

EXPECTED IMPLEMENTATION JANUARY 2012

005 CONTROL OF THE WORK – RECOVERY RIGHTS, SUBSEQUENT TO FINAL PAYMENT.

(REV 3-9-11) (FA 5-12-11) (1-12)

ARTICLE 5-13 (Page 52) is deleted and the following substituted:

5-13 Recovery Rights, Subsequent to Final Payment.

The Department reserves the right, if it discovers an error in the partial or final estimates, or if it discovers that the Contractor performed defective work or used defective materials, after the final payment has been made, to claim and recover from the Contractor or his surety, or both, by process of law, such sums as may be sufficient to correct the error or make good the defects in the work and materials.