

ORIGINATION FORM

Date: *March 16, 2012*

Originator: *David Sadler or Rudy Powell*

Contact Information: *414-5203 or 414-4280*

Specification Title: *LEGAL REQUIREMENTS AND RESPONSIBILITIES TO THE PUBLIC – RIGHT-OF-WAY FURNISHED BY THE DEPARTMENT*

Specification Section, Article, or Subarticle Number: *7-4 Right-of-Way Furnished by the Department*

Why does the existing language need to be changed? *Existing specification does not limit use and require advance approval prior to the use of Department owned right of way.*

Summary of the changes: *Limit use of Department owned right of way to the Project. Require advance approval of the Department prior to using Department owned right of way for equipment storage, material storage, lay-down facilities, pre-cast material fabrication, batch plants, etc.*

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 Office, Alternative Contracting Task Team, District Construction Engineers, Chief Engineer*

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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M E M O R A N D U M

DATE: April 4, 2012

TO: Specification Review Distribution List

FROM: Duane F. Brautigam, Director, Office of Design

SUBJECT: Proposed Specification: 0070400 Legal Requirements and Responsibilities to the Public – Right-of-Way Furnished by the Department

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

The changes are proposed by Rudy Powell to require advance approval prior to use of Department owned right-of-way and to limit the use of the right-of-way to the project.

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 email at RD967DB or duane.brautigam@dot.state.fl.us. Comments received after **May 2, 2012**, may not be considered. Your input is encouraged.

DB/ft
Attachment

LEGAL REQUIREMENTS AND RESPONSIBILITIES TO THE PUBLIC –RIGHT-OF-WAY FURNISHED BY THE DEPARTMENT.

(REV 3-16-12)

ARTICLE 7-4 (Page 63) is deleted and the following substituted:

7-4 Right-of-Way Furnished by the Department.

Except as otherwise stipulated in these Specifications or as shown in the plans, the Department will furnish all rights-of-way necessary for the proper completion of the work at no expense to the Contractor.

Should Department-furnished areas for obtaining borrow material, contain limerock material, do not remove such material from the pit unless the Engineer gives specific approval.

Use of Department owned right-of-way for the purpose of equipment or material storage, lay-down facilities, pre-cast material fabrication sites, batch plants for the production of asphalt, concrete or other construction related materials, etc., shall require advance approval by the Department. Use of Department owned Right of Way for these purposes is expressly limited to the Project.