February 3, 2011

REVISION OF SECTION 105

VIOLATION OF WORKING TIME LIMITATION

**NOTICE**

This is a standard special provision that revises or modifies CDOT’s *Standard Specifications for Road and Bridge Construction* It has gone through a formal review and approval process and has been issued by CDOT’s Project Development Branch with formal instructions for its use on CDOT construction projects. It is to be used as written without change. Do not use modified versions of this special provision on CDOT construction projects, and do not use this special provision on CDOT projects in a manner other than that specified in the instructions unless such use is first approved by the Standards and Specifications Unit of the Project Development Branch. The instructions for use on CDOT construction projects appear below.

Other agencies which use the *Standard Specifications for Road and Bridge Construction* to administer construction projects may use this special provision as appropriate and at their own risk.

**Instructions for use on CDOT construction projects:**

Use this standard special provision on projects that have a working time limitation specified in the project special provisions.

February 3, 2011

REVISION OF SECTION 105

VIOLATION OF WORKING TIME LIMITATION

Section 105 of the Standard Specifications is hereby revised for this project as follows:

Subsection 105.03 shall include the following:

If there is a violation of the working time limitations for traffic control as set forth in the special provisions, a written notice to stop work will be imposed on the Contractor at the start of the next working day. Work shall not resume until the Contractor assures the Engineer, in writing, that there will not be a reoccurrence of the working time violation. If more violations take place, the Engineer will notify the Contractor in writing that there will be a price reduction charge for each incident in accordance with this specification. This incident price reduction charge will be deducted from any money due the Contractor. This price reduction will not be considered a penalty but will be a price reduction for failure to perform traffic control in compliance with the Contract.

An incident is any violation up to 30 minutes in duration. Each 30 minutes or increment thereof will be considered as an incident. A price reduction will be assessed for each successive or cumulative 30 minute period in violation of the working time limitations, as determined by the Engineer. The price reduction for each incident will increase at a progressive rate starting with $150 for the second incident and increasing to $1200 for the fifth and subsequent incidents in accordance with the following schedule. A 15 minute grace period will be allowed at the beginning of the second incident on the project before the price reduction is applied. This 15 minute grace period applies only to the second incident.

The number of incident charges will be accumulative throughout the duration of the Contract.

**Price Reduction Schedule**

|  |  |  |
| --- | --- | --- |
| **Incident** | **Incident Rate** | **Total Price Reduction** |
| 1st | Notice to Stop Work | ---- |
| 2nd | $150 | $150 |
| 3rd | 300 | 450 |
| 4th | 600 | 1,050 |
| 5th | 1,200 | 2,250 |
| 6th | 1,200 | 3,450 |
| Etc. | 1,200 | 4,650 |
|  | Etc. | Etc. |