

SP008100 SPECIFICATION PROSECUTION AND PROGRESS –
LIQUIDATED DAMAGES FOR FAILURE TO COMPLETE THE WORK
COMMENTS AND RESPONSES FROM INDUSTRY REVIEW

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Comment: (12/14/20, Industry)

Florida Statute 337.18 does not appear to give the authority to adjust Liquidated Damages rates as is being proposed in this specification revision. This should be confirmed with the Department's General Counsel's Office before adopting.

Response:

Thank you. No change necessary.

Name: Joy Christiano
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Comment: (12/11/20, Industry)

The new paragraph added to the LDs is not clear what the the intent is. It appears to allow the Engineer to modify the LDs per CPAM if all contract work is complete. The only allowance in CPAM is if the Contractor is due time which we already do. What is the purpose of this modification?

Response:

The purpose is just as you state. CPAM 5.11 with the corresponding changes will be published soon to allow the DCE to approve the Engineer to reduce the LD rate to actual CEI costs if all contract work is complete, with the exception of final documentation.