



Florida Department of Transportation

JEB BUSH
GOVERNOR

605 Suwannee Street
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JOSÉ ABREU
SECRETARY

May 25, 2004


THIS MEMO HAS EXPIRED

MEMORANDUM NO: 09-04

~~**Expires: September 30, 2004**~~
(F.A. 5/24/04)

~~**New Expiration Date: 12/31/2004**~~

TO: DISTRICT CONSTRUCTION ENGINEERS

FROM: Ananth Prasad, Director, Office of Construction 

COPIES: Bob Burleson (FTBA), Don Davis (FHWA), Tom Malerk, Mike Bergin, Steve Plotkin

SUBJECT: CEMENT SUPPLY ISSUES

A poll of cement producers in Florida indicates very tight supplies of cement with most producers allocating cement to their regular customers. The primary reason for the shortage is that the import cement that was once very plentiful is now being rerouted to other locations because of higher demand.

Some relief is anticipated due to the re-start of a plant that has been down for repair and the addition of a new plant in South Florida in the near future.

Standard Specification Section 346 and Materials Manual Section 9 present the concrete materials allowances, classes of concrete and concrete composition. Allowances for reduction of total Portland cement and replacement by pozzolans and slag are covered. For allowable materials batch adjustments without requiring a new mix design, refer to Materials Manual Section 9.2.4.7. Cementitious materials are +/- 6.5% per cubic yard, but not less than the specified minimum for that class of concrete. Allowed adjustments may be made without a change to the mix design provided that the producer notifies the District Materials Engineer of any adjustment to the mix. Batch adjustments shall also be noted on the delivery tickets. Modification of mix designs exceeding the specification allowances can be accomplished in accordance with the Standard Specifications Section 346-6.2 and Materials Manual Section 9.2.5 by processing a new design mix.

The Department is committed to turning around mix design changes expeditiously to allow some leeway in design mixes to optimize the use of cement.

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To that end, we need to do the following on active contracts and future contracts.

- On active projects, the Department will consider non-compensable time extensions on a case-by-case basis if the Contractor has made an effort and taken all appropriate steps, such as revising the mix design, etc., to mitigate this problem. Before any time extension is granted, the District Construction Engineer needs to coordinate such requests with the Director, Office of Construction prior to approving any such extensions.
- No modifications shall be made to No-Excuse and Incentive/Disincentive Contracts unless otherwise approved by the State Highway Engineer. No such modifications will be considered by the State Highway Engineer for such impacts, beyond the reasonable control of the Contractor, the effect of which results in a Time Extension of less than 15 % of the time remaining in the period from first day of occurrence of such impact to the "no excuse bonus date." Furthermore, as to any such impact, the effect of which results in a Time Extension of 15 % or more of the time remaining in the period from first day of occurrence of such impact to the "no excuse bonus date", no modification of a "no excuse bonus" provision will be considered by the State Highway Engineer unless the contractor clearly establishes that it has continuously from the beginning of the project aggressively, efficiently and effectively pursued the achievement of the "no excuse bonus," including the utilization of any and all reasonably available means and methods to overcome all impacts and accelerate the work so as to still achieve the "no excuse bonus," and, but for this impact, the contractor would have otherwise earned the "no excuse bonus" provided in the original Contract.
- On future contracts, prior to the issuance of the Notice to Proceed, ascertain that the Contractor has taken into consideration these problems and has adequately planned his operation based on the supply of cement. In case of any doubt, provide for a flexible start of the contract at no additional cost to the Department.
- No additional compensation shall be made to the Contractor due to the impacts of the supply problem.

If you have further questions, please contact Dave Sadler at 850-414-5203 (sc 994-5203)

AP/ww