

DIVISION 100 - GENERAL PROVISIONS
SECTION 101 - DEFINITIONS AND TERMS

Use the following abbreviations, terms or pronouns in this contract: *|

101.01 Abbreviations. *|

AAN	American Association of Nurserymen	
AASHTO	American Association of State Highway and Transportation Officials	
ACI	American Concrete Institute	
AGC	Associated General Contractors of America	
AIA	American Institute of Architects	
AISC	American Institute of Steel Construction	
AISI	American Iron and Steel Institute	
ANSI	American National Standards Institute	
APA	American Plywood Association	
ARA	American Railway Association	
AREA	American Railway Engineering Association	
ASA	American Standards Association	
ASCE	American Society of Civil Engineers	
ASLA	American Society of Landscape Architects	
ASTM	American Society for Testing and Materials	
AWPA	American Wood Preserver's Association	
AWWA	American Water Works Association	
AWS	American Welding Society	
CRSI	Concrete Reinforcing Steel Institute	
FHWA	Federal Highway Administration, U.S. Department of Transportation	

101.01

FSS	Federal Specifications and Standards, General Services Administration
H.R.S.	Hawaii Revised Statutes
MUTCD	Manual on Uniform Traffic Control Devices
NEC	National Electric Code
NEMA	National Electrical Manufacturers Association
NFPA	National Forest Products Association
SAE	Society of Automotive Engineers
UL	Underwriter's Laboratory
USGS	U.S. Geological Survey

101.02 **Advertisement.** A public announcement inviting bids to do work or furnish materials. *|
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101.03 **Award.** The acceptance by the Department of a proposal.

101.04 **Base Course.** The layer or layers of specified material or selected material of a designed thickness placed on a subbase or subgrade to support a surface course.

101.05 **Basement Material.** The material in excavation or embankments underlying the lowest layer of subbase, base, pavement, surfacing or other specified layer.

101.06 **Bidder.** An individual, partnership, corporation or other legal entity who submits a proposal for the work contemplated and acts either directly or through a properly authorized representative. *|
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101.07 **Bridge.** A structure built over a depression or an obstruction and used for railroad, highway, pedestrian, or utility facilities. The length of the structure shall be more than twenty (20) feet measured along the center of the roadway between undercopings of abutments or extreme ends of openings for multiple boxes. *|
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If there are no abutment copings or fillet, the twenty (20) foot measurement shall be between points six (6) inches below the bridge seats. For frame structures, the twenty (20) foot measurement shall be between points immediately under the top slab. *|
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A bridge may include multiple pipes where the clear distance between openings is less than half the smaller adjacent opening. Measurements include the widths of the intervening piers or division walls. *|

(1) **Bridge length** - The greater dimension of a structure measured along the center of the roadway between backs of abutment backwalls or between ends of bridge floor.

(2) **Bridge roadway width** - The clear width of structure measured at right angles to the longitudinal centerline of the roadway between the bottom of curbs. If there are no curbs, use the inner faces of parapet or railing. *|
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101.08 Calendar Day. Days shown on the calendar, beginning at midnight and ending at midnight of the following day. If there is no designation of calendar or working day, "day" shall mean calendar day. *|

101.09 Certificate of Compliance or Certified Test Report. Document clearly identifying specific lots of material signed by a person having legal authority to bind the manufacturer or supplier.

101.10 Contract. The written agreement between the Department and the Contractor setting forth the obligations of the parties for the performance of the prescribed work.

The contract includes the Notice to Bidders; instructions to bidders; proposal; contract form and contract bond; notice to proceed; specifications; supplemental specifications; special provisions; general, detailed, and standard plans; contract change orders; and supplemental agreements. *|

101.11 Contract Bond.

(A) **Contract Payment Bond.** The security executed by the Contractor and Surety or Sureties. The Contractor shall furnish the contract payment bond to the Department on the construction of the project. *|
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(B) **Contract Performance Bond.** The security executed by the Contractor and the Surety or Sureties furnished to the Department to guarantee the completion of the work according to terms of the contract. *|
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101.12 Contract Change Order. A written order to the Contractor covering changes in the contract, establishing the basis of payment, and adjusting time for the work influenced by the changes. Also, a contract change order is a written order concerning the performance of work and the furnishing of materials involving extra work. Such extra work may be done at agreed prices or on a force account basis as provided elsewhere in the Contract. A contract change order signed by the parties to the Contract is a supplemental agreement. *|
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101.13 Contract Item (Pay Item). A specific unit of work for which there is a price in the Contract. *|
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101.14 Contract Time. The number of working or calendar days provided in the Contract for completion of the Contract, exclusive of authorized time extensions. The proposal and contract forms show the contract. *|

If the Contract requires completion by a certain date, the Contractor shall complete the work by that date instead of working or calendar days. *|

101.15 Contractor. The individual, partnership, corporation or other legal entity contracting with the Department for performance of the prescribed work. |

101.16 County. The county in which the Contractor does the work. *|

101.17 Culvert. Structures under a roadway with a clear opening of twenty (20) feet or less measured along the center of the roadway.

101.18 Department. The State Department of Transportation or appropriate County Department of Public Works.

101.19 Director. The Director of the State Department of Transportation or person heading the appropriate County Department of Public Works, acting directly or through their duly authorized representatives. |

101.20 Effective Dates and Laws. Reference to government laws, ordinances, regulations, standard specifications, and rules includes amendments thereto effective as of the date of the call for sealed tenders. *|

101.21 Engineer. The Chief Engineer of the Highways Division or Director or Chief Engineer of the County Department of Public Works, acting directly or through a duly authorized representative. Also Officer-in-Charge and Engineer may be interchangeable. *|

101.22 Equipment. The machinery, apparatus, tools, and supplies for upkeep and maintenance, necessary for the proper construction and acceptable completion of the work. *|

101.23 Extra Work. (See Subsection 104.03 - Extra Work.)

101.24 Grading Plane. The surface of the basement material upon which the Contractor places the lowest layer of subbase, base, pavement, surfacing or other specified layer. *|

101.25 Highway, Street or Road. A general term denoting a public way for the purposes of vehicular travel, including the entire area within the right-of-way.

101.26 Highways Division. The Highways Division of the State Department of Transportation constituted under the laws of Hawaii for the administration of highway work or appropriate County Department of Public Works, constituted under the laws of the respective County for the administration of highway work, whichever is applicable. |

101.27 Holidays. The days of each year set apart and established as State holidays according to Chapter 8, H.R.S., as amended. *

101.28 Inspector. The Engineer's authorized representative assigned to make detailed inspections of Contract performance, the prescribed work and materials supplied. |

101.29 Laboratory. The testing laboratory of the Division or other testing laboratories that may be designated by the Engineer. *

101.30 Leveling Course. An asphalt aggregate mixture course of variable thickness used to eliminate irregularities in the contour of an existing paved surface before superimposing treatment or construction. *

101.31 Major and Minor Contract Item. For State and Federal projects, a major contract item is when the contract item amount is either equal to or greater than twenty-five thousand dollars (\$25,000) or five (5) percent of the total original Contract cost, whichever is less. The Contractor shall consider the other original Contract items as minor items. *

For County projects, a major Contract item is when the contract item amount is equal to or greater than ten (10) percent of the total original Contract cost. *

Minor items in the original proposal shall become major Contract items when increasing the amount to the major items defined above. *

101.32 Materials. Substance specified for use and incorporated in the work prescribed in the Contract. |

101.33 Notice to Bidders. The advertisement for proposals for work or materials requiring bids. Such advertisement will show the location of the work to be done or the character of the material to be furnished. Also the advertisement will show the time and place for the opening of proposals. *

101.34 Notice to Proceed. Written notice to the Contractor showing the date on which the Contractor may begin the Contract work. Also this date is the beginning of Contract time. *

101.35 Officer-in-Charge. See "Engineer". |

101.36 Pavement. The uppermost layer of material placed on the traveled way or shoulders or both. Pavement and surfacing may be interchangeable. *

101.37 Pavement Structure. The combination of subbase, base, pavement, surfacing or other specified layer constructed on a subgrade to support the traffic load. |

101.38

101.38 Plans. The Contract drawings that show the location, character, and dimensions of the prescribed work, including layouts, profiles, cross sections and other details. Also, the current and applicable portions of the Standard Plans and Standard Details shall be part of the Contract drawings.

101.39 Profile Grade. The elevation or gradient of a vertical plane intersecting the top surface of the proposed pavement. Usually, the profile grade is along the longitudinal centerline of the roadbed.

101.40 Project. The specific section of the highway or other specific property on which construction is to be done as described in the Contract.

101.41 Proposal. The bidder's offer to do the work required under the Contract at the prices quoted on the prescribed form.

101.42 Proposal Form. The prescribed form on which a bidder submits its proposal.

101.43 Proposal Guaranty. The security attached with the proposal as a guarantee for the performance of the work if awarded the contract to the bidder.

101.44 Questionnaire. The specified forms on which the bidder furnishes required information regarding its ability to do and finance the work.

101.45 Right-of-Way. A general term denoting land, property, or interests therein, needed for or devoted to transportation purposes.

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

101.47 Roadside. A general term denoting the area adjoining the outer edge of the roadway. Also, extensive areas between the roadways of a divided highway may be considered roadside.

101.48 Roadside Development. Those items situated on or within the roadside that provide for the preservation of landscaped materials and features. Also, the rehabilitation and protection against erosion of areas disturbed by construction. This includes seeding, sodding, mulching and the placing of other ground covers.

Also, roadside development includes planting and other improvements designed to increase the effectiveness and enhance the appearance of the highway.

101.49 Roadway. The portion of a highway, street or road within the limits of construction.

101.50 Section and Subsection. Section or subsection shall be understood to refer to these specifications unless otherwise shown.

101.51 Shoulder. The portion of the roadway next to the traveled way for: *|
accommodation of stopped vehicles, placement of underground facilities, |
emergency use, and lateral support of base and surface courses.

101.52 Sidewalk. That portion of the roadway primarily constructed for use
by pedestrians.

101.53 Special Provisions. Additions and revisions to the standard and
supplemental specifications applicable to an individual project.

101.54 Specifications. The compilation of provisions and requirements for
the performance of prescribed work. The term "specifications" means the |
standard specifications and supplemental specifications. *|

101.55 Specified Completion Date. The date specified for completion of the *|
prescribed Contract work. *|

101.56 Standard Plans. Drawings approved for repetitive use, showing |
details to be used where appropriate. |

101.57 State. The State of Hawaii or the appropriate County, whichever |
is applicable, acting through its authorized representative(s). |

101.58 State Comptroller. The Comptroller, State of Hawaii or the Director
of Finance of the appropriate County, whichever is applicable, acting through |
its authorized representative(s). |

101.59 Structure. Bridge, culvert, catch basin, drop inlet, retaining wall, |
cribbing, manhole, endwall, building, sewer, service pipe, underdrain, |
foundation drain and other features that may be encountered or prescribed in *|
the work and not otherwise classed herein.

101.60 Subbase. The layer(s) of specified or selected material of design *|
thickness placed on a subgrade to support a base course.

101.61 Subcontractor. An individual, partnership, corporation, corporation, |
or other legal entity, who makes an agreement with the Contractor to do a *|
portion of the Contract work for the Contractor. *|

101.62 Subgrade. The top surface of a roadbed upon which the Contractor *|
constructs the pavement structures, curbs and shoulders. *|

101.63 Substructure. Part of the structure below the bearing of simple and *|
continuous spans, skewbacks of arches and tops of footings of rigid frames. *|
This includes backwalls, wingwalls and wing protection railings.

101.64 Superintendent. Contractor's authorized representative responsible *|
for the Contract work. *|

101.65 **Superstructure.** Part of a structure above the bearings of spans, *|
skewbacks of arches and top of footings of rigid frame. This does not include *|
backwalls, wingwalls and wing protection railings. *|

101.66 **Surety.** Properly authorized corporation, partnership individual, or |
other legal entity, other than the Contractor, who executes a bond furnished *|
by the Contractor with the Contract. *|

101.67 **Surfacing.** The uppermost layer of material placed on the traveled way |
or shoulders or both. Surfacing and pavement is interchangeable. *|

101.68 **Titles (or Headings).** The intention of the titles or headings of the *|
sections and subsections herein are for convenience of reference only. The *|
Contractor shall not consider the titles or headings as having bearings on *|
their interpretation. *|

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

101.70 **Work.** The furnishing of labor, materials, equipment, and other |
incidentals necessary or convenient for the successful completion of the |
Project. Also, the execution of the duties and obligations imposed by the *|
Contract. *|

101.71 **Working Day.** Calendar days, exclusive of: *|

(1) Saturdays, Sundays and State recognized legal holidays, *|

(2) days required by the contract to suspend construction operations, *|
and *|

(3) days prevented by or resulting from inclement weather to permit the *|
normal work force to proceed with construction operations for at least *|
five (5) hours. Also, the Contractor shall be performing the current *|
controlling item or items of work. *|

101.72 **Working Drawings.** They shall include the stress sheets; shop drawings; *|
erection, falsework, framework, and cofferdam plans; bending diagrams for *|
reinforcing steel, and other supplementary data for acceptance. *|