



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

JOSÉ ABREU  
SECRETARY

March 13, 2003

**THIS MEMO HAS EXPIRED**

### MEMORANDUM NO. 09-03

**TO:** DISTRICT CONSTRUCTION ENGINEERS

**FROM:** Ananth Prasad, State Construction Engineer *Ananth Prasad*

**COPIES:** Bob Burluson, Jim Warren, Gale Page, David Wang, David Chason,  
David Sumner, Dave Sadler

**SUBJECT:** ASPHALT BINDER FOR DESIGN-BUILD CONTRACTS

In a effort to address escalating costs of Asphalt Binder for Design-Build contracts where the Bituminous Adjustment (Subarticle 9-2.1) Specifications was not included, please process a \$0.00 specification change for such contracts based on the following conditions.

- The Design Build contract must meet the criteria established in the attached specification to qualify for an adjustment.
- Any such adjustment shall not be allowed for Modified Asphalt Binder.
- The BAPI on such contract shall be based on the average for the previous twelve (12) months of Asphalt Price Indexes from the month the contract was let or Asphalt Price Index for the month the contract was let, whichever is greater.

**This memorandum serves as a blanket approval to process a specification change and should be attached to the Field Supplemental Agreement/Work Order or the Supplemental Agreement.**

If you have any questions, please contact David Sumner at 850-414-4198 (suncom 994-4198) in the State Construction Office.

AP/sw  
Attachment

**9-2.1.1 Bituminous Material:** On Contracts with an Original Contract Time of more than 365 calendar days and 15,000 tons [15,000 metric tons] of asphalt concrete or on Contracts with more than 50,000 tons [50,000 metric tons] of asphalt concrete, the Department will adjust the bid unit price for bituminous material, excluding cutback and emulsified asphalt to reflect increases or decreases in the Asphalt Price Index (API) of bituminous material from that in effect during the month in which bids were received. The Contractor will not be given the option of accepting or rejecting this adjustment. Bituminous adjustments will be made only when the current API (CAPI) varies by more than 5% of the API prevailing in the month when bids were received (BAPI), and then only on the portion that exceeds 5%.

The Contractor will provide the Department a Certification of Quantities, on a form provided by the Department, no later than twelve o'clock (12:00) noon, Monday, after the monthly estimate cutoff date or as directed by the Engineer based on the quantity of asphalt production. The progress estimate may be held if the Contractor fails to submit the required Certification of Quantities. Ensure the Certification of Quantities consist of the following:

1. Certification Number and period represented by Certification.
2. Contract Number and FPID Number.
3. Tons/Metric Tons.
4. Gallons/Liters calculated based on the criteria specified in this Subarticle.

The Department will determine the API for each month by averaging quotations in effect on the first day of the month at all terminals that could reasonably be expected to furnish bituminous material to projects in the State of Florida.

The API will be available on the State Construction Office web site before the 15th of each month at the following URL,  
<http://www.my.florida.com/construction/fuel&bit/fuel&bit.htm>.

Payment on progress estimates will be adjusted to reflect adjustments in the prices for bituminous materials in accordance with the following:

$$\text{\$ Adjustment} = (\text{ID})(\text{Gallons [liters]})$$

Where ID = Index Difference = [CAPI - 0.95(BAPI)] when the API has decreased between the month of bid and month of this progress estimate.

Where ID = Index Difference = [CAPI - 1.05(BAPI)] when the API has increased between the month of bid and month of this progress estimate.

For all asphalt concrete, the number of gallons [liters] will be determined assuming a mix design with 6.25% liquid asphalt weighing 8.58 lb/gal [1.03 kg/L].