

0090400 MEASUREMENT AND PAYMENT – DELETED WORK.  
COMMENTS FROM INTERNAL/INDUSTRY REVIEW

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Stephen King  
Asst. GC, D4  
954-777-4526

Comments: (10-27-11)  
9-4 Deleted Work.

The Department will have the right to cancel the portions of the Contract relating to the construction of any acceptable item therein, by ~~the~~*making an adjustment in* payment to the Contractor of a fair and equitable amount covering *the value of all cancelled work less* all items of cost incurred prior to the date that the Engineer cancels the work.

I suggest adding “negative” as follows to make it more clear:  
*.....making a negative adjustment.....*

Response:

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Stefanie Maxwell  
414-4314  
[stefanie.maxwell@dot.state.fl.us](mailto:stefanie.maxwell@dot.state.fl.us)

Comments: (11-22-11)

Propose rewriting the paragraph to say: The Department will have the right to cancel the portions of the Contract relating to the construction of any acceptable item therein, by making an adjustment in payment to the Contractor of a fair and equitable amount covering the value of all items of cost incurred prior to the date that the Engineer cancels the work, less the value of all cancelled work.

Response:

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Bert Woerner  
386-943-5351  
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Comments: (11-29-11)

**9-4 Deleted Work. 0090400 ~~All Jobs~~ This should not apply to Lump Sum projects as they are already covered under 9-2.2.6 LS and LLS**

The Department will have the right to cancel the portions of the Contract relating to the construction of any acceptable item therein, by ~~the~~*making an adjustment in* payment to the Contractor of a fair and equitable amount covering *the value of all cancelled work less* all items of cost incurred prior to the date that the Engineer cancels the work. **Pay item(s) will be under-run by bid amount and quantity of deleted work.**

Response:

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Pat McCann  
954-777-4387

Comments: (11-28-11)

Rudy, I was unable to clearly show changes I proposed on the Spec. website so I am sending to you as follows: My changes are bolded and highlighted text.

The Department will have the right to cancel the portions of the Contract relating to the construction of any acceptable item therein, by ~~the making of a negative~~ *adjustment in the* **payment** contract ~~amount. to the Contractor~~ **The negative adjustment will be reflective** of a fair and equitable amount covering *the value of all cancelled work less* all items of cost incurred prior to the date that the Engineer cancels the work.

Response:

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