

## How To Write A Special Provision – Quick Reference Guide

### Special Provisions do:

- Detail additions and revisions to the standard specifications and supplemental specifications that cover conditions specific to a Contract
- Provide enough information for Contractors to produce consistent bids and build the project
- Override Contract documents based on the order of precedence

### Special Provisions do not:

- Explain what is important
- Explain why or how

### Types of Special Provisions

- **5 Section format** – use with .6XX pay items that do not have a boilerplate write-up
  - S-XX.1 DESCRIPTION
  - S-XX.2 MATERIALS
  - S-XX.3 CONSTRUCTION REQUIREMENTS
  - S-XX.4 METHOD OF MEASUREMENT
  - S-XX.5 BASIS OF PAYMENT
- **Modifications to the standard specifications**
  - Delete/replace/add standard specifications sections
  - Follow the [sample addenda language](#)

### The Five C’s of special provision writing

#### Clear

Avoid ambiguous words like and/or and including  
Use measurable, definable standards

#### Concise

Use simple words and short sentences  
Avoid unnecessary adjectives, adverbs, and prepositional phrases  
Use active voice and imperative mood to identify responsible parties

#### Correct

Accurately describe technical requirements  
Follow MnDOT conventions for abbreviations, units of measure and will/shall  
Contain correct grammar, spelling, and punctuation

#### Complete

Address each of the 5 Section format

#### Consistent

Use consistent language when referring to pay items  
Match pay item numbers, names, and units to the Plans  
Do not repeat or contradict other Special Provisions, the Plans, or agreements.

#### Order of Precedence

- Addenda
- Special Provisions
- Project Specific Plan Sheets
- Supplement Specifications
- Standard Plan Sheets and Standard Plates
- Standard Specifications

See MnDOT 1504

#### Voice and Mood

Active voice and imperative mood are appropriate in most cases

Active Voice - Usually easier to read, shorter

“Place granular Materials”

Passive Voice

“The granular Materials shall be placed by the Contractor.”

Imperative Mood – Used to give a command, direction, or instruction.

“Compact the pavement”  
“Place the Select Granular Borrow”

## 5 Section Format (*Specification Writers' Style Guide December 2012*)

### S-XX.1 DESCRIPTION

- Briefly describe the Work required to construct the pay item
- Reference the Plan sheet numbers or details, if applicable, and MnDOT Standard Specifications section numbers

### S-XX.2 MATERIALS

- List the materials required to construct the Work
- Use defined MnDOT materials – Select Granular Borrow instead of sand
- Follow the tab stop dot format as in the MnDOT Standard Specifications

### S-XX.3 CONSTRUCTION REQUIREMENTS

- Describe actions required to accomplish the Work
- Describe required equipment

### S-XX.4 METHOD OF MEASUREMENT

- Describe how pay items will be measured
- Match the measurement unit to the pay item unit
- Spell out full name of measurement units
- Specify potentially related items or quantities that will be excluded from measurement

### S-XX.5 BASIS OF PAYMENT

- Describe how pay items will be paid for
- List pay items in tabular form
- Match item number, item, and unit to the Plans and AASHTOware

## Tips

- Avoid the use of shall, will, and must by using active voice and imperative mood.
- "Shall" indicates responsibility of the Contractor, "Will" indicates responsibility of the Engineer
- Use "Department" or "Engineer" when describing responsibilities of the contract holder, not MnDOT, District, State, or a specific MnDOT work unit
- Use and capitalize words and phrases defined in MnDOT 1103
- Use abbreviations and measurement units defined in MnDOT 1102
- Words and phrases to avoid
  - As directed by the Engineer (or similar language)
  - Construed to mean
  - Any/all
- No guaranty or warranty unless allowed by CFR 23, part 635.413(3) and approved by OCIC
- Refer to the APL rather than list products
- Use the full name of a proper noun - "Minnesota History Center" not "History Center"
- Do not use metric units of measure
- Do not underline, bold, or italicize text
- Refer to the MnDOT Specification Writer's Style Guide, December 2012:  
<https://www.dot.state.mn.us/pre-letting/prov/pdf/style-guide.pdf>