

Memorandum

*Making Conservation
a California Way of Life.*

To: DEPUTY DISTRICT DIRECTORS, Construction
DEPUTY DIVISION CHIEF, Structure Construction
CONSTRUCTION MANAGERS
SENIOR CONSTRUCTION ENGINEERS
RESIDENT ENGINEERS

Date: February 14, 2022

File: Division of Construction
CPD 22-3



From: RAMON HOPKINS, Chief
Division of Construction

Subject: **WATER CONSERVATION**

Governor Gavin Newsom issued a State of Emergency on October 19, 2021 declaring that a drought emergency is now in effect statewide. This directive provides guidance for conserving water on construction projects and explains what to do in the event of rationing or unavailability of water.

The declaration requires the contractor to submit a water conservation plan. Section 10-4, "Water Usage," of the *Standard Specifications*, states that "The Engineer notifies you of any (1) water shortage or (2) mandate from a local water authority to ration water. Within 10 days of the notification, submit a water conservation plan. The plan must include:

1. List of construction activities that require water
2. Measures you will implement for each activity to conserve water
3. Method for curing concrete other than the water method if included in the work
4. Dust palliative you will use for dust control"

Contractors may use a dust palliative to reduce the amount of water required to control dust. The requirements for dust palliative are described in Section 18, "Dust Palliative," of the *Standard Specifications*. Before allowing the use of dust palliatives, verify that the Regional Water Quality Control Board allows the type of dust palliative chosen by the contractor from those listed in Section 18.

Contractors may choose to change to a non-potable water source during a project to conserve domestic water. Non-potable water must be either recycled water or non-potable water developed from other sources. Requirements for using non-potable and recycled water are described in Section 10-6, "Watering," of the *Standard Specifications*.

DEPUTY DISTRICT DIRECTORS, Construction et al.

February 14, 2022

Page 2 of 2

Caltrans will encourage and support water conservation by contractors who use a dust palliative instead of water for dust control or switch from a domestic water source to a non-potable water source during a project. Caltrans' support of water conservation includes splitting with the contractor the cost difference of using these alternatives. Determine the cost of using a dust palliative or non-potable water as opposed to domestic water. Additional costs to consider are development costs for non-potable water and additional water hauling costs. Available contingency funds will help determine what portion of the cost difference Caltrans will participate in. Implement the water conservation measures by using a contractor requested change order.

There should be no contract time extension for implementing the contractor-requested change order.

Attached to this directive are a sample Form CEM-4903, "Change Order Memorandum," and sample Form CEM-4900, "Change Order," to implement either dust palliative or change in water source requirements. This directive serves as delegation of authority from the Division of Construction for change order approval, except when change order language is altered.

If water is unavailable for construction activities, it should be considered a material shortage. Material shortage is defined under Section 1-1.07, "Definitions," of the Standard Specifications. Require the contractor provide documentation of water rationing or unavailability from the agency providing water to the contractor to determine whether a material shortage exist before granting nonworking days. Refer to Section 3-806B, "Material Shortage," of the *Construction Manual* for more information on material shortages.

For additional information or assistance, please contact Chuck Suszko, Division of Construction, at Chuck.Suszko@dot.ca.gov or (916) 798-6029.

Attachments:

1. Sample Form CEM-4903, "Change Order Memorandum – Dust Palliative"
2. Sample Form CEM-4900, "Change Order – Dust Palliative"
3. Sample Form CEM-4903, "Change Order Memorandum – Water Source"
4. Sample Form CEM-4900, "Change Order – Water Source"