



Florida Department of Transportation

JEB BUSH
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JOSÉ ABREU
SECRETARY

January 5, 2004

Mr. Donald Davis
Program Operations Engineer
Federal Highway Administration
545 John Knox Road
Tallahassee, Florida 32303

Re: Office of Design, Specifications
Section 7
Proposed Specification: 0070001

Dear Mr. Davis:

We are submitting, for your approval, two copies of a proposed Supplemental Specification for Legal Requirements to the Public.

This change was proposed by Gordon Wheeler of the State Utilities Office to substitute reference to the Florida Department of Labor and Employment Security with OSHA.

Please review and transmit your comments, if any, within two weeks. Comments should be sent via Email to SP965DB or duane.brautigam@dot.state.fl.us.

If you have any questions relating to this specification change, please call Duane F. Brautigam, State Specifications Engineer at 414-4110.

Sincerely,

Signature on file

Duane F. Brautigam, P.E.
State Specifications Engineer

DFB/jf

Attachment

cc: General Counsel
Florida Transportation Builders' Assoc.
State Construction Engineer

007 LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC.

(REV ~~1-30-04~~ ~~11-3-04~~) (~~FA 2-4-04~~) (~~7-04~~) (~~FA 00-00-00~~) (7-05)

SUBARTICLE 7-1 (of the Supplemental Specifications). The first paragraph is deleted and the following substituted:

7-1 Laws to be Observed.

7-1.1 General: Become familiar with and comply with all Federal, State, county, and city laws, by-laws, ordinances, and regulations that control the action or operation of those engaged or employed in the work or that affect materials used. Pay particular attention called to the safety regulations promulgated by the ~~State of Florida Department of Labor and Employment Security~~ *U.S. Department of Labor, Occupational Safety and Health Administration (OSHA)*. In addition, comply with Chapter 403, of the Florida Statutes, regarding control of air pollution. Direct special attention to that portion of Chapter 17-5 of the Rules and Regulations, pertaining to open burning in land clearing operations. Where work or structures included in the Contract are in “Navigable Waters of the U.S.,” (reference 33 of the Code of Federal Regulations, Part 329); “Waters of the U.S.,” (reference 33 of the Code of Federal Regulations, Parts 323 and 328); or “Waters of the State,” (reference Part 4, Chapters 253 and 373 of the Florida Statutes and Section 62-340 of the Florida Administrative Code); comply with the regulatory provisions of Section 404 of the Federal Clean Water Act of 1977; Sections 9 and 10 of the Federal River and Harbor Act of 1899; Chapter 161 of the Florida Statutes; and any local authority having jurisdiction over such waters. The Department will procure all environmental permits required by Federal, State, county, and local regulatory agencies.

SUBARTICLE 7-11.6.1 (1) (Page 65) is deleted and the following substituted:

(1) Utilities lying within the vertical and horizontal construction limits, plus the reasonably required working room necessary for operation of equipment normally used for the particular type of construction, all as determined by the Engineer (and except as provided in paragraph (4) below). (In the case of overhead electrical conductors that carry more than 400 V, a minimum of 10 feet [3 m] clearance between the conductor and the nearest possible approach of any part of the equipment is required, except where the utility owner effects safeguards approved by ~~the Florida Department of Labor and Employment Security~~ *OSHA*.)

007 LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC.

(REV11-3-04) (FA 00-00-00) (7-05)

SUBARTICLE 7-1 (of the Supplemental Specifications). The first paragraph is deleted and the following substituted:

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7-1.1 General: Become familiar with and comply with all Federal, State, county, and city laws, by-laws, ordinances, and regulations that control the action or operation of those engaged or employed in the work or that affect materials used. Pay particular attention called to the safety regulations promulgated by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA). In addition, comply with Chapter 403, of the Florida Statutes, regarding control of air pollution. Direct special attention to that portion of Chapter 17-5 of the Rules and Regulations, pertaining to open burning in land clearing operations. Where work or structures included in the Contract are in "Navigable Waters of the U.S.," (reference 33 of the Code of Federal Regulations, Part 329); "Waters of the U.S.," (reference 33 of the Code of Federal Regulations, Parts 323 and 328); or "Waters of the State," (reference Part 4, Chapters 253 and 373 of the Florida Statutes and Section 62-340 of the Florida Administrative Code); comply with the regulatory provisions of Section 404 of the Federal Clean Water Act of 1977; Sections 9 and 10 of the Federal River and Harbor Act of 1899; Chapter 161 of the Florida Statutes; and any local authority having jurisdiction over such waters. The Department will procure all environmental permits required by Federal, State, county, and local regulatory agencies.

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