

CONTROL OF THE WORK – WORK DOCUMENTS.
(REV 3-30-21) (FY 2023-24)

ARTICLE 5-1 is expanded by the addition of the following new Subarticle:

5-1.7 Work Documents: The Engineer will issue a Work Document to identify the location, description and amount of work to be accomplished. Respond and begin work within fourteen calendar days from receipt of the initial Work Document. The 14 calendar days begin on the date the Work Document is received in person, by email or fax. The initial Work Document may be issued with the Notice to Proceed. Notify the Engineer prior to beginning work on the project.

Respond and begin work within five working days of receipt of any subsequent Work Document, or on the date specified in the Work Document. For renewed contracts, respond to and begin work within five working days of receipt of all Work Documents or on the date specified in the Work Document.

Charging of Work Document time will begin on the actual day that work begins at the site, but no later than:

1. the 14th calendar day from receipt of the initial Work Document; or
2. the 5th working day from receipt of any subsequent Work Document; or
3. the “start date “identified in a Work Document (as described above) that is applicable to the specific Work Document issued.

If the Contractor does not complete the work within the number of days stipulated in the Work Document, then the Contractor and the Department agree that the Department will assess the Contractor, per day, not as a penalty but as liquidated damages, 1% of the total Work Document amount or the amount shown in Subarticle 8-10.2 (Amount of Liquidated Damages), whichever is less.

The Engineer will issue Work Documents for locations that represent a minimum of one day’s work; however, priority Work Documents may not necessarily represent one day’s work. All work locations will be described with geographical or landmark reference points that will allow the Contractor to proceed immediately to the location with minimum delay. The Department will make every reasonable effort to plan work locations and develop work documents in systematic and concentrated regions to minimize the Contractor’s travel requirements.

Upon completion of the assigned work, notify the Engineer and certify that the work quantities and quality were accomplished in accordance with these specifications by signing and returning the Work Document to the Department. All work completed will be inspected by the Engineer to verify quantity and quality for final acceptance of the Work Document.

Immediately notify the Engineer when work is delayed by any factor eligible for a time extension in accordance with 8-7.3.2.

Should inclement weather limit or stop the work, immediately notify the Engineer of work stoppage. The end date of a Work Document may be extended by the Engineer for reason of inclement weather or other unforeseen circumstances, when timely notice is provided by the Contractor. Additional days granted on a Work Document does not extend the Contract Time.

Schedule work in a manner that prevents delays, stoppages and rework.

ARTICLE 5-8 is deleted and the following substituted:

5-8 Contractor's Supervision.

5-8.1 Prosecution of Work: Give the work the constant attention necessary to ensure the scheduled progress and cooperate fully with the Engineer and with other contractors at work in the vicinity.

Provide notification of work progress at daily or weekly intervals as directed by the Engineer.

5-8.2 Contractor's Superintendent: Maintain a competent superintendent at the site at all times while work is in progress to act as the Contractor's agent. Provide a superintendent who is a competent superintendent capable of properly interpreting the Contract Documents and is thoroughly experienced in the type of work being performed. Provide a superintendent with the full authority to receive instructions from the Engineer and to execute the orders or directions of the Engineer, including promptly supplying any materials, tools, equipment, labor, and incidentals that may be required. Provide such superintendence regardless of the amount of work sublet.

Provide a superintendent who speaks and understands English and maintain at least one other responsible person who speaks and understands English, on the project during all working hours.

5-8.3 Supervision for Emergencies: Provide a responsible person, who speaks and understands English, and who is available at or reasonably near the worksite on a 24-hour basis, seven days a week. Designate this person as the point of contact for emergencies and in cases that require immediate action to maintain traffic or to resolve any other problem that might arise. At the pre-work conference, provide the phone numbers and names of personnel designated to be contacted in cases of emergencies.

SUBARTICLE 5-10.2 is expanded by the following:

Upon completion of the work and before final payment is made, remove from the job site any surplus materials or waste, and restore the job site area to conditions acceptable to the Engineer.

ARTICLE 5-11 is deleted and the following substituted:

5-11 Final Acceptance.

When, upon completion and acceptance of all Work Documents for the entire contract, the Engineer determines that the Contractor has satisfactorily completed all the work, the Engineer will submit written notice of completion to the Contractor.