



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.
SECRETARY

May 2, 2011

Monica Gourdine
Program Operations Engineer
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

Re: Office of Design, Specifications
Section 009
Proposed Specification: 0090502 Measurement and Payment – Unsatisfactory Payment
Record.

Dear Ms. Gourdine:

We are submitting, for your approval, two copies of the above referenced Supplemental Specification.

These changes are proposed by David Sadler of the State Construction Office to remove from the specification the language about disqualifying the Surety for failure to perform and add this language to all FDOT Bond forms.

Please review and transmit your comments, if any, within two weeks. Comments should be sent via Email to SP965RP or rudy.powell@dot.state.fl.us.

If you have any questions relating to this specification change, please call Rudy Powell, State Specifications Engineer at 414-4280.

Sincerely,

Rudy Powell, Jr., P.E.
State Specifications Engineer

RP/cah

Attachment

cc: Gregory Jones, Chief Civil Litigation
Florida Transportation Builders' Assoc.
State Construction Engineer

**MEASUREMENT AND PAYMENT – UNSATISFACTORY PAYMENT
RECORD.****(REV 3-9-11)**

SUBARTICLE 9-5.2 (Page 101) is deleted and the following substituted:

9-5.2 Unsatisfactory Payment Record: In accordance with Sections 255.05 and 337.16 of the Florida Statutes, and the rules of the Department, the Department may disqualify the Contractor from bidding on future Department contracts if the Contractor's payment record in connection with contract work becomes unsatisfactory. ~~The Department may also disqualify the surety from issuing bonds for future Department contracts if they similarly fail to perform under the terms of their bond.~~

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