

The Department met with FTBA at a recent Henry Fuller Task Team and agreed to the following:

- Bob Burluson and Ananth to develop/modify specification language, whereby, the Department will have the ability to require the Contractor to repair defective work, during a period determined by the Department, that does not meet the thresholds the Department establishes and failure on the part of the Contractor to do this would have pre-qualification consequences. The concept here is the same as the Guarantee Specification but the authority (Florida Statutes) that we derive would be different. Once this specification is developed, we will send it through industry review and implement starting January 2004.

- FTBA agreed to go along with 3-year period on all Asphalt projects with a few exceptions. Bob to discuss this with Jim Warren prior to the Asphalt Warranty Task Team meeting. The task team need to look at the criteria that they have developed for the interstate and modify that criteria to 3-year period and develop criteria for projects on SHS for the same period. We also need to identify the projects that we do not want this on. Greg Schiess and Bruce were present at this meeting by invitation and they can bring the team up-to-date on what was discussed and agreed. The Department will continue to perform verification testing on these contracts.

- FTBA is going to go along with a 5-year period for Contractor Bridge Components, initially to be implemented on all Bridge Design-Build projects. This specification will be modified based on what Ananth and Bob come up with but until then we can go along with the Guarantee Specification.

- On Signal/Lighting issues, we will wait on what the Team recommends and implement. The Specification will be structured based on what Ananth and Bob come up.

- On Concrete Pavement, we will go with 5-year period and we will include the revised version of this specification on all concrete projects. This specification will be modified based on what Ananth and Bob come up with but until then we can go along with the Guarantee Specification. Duane/Tom, on this specification, we need to change, whereby, the Department continue to perform verification testing of the concrete.

The Department and the FTBA also agreed that disputes as it relates to the responsibility of defective work will be presented to a Statewide Disputes Review Board that will be established solely for the purposes of such and the boards recommendation will be binding on both parties.

I am requesting Duane to incorporate this concept in the Concrete Pavement Guarantee Specification that is out for review. I am also requesting Duane to share the wording with Steve Plotkin and me so that it can be incorporated into the Contractor Guaranteed Bridge Component Specifications and other specification under development.

I will be on vacation from 11/25 thru' 12/27 so if you have any questions, you will have to wait until I come back. You can reach me on Friday 11/22 to discuss this further if you need clarifications.

If you have any questions, please feel free to call me.

Thanks - Ananth

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