

0080302A PROSECUTION AND PROGRESS - SUBMISSION OF WORKING SCHEDULE
COMMENTS FROM INTERNAL/INDUSTRY REVIEW



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Comments: (11-24-14)

What if the contractor can show that it was not at fault and the delay was not under his control... I believe what needs to be stated is that "regardless of fault, the Department will not be liable for any costs associated with an early completion." This is written in a passive manner...

Response: If the contractor and department agree that the delay is no fault of the contractor then the proposed provisions would not be applicable. The comment is understood. This language has not been the source of dispute so it will remain unchanged.
No changes made.



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Comments: (12-18-14)

Under section 8-3.2.2 I suggest adding/modifying the language about the submission of the Contract Schedule. I suggest language stating that the schedule shall be submitted by cut-off instead of within 7 days of cut-off. The language discusses withholding payments if schedule is not submitted. This is difficult to enforce since the estimate is generated and approved prior to receiving the schedule. Another comment is about the review period of the schedule. For baseline schedules there is a 30 day review period and 7 days for the contractor to respond. It would be beneficial to list review periods for monthly updates.

Response: The recommendation is understood. This language has not been the source of documented disputes so it will remain unchanged.
No changes made.

