

## Chapter 17

# Plans, Specifications, and Estimates

### 17.1 General Discussion

After a project's location and design have been approved, work begins on the final version of its plans, specifications, and cost estimates (PS&E). These documents are used to award and administer a construction contract. The PS&E must be approved as defined in Chapter 3, *Becoming Certified to Administer FHWA Projects*, before the project can be advertised for construction.

PS&E approval is done by the local agency as identified in the MDT/Local Agency Certification Acceptance (CA) Agreement. The approving authority identified on the CA Agreement must approve the plans and specifications, and a professional engineer licensed in the state of Montana must seal and date the plans and specifications.

The local agency should use the Project Development Checklist (Chapter 4, *Developing Projects Using Local Agency Guidelines*) to check for completeness of the contract plans prior to approving them.

The local agency should have a commitment file, when applicable, containing a summary of commitments made during project development. The file should be reviewed to ensure that the commitments are incorporated in the PS&E. These commitments typically involve right-of-way or environmental considerations (see Appendix 16.74 for list of possible required permits). Any environmental commitments that are made in the design phase of project development must be incorporated into the contract plans and documents to ensure they are complied with in the construction phase of the project. If the commitment arises from an enforceable permit or regulation, it must be noted in the contract documents by such means as a special provision. For example, projects that require a Clean Water Act Section 404 Permit must include a special provision detailing the permitted activities and any special conditions. Similarly, projects that include design aspects that were put in place to avoid impacting a site protected by Section 4(f) of the Department of Transportation Act must include a special provision and notation on the contract plans indicating the avoidance area. Contact MDT ESB for example contract language and special provision templates.

A copy of the bid documents should be furnished to LAG Certification Liaison prior to advertisement for a check of completeness.

Any local agency project with work on state routes must obtain PS&E approval from LAG Certification Liaison

On state ad-and-award projects, MDT will review and approve the PS&E prior to printing contract plans. An estimate of the cost of this service can be obtained from the LAG Certification Liaison. Refer to forms for a checklist.

### 17.2 PS&E Requirements

#### 17.2.1 Wage Rates

For information on state law requirements, contact the MDT Contract Plans Bureau for a listing of current laws. State and federal wage rates must be included for all Federal Highway Administration (FHWA) projects advertised by a local agency. The wage rates used will reflect the latest rates approved by the Montana Department of Labor (DOL) and the U.S. Department of Labor. Refer to CFR 29 part 30 and MCA 18-2-402.

The Federal Davis-Bacon Act predetermined minimum wage must be paid to all covered workers on federal aid projects exceeding \$2,000 that are located on a federal-aid eligible highway. The Davis-Bacon requirements do not apply to force account work performed by agency forces.

If a project is located on a federally classified minor collector or below and is funded through either the bridge (BR), safety (HES) or enhancement category, the project is not subject to the federal wage rate requirement; only the State prevailing wage rate applies.

The applicability of Davis-Bacon to a transportation enhancement project is dependent on the relationship or linkage of the project to a federal aid highway. If the project is “linked” to a federal aid highway based on proximity or impact (i.e., without the federal aid highway the project would not exist), then Davis-Bacon requirements apply. Examples of such projects include the removal of outdoor advertising, a wetland to filter highway drainage, etc.

If the project is not “linked” to a particular federal aid highway and is eligible based solely on function (i.e., a transportation facility, such as an independent bike path, the restoration of a railroad station, etc.), then the Davis-Bacon requirements do not apply. However, the Davis-Bacon requirements apply to all projects greater than \$2,000 that are physically located within the existing right-of-way of a federal aid highway, regardless of the transportation enhancement characteristics.

Another Davis-Bacon issue is the acceptability of using volunteer labor on transportation enhancement projects. The Department of Labor states in its Field Operations Handbook (Section 15): “There are no exceptions to Davis-Bacon coverage for volunteer labor unless an exception is specifically provided for in the particular Davis-Bacon Related Act under which the project funds are derived.” The Davis-Bacon Related Act for the Federal Aid Highway Program (23 U.S.C. Section 113) is silent on this subject. Therefore, on transportation enhancement projects subject to Davis-Bacon coverage, a contractor or subcontractor may not use volunteer labor. On the other hand, a state highway or local government agency may use volunteer laborers under their direct control as a force account effort.

Local agencies may access the Wage Rate data at:

[http://www.mdt.mt.gov/publications/docs/brochures/dbe\\_eeo/fedwagerate20030002.pdf](http://www.mdt.mt.gov/publications/docs/brochures/dbe_eeo/fedwagerate20030002.pdf) . If a local agency is not “on line,” wage rates can be requested through the LAG Certification Liaison.

The effective date for state and federal rates is determined as follows:

- a. State Wage Rates. DOL will use the date that the project is advertised as the effective date for determining prevailing wages.
- b. Federal Wage Rates. This data is received from the USDOL in a document entitled “General Wage Determinations Issued under the Davis-Bacon and Related Acts.” Modifications are issued weekly by the USDOL. The effective date for federal wage rates is the date of notice in the Federal Register or the date on which written notice is received by MDT, whichever occurs first. All modifications on projects to which the determination applies are effective if published before contract award. The following are exceptions:
  1. The effective date for determining state prevailing wage rates is that which the project is advertised.
  2. The effective date for determining federal prevailing wage rates will be ten days prior to bid opening (or fewer if determined that an addenda can be issued prior to bid opening).
  3. Prior to bid opening, the local agency may visit

[http://www.mdt.mt.gov/publications/docs/brochures/dbe\\_eo/fedwagerate20030002.pdf](http://www.mdt.mt.gov/publications/docs/brochures/dbe_eo/fedwagerate20030002.pdf) or MDT Contract Plans Bureau at (406) 444-6214, to see if wage rates have changed or are pending.

4. To minimize the possibility of out-of-date state and federal wage rates at the time of bid opening, the wage rates should be requested seven days before the advertising date.

### 17.2.2 Other Requirements.

1. Form FHWA-1273. Each set of contract and sub-contract documents will include Form FHWA-1273, "Required Contract Provisions, FHWA Construction Contracts," and such amendments that modify the FHWA-1273. Copies of the FHWA-1273 Form and amendments are available from the MDT Contract Plans Section. Form 1273 must be physically incorporated in all contracts and sub-contracts.
2. Affirmative Action. See Chapter 12, Equal Employment Opportunity and Training.
  - c. Disadvantaged Business Enterprises. In accordance with FHWA and MDT efforts to increase DBE (Disadvantaged Business Enterprises) participation in FHWA projects, MDT has developed a management-by-objective goal-setting process for DBE participation. For additional information, see Chapter 12, Disadvantaged Business Enterprises.
  - d. "Buy-America" Requirements. Steel that is permanently incorporated into the project must consist of American-made materials, as outlined in the *MDT Standard Specifications*, Section 106.09.
  - e. Traffic Control Plans. Traffic Control Plans (TCP) must be consistent with Part VI of the MUTCD and must be referenced in the contract documents.
  - f. Justification for nonparticipating (non-federal aid eligible) work items, if included in the contract (tied bids), must be documented by the local agency. Combining of bid items must not increase the cost of the federally funded project
  - g. Justification for the use of agency-supplied materials must be documented by the local agency. The materials must have been produced by agency forces or acquired through competitive bidding. Material purchased from a sole source may be used only with MDT approval.

Local Ad and Award Projects, see Chapter 18. State Ad and Award Projects, see Chapter 18.

### 17.3 Document Requiring Professional Stamps

The following documents require a PE stamp upon completion. The Professional Engineer with responsible charge of the project will assure that appropriate engineering reports and documents are stamped in accordance with MCA 18.2.122. If a particular "Engineering Report or Document" is not listed, it is not necessarily exempt from the requirement.

In nearly all cases, the responsibility will rest with the agency or consultant PE, but if a MDT engineer has responsible charge of a particular item, they will also have the responsibility to stamp the appropriate document. The list includes:

- Design Reports
  1. Type, Size, and Location Report
  2. Design Decision Summary

3. Plan title sheets (this serves to indicate that professional engineer has responsible charge for the entire plan package)
4. Special Provisions
5. Plans for Falsework and Forms, normally the contractor's responsibility
6. Bridge Design Report
7. As Built Plans
8. Emergency Contracts that contain the equivalent of PS&E documents

In addition to requiring a PE stamp from the local agency or consultant, the following documents will require MDT approval:

1. Design Approval Report
2. Technical Change Orders
3. Value Engineering Study Report
4. Design Exceptions Request

#### **17.4 Contract Plans**

For state ad-and-award projects, the plans should be prepared in accordance with the *MDT Road Design Manual*. For local ad-and-award projects, there are no federal or state requirements for plan sheet size or guidelines for preparing contract plans.

For both state and local ad-and-award projects, the plans must carry the seal and signature of a registered Professional Engineer, in accordance with MCA 37-67-101.

#### **17.5 Specifications**

MDT publishes and distributes the *Standard Specifications for Road and Bridge Construction*, *Supplemental Specifications* and the Detailed Drawings. The Montana Contractors' Association, Inc. publishes and distributes the Montana Public Works Standard Specifications.

##### **17.5.1 Standard Specifications for Road and Bridge Construction**

All FHWA funded projects, including local agency force projects, will be constructed and administered in conformance with the current combined MDT and MPW *Standard Specifications*, and such amendments that modify these specifications.

##### **17.5.2 Supplemental Specifications**

These supplements are approved changes to the *Standard Specifications*.

##### **17.5.3 Special Provisions**

Since Special Provisions are specifications governing matters unique to an individual project, they are not covered in the *Standard Specifications*. Their use should be held to a minimum and applicable *Standard Specifications* should be used instead. Issues mandated in the state and federal laws will not be changed.

Special Provisions are required:

- a. For the presentation of all features of a project not covered by the *Standard Specifications* and *Special Provisions*.
- b. Where the *Standard Specifications* are being amended.

- c. For any deviation from the *Standard Specifications* with regard to materials, construction details, measurement, and payment.
- d. Environmental commitments arise from an enforceable permit or regulation. For example, projects that require a Clean Water Act Section 404 Permit must include a special provision detailing the permitted activities and any special conditions. Similarly, projects that include design aspects that were put in place to avoid impacting a site protected by Section 4(f) of the Department of Transportation Act must include a special provision and notation on the contract plans indicating the avoidance area. Contact MDT ESB for example contract language and special provision templates.

The following paragraphs discuss some pertinent aspects of special provisions.

1. All nonstandard pay items will be covered in the Special Provisions.
2. For high cost and major projects, the local agency is encouraged to include a value engineering incentive clause in their construction specifications encouraging the contractor to propose changes in contract requirements that will accomplish the project's functional requirements at less cost. Guidelines for Value Engineering proposals are contained in Section 104.08 of the *MDT Standard Specifications*.
3. Traffic control must be in accordance with the MUTCD. A Special Provision must be prepared outlining traffic control requirements and including any pay items.
4. Neatline measurement of quantities is allowed by special provision. This specification may allow payment of the neatline measurement from the lines and grades as shown on the plans or as directed by the Engineer's stakes on the ground. This may apply to aggregates, base course, and surfacing. On asphalt quantities, the unit price could include the cost of coring to verify density and depths. Culvert and pipeline installation may be paid by the lineal foot-in-place with bedding, backfill, and compaction as incidental to the unit price. In these instances, an item should be added for extra excavation or backfill if the profile varies or is subject to change during the contract. Shoring must be paid as a separate bid item.
5. Direct reference to proprietary specifications of national, regional, or local trade associations should not be included in FHWA contract specifications; such proprietary specifications are subject to change without notice to, or acceptance by, the state or FHWA. If proprietary specifications must be used, the complete text, or such parts as are applicable, should be incorporated into special provisions for the project. In order to use proprietary specifications, the public interest finding or certification must be prepared by the local agency and approved by MDT.
6. The use of trade names in specifications and on plans should be avoided. Instead, specifications should be formulated to assure full opportunity for competition among equivalent materials, equipment, and methods. References in specifications and on plans to single trade-name materials require justification. However, where satisfactory specifications based on laboratory tests or other performance requirements cannot be developed or obtained from organizations which develop specifications, a local agency may use trade name designations, provided that at least three names of acceptable materials or products, if available, are listed. Experimental and research items require MDT approval.

## 17.6 Estimates

The engineer's estimate of a proposed project's cost must include the estimated quantity and estimated unit price for each proposed work item. Bridge items must be segregated from roadway items. Tabulation for each bridge showing its applicable items must be submitted.

If materials salvaged from the project are to be used for roadway purposes, the value of such materials should not be included in the project cost.

The estimate must separately list the costs of nonparticipating items, local agency force work, and local agency furnished materials.

The separate cost groups must be summarized and totaled on the first sheet of the estimate.

The LAG Certification Liaison may be contacted for assistance in preparing the estimate.

### **17.7 Appendices**

The following documents are available from the Department. Contact the LAG Certification Liaison to obtain the most current version:

- Proposal
- Contract
- Schedule of Values
- Engineer's Estimate
- Form 1273 Required Contract Provision (all federal-aid\_
- EEO Affirmative Action Requirements on Federal & Federal-Aid Construction Contracts

17.7.1 Permits

17.7.2 Local Agency Plans Preparation Checklist

17.7.3 Subcontractor List

17.7.4 Form LLL Disclosure of Lobbying Activities

## Appendix 17.7.1 Permits

| Topic                                                      | Agency                                                        | Conditions Requiring                                                                                                                                                                  | When to Initiate                                                                         | References                                               |
|------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Air Pollution                                              | DEQ                                                           | Air pollution from newly-constructed or relocated point source (asphalt plant, rock crusher, etc)                                                                                     | Prior to commencing construction                                                         |                                                          |
| Airport-Roadway Clearance                                  | FAA                                                           | Airspace intrusion of roadway facility (proposed construction in the vicinity of public use/military airports may require FAA notice)                                                 | During design/prior to commencing construction                                           | FHPM 6-1-1-2<br>FAA Req. p. 77                           |
| Blackfeet Nation Water Resources (ALPO – 90A)              | Blackfeet Environmental Office                                | all construction or fill projects that occur in waters, aquatic lands, riparian areas and streams on the Blackfeet Indian Reservation.                                                | During design/prior to commencing construction                                           |                                                          |
| Building Permit                                            | County/City/State                                             | Construction of any building                                                                                                                                                          | Prior to commencing Construction                                                         |                                                          |
| Conditional Use Permit                                     | County/City/DEQ                                               | Development within 61 km (200 feet) of water must be consistent with the local Shoreline Master Plan                                                                                  | No permit if consistent                                                                  |                                                          |
| Cultural, Archaeological, Or Historic Sites #106 (Sec 106) | SHPO, FHWA, ACHP                                              | Suspected/actual, cultural/archaeological historic properties impacted by project                                                                                                     | During preparation of environmental document                                             | 36 CFR 800<br>16 USC 470 Historic Preservation Act       |
| Endangered/Threatened Species                              | USFWS                                                         | Plant or animal species that are suspected to be or actually are, of endangered or threatened status                                                                                  | During preparation of environmental document                                             | 16 USC 1531-1543                                         |
| Fish & Wildlife                                            | USFWS, FWP                                                    | Consultation required when any waters are Proposed to be modified or controlled                                                                                                       | During preparation of environmental document                                             | 33 USC 66., 662                                          |
| Floodplains                                                | DEQ/County                                                    | Any structure/activity which may adversely affect The flood regime of any stream within the affected Flood zone                                                                       | After/during preparation or environmental document                                       | State-Flood Control Zone Act of 1935<br>Federal EO 11988 |
| Forest Practices Approval                                  | DNR (Area offices)                                            | Public/private land capable of supporting merchant-able timber – some activities: Road construction, pits, pesticide use, , Hydraulic permits, shoreline permits, reforestation, etc. | Environmental document phase/prior to commencing construction                            |                                                          |
| Hydraulics Permit                                          | DNRC                                                          | Projects that will use, divert, obstruct, or change the natural flow or bed of any state waters (culvert work, Realignment, bridge replacement, etc.)                                 | During/after preparation of environmental document                                       |                                                          |
| Prime & Unique Farmland                                    | US Dept of Agriculture Natural Resources Conservation Service |                                                                                                                                                                                       |                                                                                          |                                                          |
|                                                            | Soil Conservation Services (USDOA)                            | Lands impacted are of prime or unique status                                                                                                                                          | During preparation of environmental document                                             | 7 CFR 658                                                |
| “Section 4(f)” Lands                                       | FHWA, Affected Agency DOI, HUD And USDOA                      | Use of park and recreation lands, wildlife and waterfowl refuges, and historic sites of national, state or local significance                                                         | During preparation of environmental document (Amended 5/19/78) FHPM 7-7-2(20) 23 CFR 138 | 49 USC 1651 (f)<br>DOT Act of 1966 #4                    |
| Sewage Facilities                                          | DEQ/County                                                    | Construction modification of domestic/industrial Wastewater facilities (sewer relocation, rest area Construction, etc. )                                                              | Prior to commencing construction                                                         |                                                          |
| Shoreline Management Substantial Development               | County/City/DEQ Tribal                                        | Shoreline development or construction valued at \$1,000 or more, or materially interfering with normal public use of water                                                            | During preparation of environmental document                                             |                                                          |
| 318 Authorization Modification (Water Quality)             | DEQ                                                           | Short-term activities which may result in temporary reduction of water quality standard, and activities not subject to a waste discharge permit or water quality certification        | During Design                                                                            |                                                          |
| SM-2 Surface Mine Reclamation                              | DEQ                                                           | Mining (pities, quarries), 0.8 ha (2 acres) or more/9 091 tonnes (10,000 tons) or more                                                                                                | During preparation of environmental document                                             |                                                          |
| Sole Source                                                | EPA/DEQ                                                       | Any activity which may affect the aquifer recharge                                                                                                                                    | During preparation of                                                                    | SDWA                                                     |

|                                                     |                                                   |                                                                                                                                                                                        |                                              |                                                  |
|-----------------------------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--------------------------------------------------|
| Aquifer                                             |                                                   | zone                                                                                                                                                                                   | environmental document                       | P.L. 93-423                                      |
| State Waster Disposal                               | DEQ                                               | Discharge of waste material from sand and gravel washing, pit dewatering or cement/asphalt plant Discharge into state waters                                                           | During design                                |                                                  |
| Storm Water Discharge (MPDES or NPDES)              | DEQ or EPA                                        | Discharge of pollutants into state surface waters during construction activities                                                                                                       | Prior to ground disturbing activities        | Clean Water Act Section 402.                     |
| 401 Certification                                   | DEQ, EPA, or Tribe                                | Prior to issuance of a federal permit/license for Activity which involves discharge into navigable Waters, certification of compliance with state water Quality standards is necessary | During project development                   | FHWA #401                                        |
| Stormwater Management within a Regulated Urban Area | DEQ/Local Government/MDT                          | Storm water discharges within MS4 areas                                                                                                                                                | During design, during construction           | ARM 17.30.1101, et seq.                          |
| Water Rights                                        | DNRC                                              | Appropriation of ground water or surface water                                                                                                                                         | Prior to putting water to use                |                                                  |
| Waters/ Wetlands (Sec. 404 Dredge/ Fill)            | Army Corps of Engineers (Coordination with USFWS) | Discharging, dredging, or placing fill materials within waters of the USA or adjacent wetlands                                                                                         | Early stages of project development          | Sec. 404 FWPCA 1972 33 USC 1344                  |
| Waterways (Sec. 10)                                 | Army Corps of Engineers (Coordination with USFWS) | Obstruction alteration, or improvement of any navigable water (rechanneling, piers, wharfs, dolphins, bulkheads, buoys, etc.)                                                          | Early stages of project development          | Rivers and Harbors Act of 1899 33 33 USC 401 #10 |
| Waterways (Sec. 9 )                                 | Coast Guard (Coordination with USFWS)             | Bridges and causeways in navigable waters, including all tidal-influenced streams                                                                                                      | After design                                 | Rivers and Harbors Act of 1899 33 USC #9         |
| Wetlands 11990(Protection)                          | USFWS or NMFS                                     | Impact to lowlands covered with shallow and Sometimes temporary/intermittent waters (swamps, marches, bogs, sloughs, potholes, etc.)                                                   | During preparation of environmental document | 49 USC 1651 EO of Wetlands)                      |
| Wild & Scenic Rivers                                | USFS/NPS                                          | Impacts to rivers or streams in or having potential for designation in the National Wild and Scenic River System                                                                       | During preparation of environmental document |                                                  |

**LEGEND:**

ACHP – Advisory Council on Historic Preservation  
 ARM – Administrative Codes of Montana  
 CFR – Code of Federal Regulations  
 CZMA – Coastal Zone Management Act  
 DNR – Department of Natural Resources (state)  
 DOE – Department of Ecology (state)  
 DOI – U.S. Department of Interior  
 DOT – U.S. Department of Transportation  
 EO – Executive Order  
 EPA – Environmental Protection Agency (federal)  
 FAA – Federal Aviation Administration (DOT)  
 FERC – Federal Energy Regulatory Commission  
 FHWA – Federal Highway Administration (DOT)  
 FWCA – Fish and Wildlife Coordination Act  
 FHPM – Federal Highway Program Manual  
 MCA – Montana Code Annotated  
 MPDES – Montana Pollution and Discharge System  
 NMFS – National Marine Fisheries Service (Department of Commerce)  
 NPDES – National Pollutant Discharge Elimination System  
 NPS – National Park System  
 OAHP – Office of Archaeology and Historic Preservation (state)  
 SDWA – Safe Drinking Water Act  
 USC – United States Code  
 USDOA – U.S. Department of Agriculture  
**USFS – U.S. Forest Service (USDOA)**

Appendix 17.7.2 Local Agency Plans Preparation Checklist

PLANS PREPARATION CHECKLIST

| Item                                                                    | Required |    |
|-------------------------------------------------------------------------|----------|----|
|                                                                         | Yes      | No |
| <b>Road Plans</b>                                                       |          |    |
| Title Sheet                                                             |          |    |
| Table of Contents                                                       |          |    |
| Notes Sheet                                                             |          |    |
| Linear & Level Data                                                     |          |    |
| Control Diagram                                                         |          |    |
| Typical Sections                                                        |          |    |
| Summaries of Plan Quantities                                            |          |    |
| Detail Sheets                                                           |          |    |
| Plan & Profile Sheets                                                   |          |    |
| Cross Sections                                                          |          |    |
|                                                                         |          |    |
| <b>Erosion Control Plans (Blank or complete depending on permittee)</b> |          |    |
|                                                                         |          |    |
| <b>Signing Plans</b>                                                    |          |    |
| Title Sheet                                                             |          |    |
| Table of Contents                                                       |          |    |
| Signing & Delineation Quantities                                        |          |    |
| Sign Location & Specifications Sheet                                    |          |    |
| Detail Sheets                                                           |          |    |
| Plan Sheets                                                             |          |    |
|                                                                         |          |    |
| <b>Electrical Plans</b>                                                 |          |    |
| Title Sheet                                                             |          |    |
| Table of Contents                                                       |          |    |
| Electrical Quantities Summaries                                         |          |    |
| Electrical Details                                                      |          |    |
| Signal & Luminaire Pole Schedules                                       |          |    |
| Loop Detector Schedule                                                  |          |    |
| Conduit & Wire Schedule                                                 |          |    |
| Service Wiring Diagrams                                                 |          |    |
| Electrical Plan Sheets                                                  |          |    |
|                                                                         |          |    |
| <b>Landscaping Plans</b>                                                |          |    |
|                                                                         |          |    |
| <b>Specifications</b>                                                   |          |    |
| Special Provisions                                                      |          |    |
| MT Public Works Standard Specs                                          |          |    |
| MDT Standard Specifications                                             |          |    |

| Item                                            | Required |    |
|-------------------------------------------------|----------|----|
|                                                 | Yes      | NO |
| <b>Miscellaneous Items</b>                      |          |    |
| State Furnished Material                        |          |    |
| City Furnished Material                         |          |    |
| County Furnished Material                       |          |    |
| Design Exception Approval                       |          |    |
| Proprietary Items Approval                      |          |    |
|                                                 |          |    |
| <b>Cost Estimate</b>                            |          |    |
| Funding Splits                                  |          |    |
| Mobilization                                    |          |    |
| Traffic Control Costs                           |          |    |
| Construction Engineering                        |          |    |
| Contingency                                     |          |    |
|                                                 |          |    |
| <b>Right-of-Way &amp; Utilities</b>             |          |    |
| Right-of-Way Acquired                           |          |    |
| Construction Permits                            |          |    |
| Utilities Relocated                             |          |    |
| Relocate Utilities During Construction          |          |    |
|                                                 |          |    |
| <b>Permits</b>                                  |          |    |
| Corps of Engineers 404 and/or Section 10 Permit |          |    |
| Storm-Water Construction General Permit         |          |    |
| 124 Stream Protection Act                       |          |    |
|                                                 |          |    |
| <b>Environmental Issues</b>                     |          |    |
| Wetland/Stream Mitigation Onsite                |          |    |
| Threatened or Endangered Species                |          |    |
| SHPO Approval - Cultural Requirements           |          |    |
| Hazardous Materials                             |          |    |
| Section 4(f) and/or 6(f) protected sites.       |          |    |
| <b>Agreements</b>                               |          |    |
| Railroad Agreement                              |          |    |
| City Cost Participation                         |          |    |
| County Cost Participation                       |          |    |
| City Streets Used as Detours                    |          |    |
| County Roads Used as Detours                    |          |    |
| Memorandum of Understanding                     |          |    |
|                                                 |          |    |

**Appendix 17.7.3 Subcontractor List**

Montana Department of Transportation Subcontractor List

To Be Submitted with the Bid Proposal

Project Name \_\_\_\_\_

The work to be performed is to be listed below the subcontractor(s) name.

If no subcontractor is listed below, the bidder acknowledges that it does not intend to use any subcontractor to perform those items of work.

Subcontractor Name \_\_\_\_\_

Work to be Performed \_\_\_\_\_

\_\_\_\_\_

Subcontractor Name \_\_\_\_\_

Work to be Performed \_\_\_\_\_

\_\_\_\_\_

Subcontractor Name \_\_\_\_\_

Work to be Performed \_\_\_\_\_

\_\_\_\_\_

Subcontractor Name \_\_\_\_\_

Work to be Performed \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <p><b>16.</b></p> <p>Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less that \$10,000 and not more than \$100,000 for each such failure.</p> | <p>Signature:<br/>                 Print Name:<br/>                 Title:<br/>                 Telephone No.: _____ Date:</p> |
| <p><b>Federal Use Only:</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>Authorized for Local Reproduction<br/>                 Standard Form LLL (Rev. 7-97)</p>                                    |

**INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether sub-awardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLLA Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.

15. Check whether or not a SF-LLLA Continuation Sheet(s) is attached.

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and Reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.