

**0071104 SPECIFICATION
COMMENTS FROM INTERNAL/INDUSTRY REVIEW**

Dan Hurtado, P.E.
Director, Office of Construction
Florida Department of Transportation, MS 31
O: 850-414-5203
dan.hurtado@dot.state.fl.us

Comments Internal: (5/26/20)

Why are we adding a 45-day advance notice requirement for all railroads?

Ananth Prasad
President
Florida Transportation Builders' Association, Inc.
w (850) 942-1405
c (850) 566-9655

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There are a number of minor changes to what we have seen used as a Special Provision that may need vetted, but there are three big picture issues that We have concern:

1. They deleted the sentence requiring the Dept. to pay for the flaggers, but don't make explicitly clear who should pay for the flaggers. If the intent is for the contractor to include it in our cost, then it is a problem. On low bid jobs, the railroad should be handled the same as a 3rd party utility. We conduct coordination like all the required notices and precautions, but we can't pay the cost.
2. The contractor should not be responsible for delays alleged by the railroad. Something the railroad perceives as a delay, may be something unavoidable in the normal construction process.
3. The consecutive calendar day language should not be a standard spec. I think it applies only for reconstruction of an at grade crossing, and not construction of a bridge over the railroad for example.
