

## ORIGINATION FORM

**Date:** 4/23/2013

**Originator:** David Sadler

**Contact Information:** State Construction Office/414-5203

**Specification Title:** Prosecution and Progress

**Specification Section, Article, or Subarticle Number:** 8-10.2

**Why does the existing language need to be changed?** Per Florida Statutes 337.18(2) require Department to establish liquidated damages every two years.

**Summary of the changes:** Revised Liquidated Damages rates.

**Are these changes applicable to all Department jobs? If not, what are the restrictions?** Yes

**Will these changes result in an increase or decrease in project costs? If yes, what is the estimated change in costs?** Yes, they could increase cost if Contractor defaults on allowed contract time, amount is based on schedule provided times the number of delinquent days on the contract.

**With who have you discussed these changes?** none

**What other offices will be impacted by these changes?** none

**Are changes needed to the PPM, Design Standards, SDG, CPAM or other manual?** no

**Is a Design Bulletin, Construction Memo, or Estimates Bulletin needed?** no

Contact the State Specifications Office for assistance in completing this form.  
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## *Florida Department of Transportation*

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ANANTH PRASAD, P.E.  
SECRETARY

### MEMORANDUM

**DATE:** May 2, 2013

**TO:** Specification Review Distribution List

**FROM:** Trey Tillander, Manager State Specifications and Estimates Office

**SUBJECT:** Proposed Specification: **0081002 Prosecution and Progress.**

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change.

This change was proposed by David Sadler, Director, Office of Construction, to revise Liquidated Damages rates.

Please share this proposal with others within your responsibility. Review comments are due within four weeks and should be sent to Mail Station 75 or to my attention via e-mail at SP965TT or [trey.tillander@dot.state.fl.us](mailto:trey.tillander@dot.state.fl.us). Comments received after **June 3, 2013**, may not be considered. Your input is encouraged.

TT/cah  
Attachment

**PROSECUTION AND PROGRESS.**  
**(REV 4-24-13)**

SUBARTICLE 8-10.2 (Pages 90 – 91) is deleted and the following substituted:

**8-10.2 Amount of Liquidated Damages:** Applicable liquidated damages are the amounts established in the following schedule:

\$50,000 and under.....	\$836642
Over \$50,000 but less than \$250,000.....	\$884758
\$250,000 but less than \$500,000.....	\$1,074966
\$500,000 but less than \$2,500,000.....	\$1,7421,532
\$2,500,000 but less than \$5,000,000.....	\$2,8762,374
\$5,000,000 but less than \$10,000,000.....	\$3,7703,226
\$10,000,000 but less than \$15,000,000.....	\$4,6244,624
\$15,000,000 but less than \$20,000,000.....	\$5,6964,276
\$20,000,000 and over.....	\$9,7887,864 plus
.....0.00005 of any amount over \$20 million	
.....	<i>(Round to nearest whole dollar)</i>