



## *Florida Department of Transportation*

**CHARLIE CRIST**  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

**STEPHANIE KOPELOUSOS**  
SECRETARY

### **MEMORANDUM**

**DATE:** October 29, 2010

**TO:** Brian Blanchard, Chief Engineer

**FROM:** Duane Brautigam, Interim Director, Office of Design  
David Sadler, Director, Office of Construction

**COPIES:** Rudy Powell, State Specifications Engineer

**SUBJECT:** Mandatory Specification Revision No. 3

I approve the implementation plan of the subject Specification for all projects let effective with the January 2011 Letting.

Duane Brautigam

signature on file  
Interim Director, Office of Design

11/01/10  
Date

David Sadler

signature on file  
Director, Office of Construction

11/01/10  
Date



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### **MEMORANDUM**

**DATE:** October 29, 2010

**TO:** District Specifications Engineers and Central Office Staff

**FROM:** Rudy Powell, P.E., State Specifications Engineer

**SUBJECT:** MANDATORY SPECIFICATIONS REVISIONS  
January 2011 Workbook: Mandatory Revision No. 3

The following specification revisions must be made to projects with the referenced letting date as noted:

Specification Number	Heading	Revision Date	Effective Letting Date	Remarks
<a href="#">SP0071106</a>	Legal Requirements and Responsibility to the Public	10-25-10	1-11	Add this Special Provision. Usage note: All Jobs.

On November 8, 2010, changes to OSHA Rule 1926 specifying the minimum clearances required for overhead electrical lines become effective. The changes may result in increased minimum clearances possibly impacting projects already in construction, projects to be advertised, and projects under design. Article 7-11.6.1, 3<sup>rd</sup> paragraph (1) specifies a minimum clearance of 10 feet is required; however, the minimum clearance will now be based on the voltage in the line so the language in the specification needs to be changed to avoid possible conflicts with the new requirements. In addition, language will be added to the Plans Preparation Manual (PPM) to clarify responsibilities of the designer. Changes to the PPM will be handled in an upcoming Roadway Design Bulletin.

Any issues with projects currently under construction will be handled by the District Construction Offices. Projects to be let in December 2010 are being reviewed and specific projects are being identified to incorporate the new language in 7-11.6.1 by Modified Special Provision.

**LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC.**  
**(REV 109-2512138-10) (1-11)**

SUBARTICLE 7-11.6.1 (Pages 68 - 69) is deleted and the following substituted:

**7-11.6.1 Arrangements for Protection or Adjustment:** Do not commence work at points where the construction operations are adjacent to utility facilities ~~or other property~~, until ~~making~~ *all necessary* arrangements *have been made for removal, temporary removal, relocation, de-energizing, deactivation or adjustment* with the utility facilities *owner* to protect against damage that might result in expense, loss, disruption of service, or other undue inconvenience to the public or to the owners. The Contractor is solely and directly responsible to the owners and operators of such properties for all damages, injuries, expenses, losses, inconveniences, or delays caused by the Contractor's operations.

~~The Department will make the necessary arrangements with~~ *Do not request* utility ~~owners for~~ removal, *temporary removal, relocation, de-energizing, deactivation,* or adjustment ~~of utilities where the Engineer determines that such removal or adjustment is essential to the performance of the required construction. The Department will not consider relocation or adjustment requests based on the Contractor's proposed~~ *when work can be accomplished within the utility work schedules.* ~~by use of a particular method of construction or a particular type of equipment as essential to the construction of the project if the Contractor could use other common methods and equipment without relocating or adjusting the utility. The Engineer will determine the responsibility for any such required adjustments of utilities. The Contractor shall make all requested relocations or adjustments because of delivery to the job site of Contractor furnished materials, at no expense to the Department.~~

~~The Department considers relocations and adjustments (or other protection) under the following circumstances as essential to the construction of the project:~~

~~(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 clearances 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 OSHA:~~

~~(2) Utilities lying within the horizontal limits of the project and within 12 inches below the ground surface or the excavation surface on which the Contractor operates construction equipment, or within 12 inches below the bottom of any stabilizing course specified in the plans.~~

~~(3) Utilities lying within the normal limits of excavation for underground drainage facilities or other structures (except as provided in paragraph (4) below). Such normal limits shall extend to side slopes along the angle of repose, as established by sound engineering practice, unless the Contract Documents require support of the excavation sides by sheeting or the Contractor elects to sheet such excavation for his own convenience.~~

~~(4) Where utilities cross pipe trenches transversely within the excavation area, but not within positions from which relocation or removal is necessary, the utility owner is responsible for providing and effecting all reasonable measures for their support~~

~~and protection during construction operations. Cooperate with the utility owner in the owner's effecting of such support and protective measures. The Contractor is responsible for all damage to the utility that is caused by the Contractor's neglect or failure to cooperate or to use proper precaution in performing his work.~~

\_\_\_\_\_ In the event that ~~removal~~, temporary ~~removal~~, -relocation, *de-energizing, deactivation, or adjustment* of a utility or a particular sequence of timing in the relocation of a utility is necessary *and has not been addressed in a utility work schedule*, the Engineer will ~~direct~~ *determine the necessity for any* -such ~~relocation~~ *utility work. Coordinate such work* as to cause the least impediment to the overall construction operations *and utility service*. The Department is not responsible for utility ~~removal~~ *adjustments*, ~~or~~ temporary ~~removal~~, -relocation, *de-energizing, deactivation, or adjustment* work, ~~or for the conditions resulting therefrom~~, where such ~~adjustments are~~ *work is* (1) *determined* not necessarily ~~by the construction of the project~~ *Engineer*; or (2) done solely for the benefit or convenience of the utility owner or its contractor, or the ~~highway~~ *Contractor* ~~where the Department considers his construction procedures to be other than normal~~, or (3) ~~not shown on the approved plans for the utility relocation or the construction of the project.~~