

STATE OF LOUISIANA

US 90 (I-49 SOUTH)
ALBERTSON'S PARKWAY TO
AMBASSADOR CAFFERY
DESIGN-BUILD PROJECT

LAFAYETTE PARISH

STATE PROJECT NO. H.010620
FEDERAL AID PROJECT NO. H010620

REQUEST FOR PROPOSALS
CONTRACT DOCUMENTS

DB SECTION 101

ACRONYMS AND ABBREVIATIONS
AND DEFINITIONS



DB SECTION 101

ACRONYMS AND ABBREVIATIONS AND DEFINITIONS

DB 101-1 REFERENCES

Section, subsection, and subpart titles and headings provide reference only, not interpretation.

Unless specified by year or date, cited publications refer to the most recent issue, including interim publications, in effect on the Proposal due date.

Wherever in these Contract Documents the following terms, abbreviations, or symbols are used, the intent and meaning must be interpreted as follows in this Design-Build (DB) Section 101.

DB 101-2 ACRONYMS AND ABBREVIATIONS

Wherever the following abbreviations or acronyms are used in these Contract Documents, they are to be interpreted as follows.

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| AA | Aluminum Association |
| AAN | American Association of Nurserymen |
| AAP | AASHTO Accreditation Program |
| AAR | Association of American Railroads |
| AASHTO | American Association of State Highway and Transportation Officials |
| ACI | American Concrete Institute |
| AGC | Associated General Contractors of America |
| AGMA | American Gear Manufacturers Association |
| AIA | American Institute of Architects |
| AISC | American Institute of Steel Construction |
| AISI | American Iron and Steel Institute |
| AMRL | AASHTO Materials Reference Laboratory |
| ANSI | American National Standards Institute, Inc. |
| API | American Petroleum Institute |
| ARA | American Railway Association |
| AREA | American Railway Engineering Association |
| ARRA | American Recovery and Reinvestment Act of 2009 |
| ASCE | American Society of Civil Engineers |
| ASLA | American Society of Landscape Architects |
| ASTM | American Society for Testing and Materials |
| AWG | American Wire Gauge |
| AWPA | American Wood-Preservers Association |
| AWS | American Welding Society |
| AWWA | American Water Works Association |
| CCRL | Concrete and Cement Reference Laboratory |
| CD-ROM | Compact Disc – Read Only Memory |
| CERCLA | Comprehensive Environmental Response, Compensation and Liability Act |
| CGL | Commercial General Liability |
| CPM | Critical Path Method |

Louisiana Department of Transportation and Development

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|---------|--|
| CQAF | Construction Quality Acceptance Firm |
| CQAM | Construction Quality Acceptance Manager |
| CQAP | Construction Quality Assurance Program |
| CQMP | Construction Quality Management Plan |
| CSL | Contract Submittal List |
| DB | Design-Build |
| DBE | Disadvantaged Business Enterprise |
| EDSM | The Louisiana Department of Transportation and Development's Engineering Directives and Standards Manual |
| EMT | Emergency Medical Technician |
| FAA | Federal Aviation Administration, United States Department of Transportation |
| FHWA | Federal Highway Administration, United States Department of Transportation |
| FONSI | Finding of No Significant Impact |
| FSS | Federal Specifications and Standards, General Services Administration |
| IA | Independent Assurance |
| ICC | Interstate Commerce Commission |
| IMSA | International Municipal Signal Association |
| IPCEA | Insulated Power Cable Engineers Association |
| ISO | International Standards Organization |
| ITE | Institute of Transportation Engineers |
| ITP | Instructions to Proposers |
| JV | Joint Venture |
| LA DOTD | Louisiana Department of Transportation and Development |
| LLC | Limited Liability Company |
| LOI | Letter of Interest |
| MIL | Military Specifications |
| MUTCD | Manual of Uniform Traffic Control Devices |
| N/A | Not Applicable |
| NCHRP | National Cooperative Highway Research Program |
| NCR | Non-Conformance Report |
| NEC | National Electrical Code |
| NEMA | National Electrical Manufacturers Association |
| NEPA | National Environmental Policy Act |
| NFPA | National Fire Protection Association |
| NOI | Notice of Intent |
| NTP | Notice to Proceed |
| OSHA | Occupational Safety and Health Administration, United State Department of Labor |
| OV | Owner Verification |
| OVTIP | Owner Verification Testing and Inspection Plan |
| PC | Price Center |
| PCP | Progress Check Point |
| PCV | Price Center Value |
| PE | Preliminary Engineering |
| PPS-C | Contract Periodic Payment Schedule |
| PPS-P | Proposal Periodic Payment Schedule |
| QC | Quality Control |
| QPL | Qualified Products List (Louisiana Department of Transportation and Development) |
| RFP | Request for Proposals |

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|--------|--|
| RFQ | Request for Qualifications |
| RMA | Rubber Manufacturers Association |
| ROW | Right-of-Way |
| SAE | Society of Automotive Engineers |
| SHPO | State Historic Preservation Office |
| SI | Système International d'Unités - International System of Units |
| SOQ | Statement of Qualifications |
| SSPC | Steel Structures Painting Council |
| TBD | To Be Determined |
| UL | Underwriters Laboratories, Inc. |
| US | United States |
| USC | United States Code |
| USDA | United States Department of Agriculture |
| USDOL | United States Department of Labor |
| US DOT | United States Department of Transportation |
| UST | Underground Storage Tank |
| VE | Value Engineering |
| WBS | Work Breakdown Structure |

DB 101-3 DEFINITIONS

When the following capitalized words or expressions are used in the Contract Documents, they are to be defined as follows:

Acceptance Decision - The Louisiana Department of Transportation and Development's (LA DOTD) responsibility for the acceptance of the Work and materials in order to ensure Contract compliance and make progress payments. All acceptance activities shall be carried out by LA DOTD, or its designated representative, independent of the Design-Builder; however, this does not preclude the inclusion of the Design-Builder's Quality Assurance (QA) testing data in the acceptance decision, provided that the data is validated by the LA DOTD's owner verification firm.

Acceptance Program - All factors that comprise the LA DOTD Construction Quality Assurance Program (CQAP) to determine quality of the product as specified in the Contract requirements. These factors include the Design-Builder's acceptance and the LA DOTD's Verification Sampling and Testing and inspection.

Addenda/Addendum - Supplemental additions, deletions, and modifications to the provisions of the Request for Proposals (RFP) after the release date of the RFP.

Administrative Plans - Those Plans that contain general Project or Plan information, such as, cover sheets, index sheets, and similar non-technical information.

Advertisement - The public announcement in the form of the Notice of Intent (NOI) inviting prospective Proposers to obtain a Request for Qualifications (RFQ) and submit a Letter of Interest (LOI). The Advertisement included a brief description of the Work proposed to be the subject of the procurement with an announcement where the RFQ may be obtained, the terms and conditions under which LOIs will be received, and such other matters as the LA DOTD deemed advisable to include therein. The Advertisement for this Project was published on May 1, 2013.

Affiliate - Any of the following:

- A) A Person which directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the following:
 - 1) The Proposer; or
 - 2) Any other Principal Participant.
- B) An Affiliate may also be any Person for which ten percent or more of the equity interest in such Person is held directly or indirectly, beneficially or of record, by the following:
 - 1) The Proposer; or
 - 2) Any Principal Participant; or
 - 3) Any Affiliate of the Proposer under part (A) of this definition.

For purposes of this definition, the term “control” means the possession, directly or indirectly, of the power to cause the direction of the management of a Person, whether through voting securities, by contract, by family relationship, or otherwise.

Amendment - A formal alteration by addition, deletion, or modification of the terms of the executed Contract. Amendment is an umbrella term and includes Plan Changes, Change Orders, or Supplemental Agreements.

Approval - The LA DOTD’s written statement indicating that the subject Work complies with Contract requirements. Approvals will only be given for those submittals, activities, or Work specifically identified for “Approval” or “approval” in the Contract Documents. *See also* DB Section 105-10.

As-Built Plans - Final Plans reflecting the Work as actually performed under the Contract.

Award - The decision of the LA DOTD to accept a responsive Proposal from a responsible Proposer for the Work identified in the RFP, subject to the execution and approval of a satisfactory Contract; provision of Payment, Performance, and, if used, Retainage Bonds to secure the payment and performance thereof; provision of such insurance as is required under the Contract; and the satisfaction of such other conditions as may be specified or otherwise required by law.

Baseline Progress Schedule - The time-scaled, cost-loaded, and resource-loaded Critical Path network, updated from time to time in accordance with the Contract and depicting the Price Centers (PC) and subordinate activities and their respective prices (distributed over time), durations, sequences, and interrelationships that represent the Design-Builder’s Work plans; the Design-Builder’s Work Breakdown Structure (WBS) for designing, constructing, and completing the Project; and the total Lump Sum Contract Price, distributed over the period of the Contract.

Basic Project Configuration - The salient characteristics of the Project as defined and/or illustrated in the RFP, including any permitted deviations thereto contained in the Design-Builder’s Proposal. Basic Project Configuration elements may include the following:

- A) The horizontal and vertical alignments;
- B) Number of intersections;
- C) Number of bridges;
- D) Number of lanes;

- E) The general location of the limits of the Project;
- F) The minimum vertical clearances; and
- G) The Right-of-Way limits.

Basic Project Configuration Plan - The Plan designated as such in the Contract Documents that depicts the Basic Project Configuration within the limits specified in the Contract. In general, the Basic Project Configuration Plan describes fundamental elements of the Project that must be included as part of the final design and construction to be furnished by the Design-Builder.

Bridge – A structure, including supports, erected over a depression or an obstruction, such as, water, highway, or railway, which has a track or passageway for carrying traffic or other moving loads and having an opening measured along the center of the roadway of more than 20 feet between undercopings of abutments, spring lines of arches, or extreme ends of openings for multiple boxes. A Bridge may include multiple pipes where the clear distance between openings is less than ½ the smaller contiguous opening.

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.

Bridge Roadway Width – The clear width of structure measured at right angles to the center of the roadway between the bottom of curbs or, if curbs are not used, between the inner faces of parapet or railing.

Calendar Day – Every Day on the calendar, beginning and ending at midnight, Central time.

Change Order – A general term denoting changes to the DB Contract. Change Order as a general term includes Plan Changes. No Change Orders are anticipated on this Project.

Chief Engineer – The Chief Engineer of the Louisiana Department of Transportation and Development.

Construction Quality Acceptance Firm - An independent engineering/testing firm employed by the Design-Builder responsible for administering and managing the construction QA inspection, sampling, and testing. The Construction Quality Acceptance Firm and any subcontractors or subconsultants thereto must not be owned or controlled by the Design-Builder, any Principal Participant of the Design-Builder, any Affiliate of any Principal Participant, any Construction Subcontractor, the Designer, a firm associated with or subsidiary to the Designer, or any design subcontractor or subconsultant of any tier to the Design-Builder.

Construction Quality Assurance Program - The overall quality program and associated activities including the LA DOTD's verification, the Design-Builder's internal Quality Control and Construction Quality Acceptance Firm's QA, the Contract quality requirements, and the Design-Builder's Construction Quality Management Plan.

Construction Quality Management Plan - The Design-Builder's plan for complying with its obligations for construction Quality Control/process control and Design-Builder Quality Acceptance as required by the LA DOTD CQAP for DB projects. This plan will be written as a stand-alone document, but will also be a part of the Design-Builder's overall Quality Plan required by the Contract Documents. The Construction Quality Management Plan must be provided and maintained in accordance with the Contract following Consultation and Written Comment thereof by the Department's Project Manager.

Construction Subcontractor - A Subcontractor (or Affiliate) retained by the Design-Builder that is involved in the actual construction of the Project.

Constructor - A Principal Participant or Subcontractor (or Affiliate) retained by the Design-Builder that is involved in the actual construction of the Project.

Consultation and Written Comment - The LA DOTD's reviews, observations, and/or inspections based solely on information submitted by the Design-Builder, as well as independent investigation or inquiry by the LA DOTD, and the LA DOTD's written responses resulting from such LA DOTD actions. *See also* DB Section 105-10.

Contract - The written agreement between the LA DOTD and the Design-Builder setting forth the obligations of the parties thereunder, including, but not limited to, for the performance of the prescribed Work. The Contract includes the Advertisement; Contract Documents identified in Article 1.0 of Part 1 – DB Agreement; the Design-Builder's Proposal (with the exception of the Proposal Bond); the Notice to Proceed (NTP); Payment, Performance, and Retainage Bonds; and any Supplemental Agreements, Amendments, and Change Orders that are required to complete the Work in an acceptable manner and Contract time, including authorized extensions thereof, all of which constitute one instrument.

Contract Documents – The Contract Documents include the DB Agreement, DB Sections 100s, Design Requirements and Performance Specifications, the RFP Plans, the Engineering Data, the Design-Builder's Proposal, and all provisions required by law to be inserted in the Contract whether actually inserted or not. *See also* Part 1 – DB Agreement, Article 1.0. Whenever separate publications and the LA DOTD's Standard Specifications are referenced in the Contract Documents, it is understood to mean the publications and Specifications, as amended, which are current on the Proposal due date, unless otherwise noted.

Contract Price – See Lump Sum Contract Price.

Contract Time – The number of working days or Calendar Days allowed for completion of the Contract, including authorized time extensions. When a calendar date of completion is shown in the Contract in lieu of a number working or Calendar Days, Work must be completed by that date, including authorized time extensions.

Control of Access – The condition where the right of owners or occupants of abutting land or other persons to access, light, air, or view in connection with a highway is controlled by public authority.

Controlled Access Highway – Any highway to or from which access is denied or controlled from or to abutting land or intersecting streets, roads, highways, alleys, or other public or private ways.

Critical Path - Each path shown on the Baseline Progress Schedule for which there is zero float.

Cultural Resource - Any prehistoric or historic period artifact, site, building, structure, material remain, or traditional use area resulting from, or associated with, human cultural activity. Historically important cultural resources are those eligible for inclusion on the National Register of Historic Places.

Culvert – Any drainage structure under a roadway or other facility not defined as a Bridge.

Day - A Calendar Day, unless otherwise defined or modified.

Dedicated Stockpile – A stockpile assembled for a specific project.

Definitive Design - The point in the design process at which the design concepts are defined and the Basic Project Configuration is finalized.

Department – The Department of Transportation and Development of the State of Louisiana.

Department-Directed Changes - Any changes in the Work as described in the Contract (including changes in the standards applicable to the Work) that the LA DOTD has directed the Design-Builder to perform, in writing, as described in the Contract.

Department of Transportation and Development – The Louisiana Department of Transportation and Development through its offices and officers, responsible for developing and implementing programs to assure adequate, safe, and efficient transportation and other public works facilities and services in the state in accordance with Chapter 11 of the Louisiana Revised Statutes Title 36, as amended.

Department’s Project Manager - The engineer representing the LA DOTD and having direct supervision of the administration and execution of the Contract.

Design Acceptance - Written confirmation by the LA DOTD after submittal and review of the As-Built Plans that the design conforms to the Contract Documents and reflects the as-built conditions. Design Acceptance is required as part of Final Acceptance.

Design-Build - A project delivery methodology by which the LA DOTD contracts with a Design-Builder which is responsible for delivering the Project design and construction.

Design-Build Team - *See* Design-Builder.

Design-Builder - The entity contractually responsible for delivering the Project design and construction.

Design-Builder’s Project Manager - The Design-Builder’s on-site designated representative and single point of contact for all aspects of the Work.

Design-Builder Quality Acceptance -- All planned and systematic actions, including, but not limited to, inspection, sampling, and testing in order to ensure the quality of the product will perform as per Contract requirements. These activities may be used for acceptance upon LA DOTD verification and are separate and apart from the Design-Builder’s process Quality Control activities.

Design Plan - The Plan prepared by the Designer during the design development to represent the Project.

Design Review - A comprehensive and systematic examination of the design as specified in the Contract to verify that it is in conformance with the requirements of the Contract, as performed by the Design-Builder for all stages of the design except As-Built Plans, which is performed by the LA DOTD. During all stages of the design, except As-Built Plans, the LA DOTD will contribute to the review through Oversight, including, participation, auditing, and spot-checking.

Design Unit - A distinct portion of the Project of which the design is performed as a contiguous, integrated unit.

Designer - A Principal Participant, Specialty Subcontractor, or in-house designer that furnishes or performs the design of the Project.

Differing Site Condition - Subsurface or latent physical conditions that are encountered at the Site and differ materially from the conditions indicated in the Contract. Also, unknown physical conditions of an unusual nature, differing materially from those ordinarily encountered and generally recognized as inherent in the type of Work provided for in the Contract, provided in all cases that the Design-Builder had or should have no actual or constructive knowledge of such conditions as of the Proposal due date.

Directive Plans - Those Plans that depict required elements and components of the Project within specifically defined parameters. The Design-Builder has limited or no latitude to adjust components or details shown on Directive Plans. Examples of Directive Plans include the following:

- A) Basic Project Configuration Plans that depict the Basic Project Configuration within the limits defined in the Contract; and
- B) Right-of-Way Plans.

Dispute - A matter of Contract performance or Contract compensation, including granting of extensions of time, in which there is or may be disagreement between the Design-Builder and the LA DOTD and which may involve adjustment of or the addition of new Work to the Contract, extension of time for performance, and/or adjustments in compensation necessitated by the resolution of such disagreement.

Equipment - All machinery, equipment, tools, and apparatus necessary for acceptable completion of the Work.

Extra Work – Work not provided for in the Contract as awarded but found essential by the LA DOTD for satisfactory completion of the Contract within its intended scope.

Falsework – Temporary construction Work on which main Work is wholly or partly built and supported until it is strong enough to support itself; a temporary framework used to support part or all of a structure during demolition.

Federal Requirements – The provisions required to be part of federal-aid construction contracts, including the provisions set forth in DB Section 114 and its Appendix 114A – Federal Requirements.

Final Acceptance - The acceptance of the Work by the LA DOTD's designated representative upon the completion of the Work as defined in the Contract and through Oversight and Design Acceptance of that Work by the LA DOTD. Final Acceptance does not relieve the Design-Builder's obligations pursuant to any guaranty or warranty under the terms of the Contract.

Force Account - Payment for the directed performance of design and/or construction Work based on the actual cost of labor, Equipment, and Materials furnished, overhead, and profit.

Frontage Road – A street or road on the side of the mainline roadway for service to abutting property and adjacent areas, and for control of access.

Hazardous Materials - Any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 United States Code (USC) 9601, et seq.; the Hazardous Materials Transportation Act, 49 USC 5101, et seq.; the Resource Conservation and Recovery Act, 42 USC 6901, et seq.; the Toxic Substances Control Act, 15 USC 2601, et seq.; the Clean Water Act of 1977, 33 USC 1251, et seq.; the Clean Air Act, 42 USC 7401, et seq.; or any other federal, state, or local statute, law, ordinance, resolution, code, rule, regulation, order, or decree regulating, relating to, or

imposing liability or standards of conduct concerning any hazardous, toxic, or dangerous waste, substance, or material.

Highway – A public way for vehicular travel, including the entire area within the Right-of-Way.

Independent Assurance Program - All activities that are included in an unbiased and independent (of the Design-Builder or LA DOTD Project staff) evaluation program for all the design, sampling, and testing procedures; equipment calibration; and qualifications of personnel (Design-Builder's or LA DOTD's) used in the Acceptance Program, including the Design-Builder's Quality Control (QC) and Quality Acceptance, as well as Verification Sampling and Testing. The LA DOTD, or the designated consultant retained by the LA DOTD, will perform the Independent Assurance (IA).

Indicative Plans - Those Plans that represent the nature and type of Work to be designed and constructed as part of the Project and reflect items for which the LA DOTD has no particular view on the specific configuration or Material used in the final product, such as the following:

- A) Structure type (concrete or steel);
- B) Pavement type (concrete or asphalt);
- C) Drainage Material or size (rigid only); or
- D) Pile type.

Indicative Plans do not necessarily reflect the final locations, quantities, or all elements required to complete the design.

Inspector - A Design-Builder or LA DOTD representative detailed to inspect methods and Materials, Equipment, and Work both on and off the Site of the Project.

Laboratory – The LA DOTD's testing laboratory or any other testing laboratory approved by the Department's Project Manager.

Lead Principal Participant - The Principal Participant that is designated by the Proposer as having the lead responsibility for managing the Design-Builder's organization.

Local Road – A street or road not in the state maintained system.

Local Street – *See* Local Road.

Local Traffic – Traffic that has either its origin or destination, or both, within the limits of the Project.

Louisiana Department of Transportation and Development Plans - Those RFP Plans included in the Contract Documents that were created by the LA DOTD.

Lump Sum Contract Price - The total lump sum amount paid for the Work to be performed under the DB Contract, as it may be adjusted from time to time to account for Change Orders. The Lump Sum Contract Price may also be known as the Contract Price.

Manual of Uniform Traffic Control Devices – The manual adopted by the LA DOTD for a uniform system of traffic control devices used on state Highways.

Materials - Any substances used in the Work.

Materials Sampling Manual – The manual used to establish and standardize construction and maintenance sampling and Material acceptance requirements for the LA DOTD.

Median – The portion of a Highway separating traveled ways for traffic in opposite directions.

Notice to Proceed - Written notice to the Design-Builder to proceed with Contract Work, including the date of beginning of Contract Time.

Oversight - Actions by the LA DOTD to satisfy itself that the Design-Builder is designing, constructing, and managing the Work in accordance with the Contract Documents. It includes actions identified in the Contract Documents by the terms QA, accept/acceptance, inspect/inspection, audit, ensure, certify, confirm, review, verify, or terms of similar import. Louisiana Department of Transportation and Development comments as a result of Oversight are conveyed to the Design-Builder through Consultation and Written Comment. Neither the activity of Oversight nor the lack of Consultation and Written Comment on the part of the LA DOTD will be construed to relieve the Design-Builder and its organization from the responsibility and costs for meeting all Contract and regulatory requirements.

Owner Verification Firm - The Louisiana Department of Transportation and Development's representative to perform Verification Sampling and Testing and inspection which will be used in all Acceptance Decisions.

Parish - The parish in which the specified Work is done.

Part - A major subdivision of the Contract Documents.

Partial Suspension - Suspension of Work on some, but not all, items.

Partnering - Those actions taken to include all parties with an appropriate and vested interest in the Project in the management of the Project, such that the Project is completed in the most efficient, timely, safe, and cost effective manner for the mutual benefit of all concerned. These actions include, but are not limited to, communication, organization, establishing goals, continuous improvement, problem identification, conflict resolution, and managing change. Interested parties may include, but are not limited to, the LA DOTD; the Design-Builder; Subcontractors; Suppliers of goods and services to the Project; the community within which the Project is constructed; the community served by the Project; federal, state, and local governments or other public agencies; and utilities.

Pavement Structure – The combination of base course and surface course placed on a subgrade across the roadbed.

Payment/Performance/Retainage Bonds - The approved form of security, executed by the Design-Builder and Surety, guaranteeing completion of duties under the Contract and Amendments, Supplemental Agreements, Change Orders, or Plan Changes thereto, and payment of all legal debts, including liens and monies due the LA DOTD, pertaining to the Contract.

Performance Specification - A specification that establishes Contract requirements in terms of design parameters and performance goals to be met. Performance Specifications also may include parameters for determining performance and corrective action to be taken.

Periodic Payment Schedule - The schedule submitted with the Design-Builder's Proposal (which schedule may be amended by Change Order) that will be the basis for the assessment of periodic payments for each Price Center (PC).

Person - Any individual, firm, corporation, company, Limited Liability Company (LLC), Joint Venture (JV), or partnership.

Plan Change – Any alteration, deviation, addition, or omission as to the preexisting Contract. A Plan Change may also be referred to as an Amendment, Supplemental Agreement, or Change Order.

Plans - The Contract drawings which show location, type, dimensions, and other details of the prescribed Work.

Price Center - A component of the Project for which the Design-Builder provides a Price Center Value (PCV) for all Work included in that component. A PC may be a major contract item or series of interrelated items as identified in the Lump Sum Price Proposal.

Price Center Value - That value allocated by the Design-Builder to a PC as set out in the Lump Sum Price Proposal.

Principal Participant - Any of the following entities:

- A) The Design-Builder;
- B) An individual firm, all general partners, or LLC or JV members of the Design-Builder; and/or
- C) All Persons and legal entities holding (directly or indirectly) a 15% or greater interest in the Design-Builder.

Profile Grade – The trace of a vertical plane intersecting the top surface of the proposed wearing surface or other designed course usually along the longitudinal centerline of the roadbed. Profile Grade means either elevation or gradient of such trace according to the context.

Program Audit - All planned and systematic actions by the LA DOTD and/or its designated Owner Verification Firm necessary to provide confidence that the Design-Builder's quality team is effectively ensuring that all Work complies with the Contract requirements and that all material incorporated in the Work and all elements of the Work will perform satisfactorily for the purpose intended. Actions include, but are not limited to: design audits, checks, and reviews; construction audits, including, specification compliance reviews, document control, and working plan review; review of material sampling and testing results at production sites and the Project site; fabrication audit of manufacturing/processing facilities and equipment; calibration of test equipment; and independent verification of materials if determined to be necessary.

Program Audit activities will be documented. Program Audit also includes issuance and tracking Non-Conformance Reports (NCR), assisting in the evaluation of Change Order requests, and research and evaluation of items as assigned by the Department's Project Manager.

Progress Check Point - A defined step towards the completion of Work within a PC identified in the Schedule of Progress Check Points (PCP). Progress Check Points are defined by the Design-Builder in its Proposal and are approved by the LA DOTD with acceptance of that Design-Builder's Proposal. Any changes to the PCPs after submission of the Design-Builder's Proposal are subject to the Approval of the Department's Project Manager, in his sole discretion.

Project - The improvements to be designed and constructed by the Design-Builder and all other Work product to be provided by the Design-Builder in accordance with the Contract Documents.

Project Number – A number used to identify the Project.

Project Scope - The brief description of the Work to be performed to design and construct the Project as contained in the Contract.

Project Specifications - Those Specifications developed by the Design-Builder to define and control the specific requirements, conditions, means, and methods to be used on the Project. Project Specifications will be based on the Contract requirements and must provide finished products that meet or exceed the quality requirements of the Contract. Project Specifications are subject to the review and Consultation and Written Comment of the Department's Project Manager during Design Reviews.

Qualified Products Lists – Lists maintained by the LA DOTD's Materials and Testing Section for products which do not lend themselves to the preparation of meaningful specifications or for which repetitive full testing is too time consuming or expensive to be practical for routine Project control.

Quality Acceptance - All planned and systematic actions performed by the Construction Quality Acceptance Firm and LA DOTD's representative including design reviews and checks; inspection of material handling and construction; calibration and maintenance of sampling and testing equipment; working plan review; document control; and any inspection, sampling, and testing done for the LA DOTD's Acceptance Decision. Historically, Quality Assurance referred to the LA DOTD's role and Quality Control as the contractor's role; however, these are not separate functions and, in fact, Quality Assurance sampling and testing is the Design-Builder's responsibility and is part of the overall CQAP. The Design-Builder's Quality Assurance test results will be used as part of the LA DOTD's Acceptance Decision.

Quality Assurance - All planned and systematic actions performed by the Construction Quality Acceptance Firm, Design-Builder, Owner Verification Firm, and IA necessary to provide confidence that a product or service will satisfy given requirements for quality.

Quality Control - All Design-Builder process control and operational techniques/activities that are performed or conducted to fulfill the Contract requirements.

Quality Manager - the individual employed by the Design-Builder who is responsible for the overall CQAP for the Project, including the quality of management, design, and construction (Quality Control/process control and Quality Assurance used for the Acceptance Decision).

Quality Plan - The plan that sets out the Design-Builder's means of complying with its obligations in relation to overall quality. The Quality Plan must be provided and maintained in accordance with the Contract requirements of DB Section 113 following Consultation and Written Comment thereof by the Department's Project Manager.

Reference Documents - The documents provided with and so designated in the RFP. The Reference Documents, including plans contained therein and/or so designated, are not Contract Documents and were provided to the Proposers for informational purposes and for use in the Proposer's Proposal preparation, at the Proposer's discretion.

Request for Proposals Plans - Plans contained in Part 4 – Request for Proposals Plans.

Right-of-Way – Land, property, or interest therein, acquired for or devoted to transportation purposes.

Road – *See* Highway.

Roadbed - The graded portions of a Highway within top and side slopes, prepared as a foundation for the pavement structure including the shoulders.

Roadside – The area adjoining the outer edge of the Roadway. Extensive areas between Roadways of a divided Highway may also be considered Roadside.

Roadside Development – Those items necessary to the complete Highway which provide for preservation of landscape materials and features; rehabilitation and protection against erosion of areas disturbed by construction through seeding, sodding, mulching, and placing of other ground covers; and suitable planting or other improvements to increase the effectiveness and enhance the appearance of the Highway.

Roadway - The portion of a Highway within the limits of construction.

Safety Plan - The plan that sets out the Design-Builder's means of complying with its obligations in relation to Project safety, which plan must be provided and maintained in accordance with DB Section 107-5 following Consultation and Written Comment by the Department's Project Manager.

Schedule of Progress Check Points - The schedule describing the PCPs and stipulating dates by which PCPs are to be achieved in order to maintain periodic payments in accordance with the Contract.

Secretary – The Secretary for the Louisiana Department of Transportation and Development.

Service Road – *See* Frontage Road.

Section - A subdivision of the Project or a subdivision of a Part of the Contract Documents.

Site Security Plan - The plan that sets out the Design-Builder's means of complying with its obligations in relation to Site security, which plan must be provided and maintained in accordance with the Contract following Consultation and Written Comment thereof by the Department's Project Manager.

Stakeholder - Any party that has a vested interest in the Project or authority to approve or control specific aspects of the Project or elements that will impact the outcome of the Project. This includes, but is not limited to, the LA DOTD, Federal Highway Administration (FHWA), local city and Parish governments, permitting agencies, and utility companies and the associated staff members of these entities.

Standard Plans – Louisiana Department of Transportation and Development drawings approved for repetitive use, showing the details to be used where appropriate.

Standard Specifications – The Louisiana Specifications for Roads and Bridges 2006 Edition. The Standard Specifications are a Reference Document for the purposes of this Project.

State - The State of Louisiana, acting through its authorized representative.

Street – *See* Highway.

Structures - Bridges, culverts, catch basins, junction boxes, retaining walls, cribbing, manholes, endwalls, buildings, sewers, service pipes, underdrains, foundation drains, and other similar features encountered in the Work.

Subcontractor – An individual, partnership, corporation, or any other legal entity or any acceptable combination thereof, or JV or LLC, to which the Design-Builder sublets part of the Work. Any individual, partnership, corporation, or any other legal entity will not be considered to be a Subcontractor if it is a subsidiary which is wholly-owned or majority-owned by the Design-Builder or the Principal Participants of the Design-Builder, or an Affiliate of the Design-Builder, or affiliated or otherwise controlled by the Design-Builder or Principal Participants of the Design-Builder such that a true and independent Subcontractor-Design-Builder relationship reached by bidding or arms-length negotiation does not result therefrom.

Subgrade – The surface upon which the pavement structure, including shoulders, are constructed.

Subgrade Layer – The surface layer of the subgrade which requires treatment with lime, Portland cement, or Portland-pozzolan cement. The Subgrade Layer may be constructed with stone, crushed slag, recycled Portland cement concrete, shell, sand-shell, or asphaltic concrete.

Substructure - That part of the structure below the bearings of simple and continuous spans, skewbacks, or arches and tops of footings of rigid frames, including, backwalls, wingwalls, and wing protection railings.

Superstructure – The entire Structure except Substructure.

Supplemental Agreement – A written agreement between the Design-Builder and the LA DOTD covering work not otherwise provided for, or revisions in or amendments to terms of the Contract, or Plan Changes, or conditions specifically prescribed in the Specifications as requiring Supplemental Agreements. Such Supplemental Agreement becomes part of the Contract when approved and properly executed.

Surety - The corporation, partnership, or individual, other than the Design-Builder, executing bonds furnished by the Design-Builder and obligating itself thereunder.

Surface Course – The top course of the pavement structure.

Through Traffic – That traffic which has neither its origin nor destination within the limits of the Project.

Traffic/Travel Lane – The portion of Traveled Way for movement of a single lane of vehicles.

Traveled Way - The portion of Roadway for movement of vehicles, exclusive of shoulders and auxiliary lanes.

Unit – A quantity adopted as a standard for measurement of Work.

Utility Relocation Plans - The Design Plans for relocation of a utility impacted by the Project, to be prepared by the Design-Builder or the utility owner, as designated in any applicable utility agreements.

Verification Sampling and Testing - Sampling and testing performed to validate the quality of the product. The sampling and testing are to be performed by qualified testing personnel employed by LA DOTD or its designated agent, excluding the Design-Builder.

Work – The labor, Materials, services, Equipment, and incidentals necessary for successful completion of the Project and the carrying out of all obligations imposed by the Contract prior to Final Acceptance and excluding any warranty or guaranty work included under the Contract.

Working Drawings - Those Plans prepared by the Design-Builder to supplement Design Plans provided by the Design-Builder to specify additional details and procedures for construction of the Project, including the following:

- A) Framework plans;
- B) Cofferdam plans;
- C) Construction details;
- D) Erection plans;
- E) Fabrication plans;
- F) Field design change plans;
- G) Stress sheets;
- H) Shop drawings;
- I) Lift plans;
- J) Bending diagrams for reinforcing steel;
- K) Falsework plans;
- L) Cross-sections; and
- M) Similar data required for the successful completion of the Work.