

ORIGINATION FORM

Proposed Revisions to the Specifications

(Please provide all information - incomplete forms will be returned)

Date: 08/16/2021

Office: Contracts Administration

Originator: Alan Autry

Specification Section: 7-13 - Insurance

Telephone: 850-414-4195

Article/Subarticle: 7-13.3

email: alan.autry@dot.state.fl.us

Associated Section(s) Revisions:

Will the proposed revision require changes to:

Publication	Yes	No	Office Staff Contacted
Standard Plans Index	<input type="radio"/>	<input checked="" type="radio"/>	Rick Jenkins
Traffic Engineering Manual	<input type="radio"/>	<input checked="" type="radio"/>	Javier Ponce
FDOT Design Manual	<input type="radio"/>	<input checked="" type="radio"/>	Bobby Bull
Construction Project Administration Manual	<input type="radio"/>	<input checked="" type="radio"/>	Scott Arnold
Basis of Estimate/Pay Items	<input type="radio"/>	<input checked="" type="radio"/>	Melissa Hollis
Structures Design Guidelines	<input type="radio"/>	<input checked="" type="radio"/>	Ben Goldsberry
Approved Product List	<input type="radio"/>	<input checked="" type="radio"/>	Karen Byram
Materials Manual	<input type="radio"/>	<input checked="" type="radio"/>	Tim Counts

Will this revision necessitate any of the following:

Design Bulletin

Construction Bulletin

Estimates Bulletin

Materials Bulletin

Are all references to external publications current?

Yes

No

If not, what references need to be updated? (Please include changes in the redline document.)

Why does the existing language need to be changed?

Align submittal of railroad protective liability insurance documents with the expectations of the district/state railroad coordinators

Summary of the changes:

Require railroad protective liability insurance documents be submitted at the preconstruction conference.

Are these changes applicable to all Department jobs?

Yes

No

If not, what are the restrictions?

Applicable to projects which include the construction of a railroad grade crossing, railroad overpass or underpass structure, or any other work or operations within the limits of the railroad right-of-way.

Contact the State Specifications Office for assistance in completing this form.



Florida Department of Transportation

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GOVERNOR

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KEVIN J. THIBAUT, P.E.
SECRETARY

M E M O R A N D U M

DATE: October 28, 2021
TO: Specification Review Distribution List
FROM: Daniel Strickland, P.E., State Specifications Engineer
SUBJECT: Proposed Specification: **070133 LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC.**

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change.

This change was proposed by Alan Autry to require railroad protective liability insurance documents be submitted at the preconstruction conference.

Please share this proposal with others within your responsibility. Review comments are due within four weeks and should be sent to Mail Station 75 or online at <http://fdotewp1.dot.state.fl.us/programmanagement/development/industryreview.aspx> . Comments received after **November 29, 2021**, may not be considered. Your input is encouraged.

DS/jj

Attachment

**LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC
(REV 08-16-21)**

SUBARTICLE 7-13.3 is deleted and the following substituted:

7-13.3 Insurance Required for Construction at Railroads: When the Contract includes the construction of a railroad grade crossing, railroad overpass or underpass structure, or any other work or operations within the limits of the railroad right-of-way, including any encroachments thereon from work or operations in the vicinity of the railroad right-of-way, you shall, in addition to the insurance coverage required pursuant to 7-13.2 above, procure and maintain Railroad Protective Liability Coverage (ISO Form CG 00 35) where the railroad is the Named Insured and where the limits are not less than \$2,000,000 combined single limit for bodily injury and/or property damage per occurrence, and with an annual aggregate limit of not less than \$6,000,000. The railroad shall also be added along with the Department as an Additional Insured on the policy/ies procured pursuant to subsection 7-13.2 above. ~~Prior to the execution of the Contract~~At the preconstruction conference, and at all renewal periods which occur prior to final acceptance of the work, both the Department and the railroad shall be provided with an ACORD Certificate of Liability Insurance reflecting the coverage described herein. The insurance described herein shall be maintained through final acceptance of the work. Both the Department and the railroad shall be notified in writing within ten days of any cancellation, notice of cancellation, renewal, or proposed change to any policy or coverage described herein. The Department's approval or failure to disapprove any policy/ies, coverage, or ACORD Certificates shall not relieve or excuse any obligation to procure and maintain the insurance required herein, nor serve as a waiver of any rights the Department may have.