EXHIBIT U-1

CONSTRUCTION PERIOD NON-COMPLIANCE POINTS TABLE

Cure Period is defined as the amount of time the Developer has to commence and remedy the specific non-compliant condition. In the event the Developer fails to remedy the non-compliant condition within the cure period, the accumulation of uncured points and any associated liquidated damages will increase in accordance with Table 11-1 of the Agreement and a new cure period will commence. Continual failure to remedy the non-compliant condition over subsequent consecutive cure periods will ultimately accrue to the maximum amount of uncured non-compliant points and liquidated damage values.

Interval of Recurrence is defined as the period of time over which the Developer must demonstrate compliance and not have a recurrence of the same non-compliant condition that was originally noted as being non-compliant. In the event the Developer breaches the Interval of Recurrence, a new cure period will commence for the non-compliant condition causing the breach of the Interval of Recurrence. Subsequent breaches of the Interval of Recurrence will cause uncured non-compliant points and associated liquidated damages to accrue from the previous level of breach.

Cure Period Time commences from the moment of Department notice to the Developer of the non-compliant condition through the period indicated for the specific element sub-category. Excluding sub-categories with hourly values, cure periods that expire after 5:00 P.M. EST will be extended to 10:00 A.M. the following day.

Impact of Accumulated Noncompliance Points

Total Cumulative Number of Uncured Points	Total Cumulative Number of Cured and Uncured Points*	Implications
50	100	Increased Monitoring by the Department
100	225	Remediation Plan to be submitted to the Department
150	350	VDOT may exercise its rights under Article 19 of the Agreement

*Cumulative Non-Compliance points are measured on a 365-day rolling period.

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
Project Management						
PM01	DQMP	Maintain compliance with approved Design Quality Management Plan	As required in the Design Quality Management Plan and the VDOT DB QA/QA Manual	A	5 Days	10 Days
PM02	QAM	Maintain compliance with approved Quality Assurance Manual	As required in the Design & Construction Quality Management Plans and the VDOT DB QA/QC Manual	A	5 Days	10 Days
PM03	Deputy QAM's	Perform required roles and responsibilities for designated positions at required level of support	As required in the Design & Construction Quality Management Plans and the VDOT DB QA/QC Manual	A	5 Days	10 Days
PM04	CQMP	Maintain compliance with the approved Construction Quality Management Plan	As required in the Construction Quality Management Plan	A	5 Days	10 Days
PM05	DBE/SWaM	Maintain compliance with the approved DBE/SWaM Plan	As required in the approved DBE/SWaM Plan	A	5 Days	10 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
PM06	Public Outreach	Maintain compliance with the approved Communications, Consultation, Public Outreach and Community Education Plan	As required in the Communications, Consultation, Public Outreach and Community Education Plan	A	5 Days	10 Days
PM07	Right of Way	Maintain compliance with the approved ROW Plan	As required in the Right of Way Plan	A	5 Days	10 Days
PM08	Submittals	Maintain compliance with the submittal process as required in the Comprehensive Agreement & Technical Requirements	As required in the Technical Requirements Section 1.2.2 with respect to quality, compliance, and timeliness of submittals	A	2 Days	5 Days
Safety						
S01	Daily or Weekly Site Safety Inspections	Perform weekly site safety inspections for compliance with Safety Plan.	VDOT 2016 Road & Bridge Specifications Section 107.17 and Developer's Health, Safety and Security Plan	C	N/A	15 Days
S02	Safety Inspection Violations	Note and correct any violations found during any daily or weekly safety inspection.	VDOT 2016 Road & Bridge Specifications Section 105.16 Developer's Health, Safety and Security Plan	B	4 Hours	10 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
S03	Housekeeping	Inspect work areas for good housekeeping measures, materials properly stored, trash and dunnage disposed of on a weekly basis	VDOT 2016 Road & Bridge Specifications Section 105.16 Developer's Health, Safety and Security Plan	A	1 Day	5 Days
S04	Fall Protection	Daily inspection of work areas for fall protection measures and hazard identifications. Note any violations and verify immediate correction	26 CFR 1926 OSHA Section 501 and Developer's Health, Safety and Security Plan	C	N/A	15 Days
S05	PPE	Daily visual inspection of worker PPE for compliance with project specific Health & Safety Plan and VDOT requirements. Note violations and verify immediate correction	26 CFR 1926 OSHA Section 102 and Developer's Health, Safety and Security Plan	B	1 Hour	10 Days
S06	Health, Safety and Security	Maintain compliance with the Health, Safety and Security Plan for elements not specifically indicated above	Developer's Health, Safety and Security Plan	B	8 Hours	10 Days
Environmental Compliance						

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
E01	Erosion & Sediment Control	Inspection of all erosion and sediment control measures - note violations and corrective measures to be taken	VDOT 2016 Road & Bridge Specifications Section 107.16 and DEQ requirements	B	1 Day	5 Days
E02	SWPPP	Comply with all requirements of the SWPPP including updates and record keeping	VDOT 2016 Road & Bridge Specifications Section 107.16 and DEQ requirements	B	1 Day	5 Days
E03	Reporting	Comply with all VDOT reporting requirements	VDOT C107	A	1 Day	5 Days
E04	Fuel Spills	Timely reporting of any and all spills occurring within the construction zone. Note damage and corrective actions required. Provide remediation as required	Institute corrective action in compliance with the requirements of the project specific Health and Safety Plan	B	12 Hours	15 Days
E05	Permit Compliance	Monitor compliance with water quality, Army Corp of Engineers, NPDES and other Permits obtained during construction	Comply with all permit requirements	B	1 Day	15 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
E06	Environmental Management Plan	Maintain compliance with the Environmental Management Plan	As required in the Environmental Management Plan	B	1 Day	10 Days
Maintenance of Traffic						
MOT01	Temporary Roadway Surfaces	Continually monitor the Project and maintain traffic control and safety devices	Maintain roadway surfaces that are being used for TTC, including detours and temporary facilities, free of dust, rutting and potholes. Maintain manholes, crosswalks, and joints not to exceed one (1) inch above the riding surface in accordance with the VDOT Standard & Specifications.	A	1 Day	5 Days
MOT02	Access	Continually monitor the Project and maintain proper access for the safe and efficient movement of all vehicles and pedestrians	Provide and maintain continuous access for residents and businesses along frontage roads, arterials, secondary roads, and at all intersections including driveway maintenance as necessary for a safe, stable and reasonable access	B	1 Hour	4 Hours

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
MOT03	Detours	Continually monitor the Project and maintain proper access for the safe and efficient movement of all vehicles and pedestrians	Operate and maintain all detours in accordance with the Contract Documents including all signs, arrow boards, variable message signs, etc. for the safe passage of traffic, pedestrians, and bicycle movements	C	N/A	4 Hours
MOT04	Signs	Continually monitor the Project to insure all detour traffic control and safety devices are installed and maintained properly	Timely installation and removal or covering of temporary detour signs and devices	B	1 Hour	4 Hours
MOT05	Traffic Control Devices	Continually monitor the Project to install and maintain traffic control and safety devices	Operate and maintain traffic control devices including signs, barricades, lights, and barrels & cones in accordance with the Contract Documents and keep these devices in the correct position, properly directed, clearly visible, upright, and clean	B	4 Hours	1 Day
MOT06	Temporary Work Zone Signs	Continually monitor the Project to install and maintain temporary traffic control signs	Operate and maintain temporary work zone signs in accordance with the Contract Documents with appropriate hardware, supports, and meet the requirements as set forth in the Contract Documents	B	2 Hours	1 Day

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
MOT07	Maintenance of existing signs	Continually monitor the Project and maintain all existing signs	Provide and maintain business signs in accordance with the Contract Documents including ensuring that the retro-reflective sheeting meets the requirement of the Contract Documents.	A	12 Hours	1 Day
MOT08	Channelizing Traffic Control Devices	Continually monitor the Project and maintain all temporary channelizing traffic control devices	Operate and maintain high intensity flashing lights, warning & channelizing devices including cones, barrels, temporary barriers, arrow boards, portable changeable message signs (PCMS), portable regulatory signs, etc. in accordance with the Contract Documents	B	4 Hours	1 Day
MOT09	Temporary Traffic Signals	Continually monitor the Project and maintain temporary traffic signals	Provide temporary equipment necessary to restore intersection signal operation	C	N/A	5 Days
MOT10	Concrete Traffic Barrier Service	Continually monitor the Project and maintain temporary concrete traffic barrier service	VDOT 2016 Road and Bridge Specification Section 512	A	2 Days	5 Days
MOT11	Temporary Pavement Markings	Continually monitor condition for integrity, reflectivity, continuity, etc.	VDOT 2016 Road and Bridge Specification Section 512	A	1 Day	5 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
MOT12	Maintenance of Traffic Plan	Maintain compliance with the Maintenance of Traffic Plan	Maintenance of Traffic Plan	B	1 Day	2 Days
Roadway Construction						
R01	Earthwork/Backfill	Continually monitor installation of earthwork operations	VDOT 2016 Road and Bridge Specification Section 303 & Special Provisions	A	2 Days	5 Days
R02	Density & Control Strips	Perform density control checks in accordance with the testing requirements	VDOT 2016 Road and Bridge Specification Section 304 & Special Provisions	B	8 Hours	5 Days
R03	Subgrade & Shoulders	Monitor operations for compliance with the specifications	VDOT 2016 Road and Bridge Specification Section 305 & Special Provisions	A	2 Days	5 Days
R04	Stabilization	Monitor installation of roadway stabilization materials for conformance to specifications and design criteria	VDOT 2016 Road and Bridge Specification Section 306, 307 and Special Provisions	A	2 Days	5 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
R05	Aggregate Base & Subbase Course	Continually monitor the construction of the subbase course including preparation of the subgrade, installation methods, and tolerance verification	VDOT 2016 Road and Bridge Specification Section 308, 309 and Special Provisions	A	2 Days	5 Days
R06	Asphalt Concrete	Continually monitor the installation of the asphalt concrete work including alignment, grade, temperature restrictions and placement limitations	VDOT 2016 Road and Bridge Specification Section 315 & Special Provisions (if any)	B	2 Hours	5 Days
R07	Guardrail	Continually monitor and maintain guardrail	Meet the requirements set forth in the Contract Documents.	A	2 Days	5 Days
Roadway Maintenance						
RM01	Flexible Pavement Potholes	Repair flexible pavement potholes	Pavement shall meet the requirements set forth in Section 4.6 of the Technical Requirements.	A	2 Days	5 Days
RM02	Flexible Pavement Settlement and Depression	Repair flexible pavement settlement and depression	Pavement depression shall not exceed a depth of 0.5 inches and meet the requirements set forth in Section 4.6 of the Technical Requirements.	A	2 Days	5 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
RM03	Flexible Pavement Rutting	Repair flexible pavement rutting	Pavement depression shall not exceed a depth of 0.6 inches and meet the requirements set forth in Section 4.6 of the Technical Requirements.	A	2 Days	5 Days
RM04	Rigid Pavement Potholes/ Spalling	Repair rigid pavement potholes/spalling	Pavement shall not have a defect greater than 0.5 square feet in area and including any single measurement of 1.5 inches or greater in depth including any single area in the wheel path exceeding 3 inches in width measured longitudinally and 12 inches in length measured transversely. Pavement shall meet the temporary mitigation performance requirements	A	2 Days	5 Days
Structures & Bridges						
SB01	Structure Excavation	Install and maintain structure excavation for compliance with the contract documents to ensure line & grade	VDOT 2016 Road and Bridge Specification Section 401 & Special Provisions	A	2 Days	10 Days

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SB02	Piles	Install and maintain all pile including materials, equipment, alignment, grade, and test results.	VDOT 2016 Road and Bridge Specification Section 402, 403 & Special Provisions	A	5 Days	10 Days
SB03	Hydraulic Concrete	Install and maintain hydraulic concrete works to ensure compliance with the Contract Documents for line, grade, formwork installation and removal, erection, falsework, placement, and temperature limitations	VDOT 2016 Road and Bridge Specification Section 404, 405 & 406 & Special Provisions	A	5 Days	10 Days
SB04	Steel and Concrete Structures	Install and maintain steel structures to ensure compliance with the Contract Documents for line, grade, materials and connections	VDOT 2016 Road and Bridge Specification Section 407 & Special Provisions	A	5 Days	10 Days
SB05	Permanent Retaining Structures	Install and maintain retaining structures to ensure compliance with the Contract Documents for line, grade, materials, and performance	VDOT 2016 Road and Bridge Specification Section 506 & Special Provisions	A	5 Days	10 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
SB06	Temporary Structures	Install and maintain all temporary structures including materials, equipment, alignment, grade and performance	VDOT 2016 Road and Bridge Specification Section 104 & Special Provisions	A	5 Days	10 Days
Roadside Development						
RD01	Top Soil, Seeding, Plantings	Install and maintain top soil, seeding, landscaping, and plantings for conformance with the Contract Documents	Meet the requirements set forth in the Contract Documents.	A	10 Days	15 Days
Miscellaneous						

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
MSC01	Fence	Continually maintain fencing	Meet the requirements set forth in the Contract Documents. Maintain fencing free of openings greater than 1/3 of its original height as measured from the natural ground to the top of the fence fabric, openings greater than 2 square feet in the fence fabric, openings greater than 6 inches between gates or posts, missing or broken fence posts, fence fabric not being attached to fence posts, and less than one continuous strand of barb wire is in place at the top of the fence.	B	1 Day	10 Days
MSC02	Concrete sidewalk and pedestrian curb ramps	Continually maintain sidewalk	Meet the requirements set forth in the Contract Documents. Maintain sidewalk area free of (i) vertical misalignments greater than 1/4 inch (ii) horizontal cracks greater than 3/4 inch (iii) visible hazards	A	2 Days	10 Days
MSC03	Graffiti	Continually monitor and maintain assets free of graffiti.	Graffiti shall be removed, covered or painted over to match the color and the painted finish/Class 5 application finish of adjacent area	A	3 Days unless offensive then 24 Hours	1 Day
MSC04	ITS Maintenance	Continually monitor and	All DMS displays shall be usable and functional at all times			

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements		Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
	Services - DMS and CCTV	maintain as operational all VDOT DMS and CCTV on the Project.	Section 3.16 of the Technical Requirements	Respond to maintenance work during Peak Periods	B	4 Hours	5 Days
MSC05				Respond to maintenance work during non-Peak Periods	A	4 Hours	5 Days
MSC06				Complete repairs for maintenance work during Peak Periods	B	4 Hours	5 Days
MSC07				Complete repairs for maintenance work during non-Peak Periods	A	8 Hours	5 Days
MSC08	ITS Maintenance Services – Vehicle Detection Systems (VDS)	Continually monitor and maintain as operational all VDOT VDS on the Project.	Section 3.16 of the Technical Requirements	Respond to maintenance work during Peak Periods	A	8 Hours	5 Days
MSC09				Complete repairs for maintenance work during non-Peak Periods	A	2 Days	5 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
MSC10		Continually monitor and maintain as operational the communication infrastructure	Repair or replace the damaged communications equipment (conduit, pull boxes, splice cabinets, hubs, etc.)	B	4 Hours	5 Days
MSC11		Continually monitor and maintain as operational the ITS power infrastructure including Service Panels	Repair or replace the damaged electrical service feeding ITS devices (conduit, pull boxes, splice cabinets, hubs, etc.)	B	4 Hours	5 Days
MSC14	ITS Maintenance Services Connected Vehicle Equipment	Continually monitor and maintain as operational all Connected Vehicle Equipment on the Project	Respond to maintenance work	A	8 Hours	5 Days
MSC15			Complete repairs and restore operation of Connected Vehicle Equipment. Upon initial installation, Connected Vehicle Equipment shall operate 24 hours per day, each day of the year, except during Planned Maintenance.	A	2 Days	5 Days
MSC16	ITS Maintenance Services HOV Gates at Monument Dr./Stringfellow Dr.	Continually monitor and maintain as operational all HOV Gates and associated equipment on the Project	Respond to maintenance work	A	2 Hours	5 Days
MSC17			Complete repairs and restore operation of HOV Gates and associated equipment	B	4 Hours	5 Days
MSC18	ITS Maintenance Services Lane	Continually monitor and maintain as operational	Respond to maintenance work during Peak Periods.	A	2 Hours	5 Days

Element Category	Element Sub Category	Required Task	Minimum Performance Requirements	Level of Severity (A, B or C)	Cure Period	Interval of Recurrence
MSC19	Control Signals (LCS).	all LCS and associated equipment on the Project	Respond to maintenance work during non-Peak Periods.	A	4 Hours	5 Days
MSC20			Complete repairs for maintenance work during Peak Periods.	A	2 hours	5 Days
MSC21			Complete repairs for maintenance work during non-Peak Periods.	A	8 Hours	5 Days
MSC22	ITS Maintenance Services Automated Incident Detection (AID) Camera.	Continually monitor and maintain as operational all AID Camera and associated equipment on the Project	Respond to maintenance work during Peak Periods.	B	2 Hours	5 Days
MSC23			Respond to maintenance work during non-Peak Periods.	A	4 Hours	5 Days
MSC24			Complete repairs for maintenance work during Peak Periods.	B	2 Hours	5 Days
MSC25			Complete repairs for maintenance work during non-Peak Periods.	A	8 Hours	5 Days