



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

May 24, 2002

LR 109 & LR 406 Special Provisions

COUNTY ENGINEERS/SUPERINTENDENT OF HIGHWAYS # 02-08
MUNICIPAL ENGINEERS/DIRECTORS OF PUBLIC WORKS
CONSULTING ENGINEERS

The Bureau of Local Roads & Streets (BLRS) has recently revised existing LR 109 and issued new LR 406. Copies of these special provisions are available for download at www.dot.state.il.us/blr/lrslst.html.

LR 109 Contract Claims (Rev 5-1-02) was issued January 1, 2002 to clarify the contract claims process for local let projects. This special provision made the local agency the first step in the contract claims process. The department should not be involved in the formal contract claims process between a contractor and local agency. Therefore, LR 109 has been revised to eliminate the department from this process.

If a contract claim arises, the contractor should submit the claim directly to the local agency. The local agency may still seek advice from the department on how to handle the claim. If the local agency denies the claim, the contractor may then go directly to the Court of Claims. If the claim is approved or the court finds in favor of the contractor, the department still maintains the right to approve/disapprove the use of state funds to pay the claim.

LR 109 should continue to be used on all Local Let Projects.

LR 406 Polymer Modified Bituminous Concrete Mixtures (Eff 8-1-02) was developed by BLRS to replace ISP 02-15. ISP 02-15 was eliminated by the department because the polymer modified asphalt specifications are contained in the 2002 Standard Specifications book and the department is only supporting Superpave mix designs.

Currently some local agencies are still using marshall mix designs; therefore, this special provision is still needed. BLRS removed the polymer modified asphalt material specifications and referenced the appropriate Article in the Standard Specifications. The basis of payment was revised to more accurately describe the types of mixtures using polymer asphalt.

LR 406 should be used on all projects using marshall mix designs with polymer modified asphalt.

If you have any questions concerning these LRs, please contact Kevin Burke at (217) 782-6315 or via e-mail BurkeK@nt.dot.state.il.us.

Sincerely,

A handwritten signature in black ink that reads "Darrell W. McMurray".

Darrell W. McMurray, P. E.
Engineer of Local Roads and Streets

KB/kb
Attachments