontractors.

SUPPLEMENTAL CERTIFICATION FOR ATTACHMENT A-2

By signing this document I certify that I am an owner or officer of the company, and I certify under oath that:

All additional subcontractors listed on Attachment A-2 have verified through a signed statement under oath by an owner or officer that they meet the minimum criteria to be a responsible contractor as defined in Minn. Stat. § 16C.285.

Authorized Signature of Owner or Officer:

Printed Name:

Title:

Date:

Company Name: