



# Florida Department of Transportation

CHARLIE CRIST  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

STEPHANIE KOPELOUSOS  
SECRETARY

## ORIGINATION FORM

### THE INFORMATION BELOW IS TO BE PROVIDED BY THE ORIGINATOR

Modify Specification \_\_\_\_\_008\_\_\_\_\_.  
Section/File number

New Section \_\_\_\_\_.  
Section number

**Subject:** Amount of Liquidated Damages

**Origination date:** August 27, 2007

**Originator:** David A. Sadler

**Office/Phone:** State Construction Office/850-414-5203

**Email address/** david.sadler@dot.state.fl.us

**Userid:** CN982DA

**Problem statement:** Liquidated Damages used in FDOT projects are required by Statute to be revised every two years. These rates are being submitted due to statutory requirements.

**Information source:** David A. Sadler

**Background data:** Florida Statute 337.18

**Recommended** None

**Usage Note:**

**Estimated fiscal impact, if implemented:** None

**Implementation of these changes, if and when approved, will begin with the July 2008 letting.**



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## MEMORANDUM

**DATE:** September 5, 2007

**TO:** Specification Review Distribution List

**FROM:** Duane F. Brautigam, P.E., State Specifications Engineer

**SUBJECT:** Proposed Specifications Change: 0081002-Amount of Liquidated Damages

In accordance with Specification Development Procedures, we are sending you a copy of a proposed new specification change for Amount of Liquidated Damages.

This change was proposed by David Sadler of the State Construction Office to revise the liquidated damages rates on FDOT projects, as required by Florida Statutes 337.18.

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 to my attention via e-mail at SP965DB or duane.brautigam@dot.state.fl.us. Comments received after October 3, 2007 may not be considered. Your input is encouraged.

DFB/dm

Attachment

COMMENTS:

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Submitted by:

Phone #:

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**LIQUIDATED DAMAGES FOR FAILURE TO COMPLETE THE WORK.  
(REV 5-31-07)**

SUBARTICLE 8-10.2 (Pages 91 and 92) are deleted and the following substituted:

**8-10.2 Amount of Liquidated Damages:** Applicable liquidated damages are the amounts established in the following schedule:

<u>Original Contract Amount</u>	<u>Daily Charge Per Calendar Day</u>
\$50,000 and under.....	<del>\$313</del> 278
Over \$50,000 but less than \$250,000.....	<del>\$580</del> 388
\$250,000 but less than \$500,000.....	<del>\$715</del> 566
\$500,000 but less than \$2,500,000.....	<del>\$1,423</del> 148
\$2,500,000 but less than \$5,000,000.....	<del>\$2,121</del> 1,914
\$5,000,000 but less than \$10,000,000.....	<del>\$3,057</del> 2,514
\$10,000,000 but less than \$15,000,000.....	<del>\$3,598</del> 3,300
\$15,000,000 but less than \$20,000,000.....	<del>\$4,544</del> 3,782
\$20,000,000 and over.....	<del>\$8,537</del> 5,684 plus
.....	<del>0.00027</del> 0.00005 of any amount over \$20 million