

ORIGINATION FORM

Date: 5/18/2011

Originator: David Sadler

Contact Information: State Construction Office/414-5203

Specification Title: Prosecution and Progress

Specification Section, Article, or Subarticle Number: 8-10.2

Why does the existing language need to be changed? Per Florida Statutes 337.18(2) require Department to establish liquidated damages every two years.

Summary of the changes: Revised Liquidated Damages rates.

Are these changes applicable to all Department jobs? If not, what are the restrictions? Yes

Will these changes result in an increase or decrease in project costs? If yes, what is the estimated change in costs? Yes, they could increase cost if Contractor defaults on allowed contract time, amount is based on schedule provided times the number of delinquent days on the contract.

With who have you discussed these changes? none

What other offices will be impacted by these changes? none

Are changes needed to the PPM, Design Standards, SDG, CPAM or other manual? no

Is a Design Bulletin, Construction Memo, or Estimates Bulletin needed? no

Contact the State Specifications Office for assistance in completing this form.
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Florida Department of Transportation

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ANANTH PRASAD, P.E.
SECRETARY

MEMORANDUM

DATE: June 1, 2011

TO: Specification Review Distribution List

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

SUBJECT: Proposed Specification: **0080102 Prosecution and Progress – Amount of Liquidated Damages.**

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change.

This change was proposed by David Sadler of the State Construction Office to revise the liquidated damages rates in accordance with Section 337.18(2) F.S.

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 SP965RP or rudy.powell@dot.state.fl.us. Comments received after **June 29, 2011**, may not be considered. Your input is encouraged.

RP/dt
Attachment

**PROSECUTION AND PROGRESS – AMOUNT OF LIQUIDATED DAMAGES.
(REV 5-23-11)**

SUBARTICLE 8-10.2 (Pages 93 and 94) is 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.....	\$278 642
Over \$50,000 but less than \$250,000.....	\$388 758
\$250,000 but less than \$500,000.....	\$566 966
\$500,000 but less than \$2,500,000.....	\$1,148 1,532
\$2,500,000 but less than \$5,000,000.....	\$1,914 2,374
\$5,000,000 but less than \$10,000,000.....	\$2,514 3,226
\$10,000,000 but less than \$15,000,000.....	\$3,300 4,624
\$15,000,000 but less than \$20,000,000.....	\$3,782 4,276
\$20,000,000 and over.....	\$5,684 7,864 plus
.....0.00005 of any amount over \$20 million	