

Standards and Specifications Unit

**Memorandum**

**DATE**: October 29, 2015

**TO**: All Holders of Standard Special Provisions

**FROM**: Larry Brinck, Standards and Specifications Engineer

**SUBJECT**: Revision of Section 108, Liquidated Damages

Effective this date, our unit is issuing a revised version of the standard special provision, Revision of Section 108, Liquidated Damages. This revised version is 1 page long, and replaces the now obsolete standard special provision having the same title, which is dated June 4, 2015. Use of this revised standard special provision is required on all projects immediately. A revision under ad is required for projects having original contract amounts greater than $10 million.

The revisions in this modification defines a flat rate of $7,000 for projects having contract amounts greater than $10 million. Designers may adjust this amount in the Contract by writing a project special provision, with consultation and approval of the Contracts and Market Analysis Branch Manager.

Those of you who keep a book of Standard Special Provisions should replace the now obsolete version in your file with this revised version. For your convenience, you can find this and others special provisions issued this date in one place at our Construction Specifications web page:

<https://www.codot.gov/business/designsupport/construction-specifications/2011-Specs>

Please scroll down and visit the hyperlink, “Recently Issued Special Provisions”.

If you have any questions or comments, please contact this office.