



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

STEPHANIE KOPELOUSOS
SECRETARY

January 13, 2009

Monica Gourdine
Program Operations Engineer
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

Re: Office of Design, Specifications
Section 009
Proposed Specification: 0090501 Measurement and Payment

Dear Ms. Gourdine:

We are submitting, for your approval, two copies of the above referenced Supplemental Specification.

This change was proposed by Ray Haverty to update the specification with the correct name and contact information for the Department of Financial Services and to bring the spec up to date.

Please review and transmit your comments, if any, within four weeks. Comments should be sent via Email to ST986RP or rudy.powell@dot.state.fl.us.

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

Sincerely,

Signature on File

Rudy Powell, Jr., P.E.
State Specifications Engineer

RP/ft

Attachment

cc: Gregory Jones, Chief Civil Litigation
Florida Transportation Builders' Assoc.
State Construction Engineer

MEASUREMENT AND PAYMENT.**(REV ~~4-7-04~~10-29-08) (~~6-04~~)**

ARTICLE 9-9 (of the Special Provisions) is deleted and the following substituted:

Section 215.422(5), Florida Statutes, requires the Department to include a statement of vendor (Contractor) rights. Contractors are hereby advised of the following:

Contractors providing goods and services to an agency should be aware of the following time frames: Upon receipt, an agency has five working days to inspect and approve the goods and services, unless the bid specifications, purchase order or Contract specifies otherwise. An agency has 20 days to deliver a request for payment (voucher) to the Department of ~~Banking and Finance~~ *Financial Services*. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved, by the Department of Transportation.

If a payment is not made within 40 days, a separate interest penalty at the rate established pursuant to Section 55.03(1), Florida Statutes will be due and payable, in addition to the invoice amount, to the Contractor. The interest penalty provision applies after a 35 day time period to health care providers, as defined by rule. Interest penalties of less than one dollar will not be enforced unless the Contractor requests payment. Invoices which have to be returned to a Contractor because of Contractor preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

A Vendor Ombudsman has been established within the Department of ~~Banking and Finance~~ *Financial Services*. The duties of this individual include acting as an advocate for Contractors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted by calling the ~~State Comptroller's Hotline, 1-800-848-3792~~ *Bureau of Accounting at (850) 413-5516.*

MEASUREMENT AND PAYMENT.**(REV 10-29-08)**

ARTICLE 9-9 (of the Special Provisions) is deleted and the following substituted:

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