



**SPECIAL PROVISIONS
FOR
STAGE 3 INCENTIVE/DISINCENTIVE**

**Scott County
IM-NHS-074-1(197)5--03-82
IM-NHS-074-1(198)5--03-82**

**Effective Date
April 25, 2017**

THE STANDARD SPECIFICATIONS, SERIES 2015, ARE AMENDED BY THE FOLLOWING MODIFICATIONS AND ADDITIONS. THESE ARE SPECIAL PROVISIONS AND THEY SHALL PREVAIL OVER THOSE PUBLISHED IN THE STANDARD SPECIFICATIONS.

150233.01 DESCRIPTION.

A. Stage 3 Incentive/Disincentive.

These Special Provisions define Incentive/Disincentive provisions for early completion of the Contractor's work, based on specified milestone completion dates. The Stage 3 Incentive/Disincentive payment for a particular project is independent of the work on any other project. Each Contractor for an individual project is eligible to receive the maximum incentive payment regardless of the status of the other projects.

B. Projects to which the Stage 3 Incentive/Disincentive is applicable.

The following projects are covered by these Special Provisions

- Iowa Project (197): IM-NHS-074-1(197)5--03-82, River Bridge Approach Spans;
- Iowa Project (198): IM-NHS-074-1(198)5--03-82, River Bridge Arch Spans;
- Iowa Project (200): IM-NHS-074-1(200)5--03-82, Eastbound Iowa Viaduct and Ramps and Iowa Project (255), Pedestrian Bridge and Letdown Structure: IM-074-1(255)5--13-82 (Anticipated Letting Fall 2019)
- Iowa Project (206): IM-NHS-074-1(206)5--03-82, Mainline and Ramps Grading and Paving and Iowa Project (219): IM-NHS-074-1(219)5--03-82, Traffic Signs (Anticipated Letting Winter 2018).

150233.02 DEFINITIONS.

A. Calendar Day.

A calendar day is every day on the calendar and starts at 12:00 midnight and ends at the following 12:00 midnight, 24 hours later.

B. Stage 3 I/D Daily Rate.

The I/D Daily Rate is the incentive or disincentive dollar amount per calendar day assigned by the Contracting Authority that will be applied to the contract for incentive payment or disincentive assessment. This I/D Daily Rate is based on the average daily road user cost for the project determined by the Contracting Authority, and on standard liquidated damages as established by the Contracting Authority.

1. The Stage 3 I/D Daily Rate for Project (197) is \$9,700 per calendar day.
2. The Stage 3 I/D Daily Rate for Project (198) is \$10,300 per calendar day.
3. If Project (197) and Project (198) are combined into a single contract, via acceptance of an optionally combined proposal, the Stage 3 Milestone I/D Daily Rate for the combined proposal is \$20,000 per calendar day. This rate is for the two projects as a whole and not a separate rate for each project. For the combined proposal, all Stage 3 critical work must be completed for both Projects (197) and (198) before any incentive will be paid.

C. Completion.

1. Completion of Stage 3 critical work items, for the purposes of determining the calendar days charged for incentive payment or disincentive assessment, shall be defined as follows:
 - a. All Stage 3 work identified in the contract documents, for a particular contract, has been completed.
 - b. The remaining work to be completed is confined to the areas outside the outside edge of shoulder of Eastbound I-74 mainline and ramps.
2. The Stage 3 Milestone Completion Date is Tuesday, November 24, 2020.

150233.03 BASIS OF PAYMENT

A. Stage 3 Incentive Payment.

1. For the number of calendar days remaining after completion of the Stage 3 critical work and before the Stage 3 Milestone Completion Date, the Contractor will be paid the Stage 3 I/D Daily Rate as a Stage 3 Incentive payment. The maximum Stage 3 Incentive Payment will not exceed the amount for 30 calendar days. No payment will be paid for any day less than 24 hours.
2. Should the Contractor be delayed in the commencement, prosecution, or completion of the Stage 3 critical work for any reason, there will be no extension of the specified Stage 3 Milestone Completion Date for Stage 3 Incentive Payment or calculation even if there may be granted an extension of time for completion of the work. No Stage 3 Incentive Payment will be made if the Contractor fails to complete the Stage 3 critical work before the specified Stage 3 Milestone Completion Date. Failure of the Contractor to complete all Stage 3 critical work as required by the contract on or before the Stage 3 Milestone Completion Date, shall release and discharge the Contracting Authority and all of its officers, agents, and employees from any and all claims and demands for the payment of any Stage 3 Incentive amount or damages arising from the refusal to pay any Stage 3 Incentive amount.

B. Stage 3 Disincentive Assessment.

For the number of calendar days used to complete the Stage 3 critical work in excess of the Stage 3 Milestone Completion Date, the Contractor will be assessed the Stage 3 I/D Daily Rate. If a time extension has been granted for completion of the Stage 3 critical work in accordance with the Standard Specifications, the I/D Daily Rate will not be assessed until the first calendar

day after the approved time extension. There will be no maximum amount for the disincentive assessment. Stage 3 Disincentive will be assessed at the time of monthly pay applications that cover any period during which the allowable date was exceeded.