

ORIGINATION FORM

Date: [March 9, 2011](#)

Originator: [David Sadler](#)

Contact Information: david.sadler@dot.state.fl.us 414-5203

Specification Title: [Measurement and Payment](#)

Specification Section, Article, or Subarticle Number: [9-5.2 Unsatisfactory Payment Record](#)

Why does the existing language need to be changed? [Removing from the specification the language about disqualifying the Surety for failure to perform and will be adding this language to all FDOT Bond forms.](#)

Summary of the changes: [Removed Surety Disqualification language from the spec and will add to FDOT Bond forms.](#)

Are these changes applicable to all Department jobs? [Yes](#). If not, what are the restrictions?

Will these changes result in an increase or decrease in project costs? [No](#). If yes, what is the estimated change in costs?

With who have you discussed these changes? [State Construction & Legal Offices, Florida Surety Association.](#)

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.

Rudy Powell 850-414-42820 rudy.powell@dot.state.fl.us

Frances Thomas 850-414-4101 frances.thomas@dot.state.fl.us

Debbie Toole 850-414-4114 deborah.toole@dot.state.fl.us

Andy Harper 850-414-4127 clifton.harper@dot.state.fl.us



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

OFFICE OF THE
SECRETARY

M E M O R A N D U M

DATE: March 29, 2011

TO: Specification Review Distribution List

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

SUBJECT: Proposed Specification: 0090502 Measurement and Payment – Unsatisfactory Payment Record.

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

This change was proposed by David Sadler to remove from the specification the language about disqualifying the Surety for failure to perform and will be adding this language to all FDOT Bond forms.

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 **April 26, 2011** may not be considered. Your input is encouraged.

RP/cah
Attachment

**MEASUREMENT AND PAYMENT – UNSATISFACTORY PAYMENT RECORD.
(REV 3-9-11)**

SUBARTICLE 9-5.2 (Page 101) is deleted and the following substituted:

9-5.2 Unsatisfactory Payment Record: In accordance with Sections 255.05 and 337.16 of the Florida Statutes, and the rules of the Department, the Department may disqualify the Contractor from bidding on future Department contracts if the Contractor's payment record in connection with contract work becomes unsatisfactory. ~~The Department may also disqualify the surety from issuing bonds for future Department contracts if they similarly fail to perform under the terms of their bond.~~