

Local Government Unit Special Provisions

The purpose of this document is to provide information regarding Local Government Unit (LGU) division special provisions for inclusion in a MnDOT-let construction contract.

Background

MnDOT requires a separate LGU Division Special Provision for all MnDOT-let construction contracts when:

- the cooperative construction agreement indicates that pay items are to be paid for entirely by the LGU
- and the pay items are not appropriately described by the Standard Specifications for Construction.

The construction contract is between MnDOT and the contractor. The MnDOT engineer is responsible for administering the construction contract. The LGU participates in the construction contract with MnDOT through the cooperative construction agreement. The LGU has no direct contract administration authority and cannot direct, schedule, or approve the contractor's work. By having a separate, certified division special provisions, the LGU is assured that their technical specifications are incorporated into the construction contract.

MnDOT Division S special provisions will include [SP2020-164](#) (2504) Changes in Local Government Unit (LGU) System. No inspections, testing or pay items are listed in this section.

Content of Division LGU Special Provisions

Title Sheet

Include:

- Title: *example: Division SU*
- MnDOT Project Number *example: SP 4707-26*
- Table of Contents – List each section's name and starting page number.
- Certification – Certified by the LGU's Professional Engineer.

LGU Construction Details and Materials Special Provisions

Focus on the technical requirements of the LGU pay items. A special provision includes description of the work, materials required, construction requirements, method of measurement and basis of payment. Pay items must match the statement of estimated quantities in the plan and match [MnDOT's AASHTOWare Product Item List](#) exactly. The basis of payment must include the pay item number, item name, and unit of measure. See MnDOT's Special Provisions [website](#) for guidance on writing special provisions.

LGU contract administration special provisions are not permitted to avoid conflicting/overriding the MnDOT Specifications. See MnDOT 1504 Coordination of the Contract Documents for the order of precedence.

Engineer is defined as a department (MnDOT) engineer in MnDOT 1103 Definitions. The Division LGU special provisions must contain a statement clarifying the definition if another use is intended. For example: For the purpose of the Work specified in this Division, the Engineer is defined as the City of LGU engineer.

Pass through manufacturer's warranties are allowed pending approval by MnDOT's Office of Construction Innovative Contracting.

City Engineers Association of Minnesota (CEAM) Construction Standard Specifications and LGU standard plans/details may be referenced only if a specific version (date) is specified.