

## SECTION 1

### DEFINITION OF TERMS

#### **1.01 DEFINITIONS:**

Whenever in these Specifications, or in any documents or instruments in construction operations where these Specifications govern, the following terms, or pronouns in the place of them, are used, the intent and meaning shall be interpreted as follows:

#### **1.02 AASHTO:**

The American Association of State Highway and Transportation Officials. Any reference to AASHTO standards shall be taken to mean the most recently published revision unless otherwise specified.

#### **1.03 ANSI:**

The American National Standards Institute. Any reference to ANSI standards shall be taken to mean the most recently published revision unless otherwise specified.

#### **1.04 ADDENDUM:**

An Addendum is a document which is added to the original Contract Documents during the bidding period to clarify, revise, add to, or delete from the original Contract Documents or previous Addenda.

#### **1.05 ADEM:**

The Alabama Department of Environmental Management.

#### **1.06 ADVERTISEMENT FOR BIDS:**

A document which briefly describes to prospective Bidders the title and location of Project, location of bid opening, brief description of nature and scope of Project, identities of Owner and Engineer, how to

obtain Bid Documents, deposit requirements, statement of bid security, and method of submitting bids.

#### **1.07 AGREEMENT:**

The written agreement between Owner and Contractor covering the Work to be performed; other Contract Documents are attached to the Agreement.

#### **1.08 ASTM:**

The American Society for Testing Materials. Any reference to ASTM standards shall be taken to mean the most recently published revision unless otherwise specified.

#### **1.09 AWWA:**

The American Water Works Association. Any reference to AWWA standards shall be taken to mean the most recently published revision unless otherwise specified.

#### **1.10 BID:**

The offer or proposal of the Bidder submitted on the prescribed form setting forth the prices for the Work to be performed.

#### **1.11 BIDDER:**

Any individual, firm or corporation submitting a Proposal for the Work contemplated, acting directly or through a duly authorized representative.

**1.12 BOARD:**

The Board of Water and Sewer Commissioners of the City of Mobile, Alabama.

**1.13 CONTRACT:**

The written agreement between the Owner and the Contractor, covering the performance of the Work and the furnishing of the labor and materials in the construction thereof. The Contract shall include, but shall not be limited to the "Invitation for Bids," "Proposal," "Plans," "General Conditions," "Standard Specifications," "Supplemental Specifications," "Special Provisions" (if any), "Contract Agreement" and "Contract Bonds," together with all the "Supplemental Agreements," "Addenda," and "Extra Work Orders" that are required to complete the Work in a substantial and acceptable manner.

**1.14 CONTRACT BID PRICE:**

The sum of the products of the quantities of the items of the Work listed in the Proposal, and the respective lump sum or unit prices bid in the Proposal.

**1.15 CONTRACT BONDS:**

The approved bonds furnished by the Contractor and his surety to guarantee completion of the Contract in accordance with its terms and prompt payment to all persons supplying him or them with labor, materials, or supplies.

**1.16 CONTRACTOR:**

The individual, firm, or corporation that has entered into a Contract awarded him by the Owner for any work covered by these Specifications, acting directly or through his agents or employees.

**1.17 COUNTY:**

The county in which the Project is being constructed.

**1.18 DEVELOPER:**

The person, firm or corporation engaged in developing or improving real estate for use or occupancy.

**1.19 DEVELOPER'S ENGINEER:**

An Engineer registered with the Alabama State Board of Registration for Professional Engineers, retained by the developer to provide professional engineering services for a project.

**1.20 DIPRA:**

The Ductile Iron Pipe Research Association.

**1.21 ENGINEER:**

An Engineer registered with Alabama State Board of Registration for Professional Engineers or his authorized representative, acting as the Owner's agent within the scope of the authority and/or the particular duties entrusted to it.

**1.22 EQUIPMENT:**

All machinery and equipment, together with the necessary supplies for upkeep and maintenance, and also all tools and apparatus necessary for the proper construction and acceptable completion of the Work.

**1.23 EXTRA WORK:**

Performance or furnishing of work or materials which is found necessary for proper completion of the improvement and which in principle is an obligation of the Contractor, but which is not covered by any item in the bid schedule in the Proposal and for which no means of payment, direct or indirect, has been provided in the Contract, and which is an obligation for which special remuneration, by an "Extra" price or by other consideration, in any case to be duly negotiated, or by "Force Account," shall be paid to the Contractor.

**1.24 EXTRA WORK ORDERS:**

Written orders approved by the Owner to the Contractor concerning the performance of work or furnishing of materials involving Extra Work as defined in these Specifications.

**1.25 LABORATORY:**

Any laboratory authorized by the Owner to test materials and work involved in the Contract.

**1.26 MATERIAL:**

Any substance proposed to be used in connection with the construction of any part of the Work and its appurtenances.

**1.27 NEMA:**

The National Electrical Manufacturers Association. Any reference to NEMA standards shall be taken to mean the most recently published revision unless otherwise specified.

**1.28 NOTICE TO PROCEED:**

Written notice from the Engineer or the equivalent thereto giving the Contractor notice of the date on which he is to begin the prosecution of the Work for which he has contracted.

**1.29 OSHA:**

The Federal Occupational Safety and Health Administration.

**1.30 OWNER:**

The Board of Water and Sewer Commissioners of the City of Mobile, Alabama.

**1.31 PLANS (DRAWINGS):**

All official, approved Plans (Drawings), which are on file with the Owner, or exact reproductions thereof, showing details of the Work covered by the Contract.

**1.32 PRODUCT:**

The term "product" as used in these Contract Documents includes materials, systems and equipment.

**1.33 PROJECT:**

The entire Work to be performed pursuant to the Contract Documents.

**1.34 PROPOSAL:**

The written offer for the Work contemplated, when submitted by the Bidder in the required manner on the prescribed Proposal Form, properly signed and guaranteed.

**1.35 PROPOSAL FORM:**

The approved prepared form on which the Owner requires the formal bids to be submitted for the Work contemplated.

**1.36 PROPOSAL GUARANTY:**

The certified check or bid bond designated in the Invitation for Bids, or in the Proposal Form, to be furnished by the Bidder to insure execution of the Contract and furnishing of the bonds for the Work contemplated, if it be awarded to him.

**1.37 RECORD DRAWINGS:**

Drawings which show details of the Work as on the Plans but which revise the Plans to include any modifications or deviations which have been approved by the Board or the Engineer and incorporated into the Work.

**1.38 RESIDENT PROJECT REPRESENTATIVE:**

The authorized representative of the Engineer who is assigned to the Project site or any part thereof.

**1.39 SAHD:**

The State of Alabama Highway Department.

**1.40 SHOP DRAWINGS:**

All drawings, diagrams, illustrations, brochures, schedules and other data which are prepared by Contractor, a subcontractor, manufacturer, supplier, distributor or other person on behalf of the Contractor, and which illustrate the equipment, material or some portion of the Work.

**1.41 SPECIFICATIONS:**

The general term comprising all the directions, provisions and requirements contained herein, together with such as may be added or adopted as General Conditions, Supplemental General Conditions, Supplemental Specifications or Special Provisions.

**1.42 STATE:**

The state in which the Project is being constructed.

**1.43 SUBCONTRACTOR:**

Any properly qualified individual, firm, or corporation undertaking the performance of any part of the Work under the terms of the Contract by virtue of an agreement between himself and the Contractor previously approved by the Owner.

**1.44 SUPERINTENDENT:**

The representative for the Contractor present on the Work at all times during progress, authorized to receive and fulfill instructions from the Engineer or Owner.

**1.45 SUPPLEMENTAL AGREEMENT:**

A written agreement executed by the Owner and the Contractor with the consent of the Surety covering major changes and/or revised or new prices and items and supplementing the original Contract.

**1.46 SURETY:**

The corporate body, licensed under the laws of the state, bound with and for the Contractor for the acceptable performance of the Contract and also for the payment of claims recoverable under the Contract Bonds.

**1.47 WORK:**

The entire completed construction or the various separately identifiable parts thereof required to be furnished under the Contract Documents. Work is the result of performing services, furnishing labor and furnishing and incorporating materials and equipment into the construction, all as required by the Contract Documents.

END OF SECTION