



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

STEPHANIE KOPELOUSOS
SECRETARY

July 21, 2010

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

Re: Office of Design, Specifications
Section 001
Proposed Specification: **0010300b Definitions and Terms – Definitions.**

Dear Ms. Gourdine:

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

These changes were proposed by Brian Blanchard, Chief Engineer, to delete the term “change order” because this term is no longer used and add the currently used term “work order”. Also, the definition for Contract Documents has been changed to clarify that plan changes during construction are part of the Contract Documents.

Please review and transmit your comments, if any, within two 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 414-4280.

Sincerely,

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

RP/dt

Attachment

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

DEFINITIONS AND TERMS – DEFINITIONS.**(REV ~~65-8113-10~~)**

SUBARTICLE 1-3 (Pages 1-9). The definition for Change Orders is deleted.

Change Order.

~~————A written order issued by the Department and accepted by the Contractor, covering minor changes in the plans, specifications, or quantities of work, within the scope of the Contract, when prices for the items of work affected are previously established in the Contract.~~

SUBARTICLE 1-3 (Pages 1-9). The definition for Contract Documents is deleted and the following substituted:

Contract Documents.

The term “Contract Documents” includes: Advertisement for Proposal, Proposal, Certification as to Publication and Notice of Advertisement for Proposal, Appointment of Agent by Nonresident Contractors, Noncollusion Affidavit, Warranty Concerning Solicitation of the Contract by Others, Resolution of Award of Contract, Executed Form of Contract, Performance Bond and Payment Bond, ~~Standard Specifications, Supplemental Specifications, Special Provisions,~~ plans *(including revisions thereto issued during construction)*, Addenda, or other information mailed or otherwise transmitted to the prospective bidders prior to the receipt of bids, ~~workchange orders, field orders,~~ and supplemental agreements, all of which are to be treated as one instrument whether or not set forth at length in the form of contract.

Note: As used in Sections 2 and 3 only, Contract Documents do not include ~~work change orders, field orders,~~ and supplementary agreements. As used in Section 2 only, Contract Documents also do not include Resolution of Award of Contract, Executed Form of Contract, and Performance and Payment Bond.

SUBARTICLE 1-3 (Pages 1-9). The definition for Work Order is added.

Work Order.

A written agreement between the Contractor and the Department modifying the Contract within the limitations set forth in these Specifications. Funds for this agreement are drawn against the Initial Contingency Pay Item or a Contingency Supplemental Agreement.

DEFINITIONS AND TERMS – DEFINITIONS.
(REV 6-8-10)

SUBARTICLE 1-3 (Pages 1-9). The definition for Change Orders is deleted.

SUBARTICLE 1-3 (Pages 1-9). The definition for Contract Documents is deleted and the following substituted:

Contract Documents.

The term “Contract Documents” includes: Advertisement for Proposal, Proposal, Certification as to Publication and Notice of Advertisement for Proposal, Appointment of Agent by Nonresident Contractors, Noncollusion Affidavit, Warranty Concerning Solicitation of the Contract by Others, Resolution of Award of Contract, Executed Form of Contract, Performance Bond and Payment Bond, Specifications, plans (including revisions thereto issued during construction), Addenda, or other information mailed or otherwise transmitted to the prospective bidders prior to the receipt of bids, work orders and supplemental agreements, all of which are to be treated as one instrument whether or not set forth at length in the form of contract.

Note: As used in Sections 2 and 3 only, Contract Documents do not include work orders, and supplementary agreements. As used in Section 2 only, Contract Documents also do not include Resolution of Award of Contract, Executed Form of Contract, and Performance and Payment Bond.

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