

SPECIAL PROVISION

008---026

Prosecution and Progress

For this project, Item 008, "Prosecution and Progress," of the Standard Specifications, is hereby amended with respect to the clauses cited below, and no other clauses or requirements of this Item are waived or changed hereby.

This Item is supplemented by the following:

Article 8.11. No Excuse Incentive for Early Contract Completion. The Department will pay the Contractor an incentive for early completion of the project. Completion shall be considered the final acceptance date unless performance, establishment and maintenance periods occur. In the case of performance, establishment and maintenance periods, completion shall be considered when all work is complete and accepted except for performance, establishment and maintenance periods, with time computed to the suspension of time charges for said periods. The daily incentive rate the Department will pay will be the daily contract administration liquidated damages as provided elsewhere in the contract. The incentive will be paid for each working day the project is completed prior to the original working days allowed in the contract with the exceptions for the allowances of adjustments as provided below. A maximum of 30 days will be paid unless otherwise shown on the plans.

Time charges for the completion incentive will not be adjusted for weather, weekends, holidays, suspension of contract time; unforeseen utility, right of way, or railroad issues; or any other unforeseeable event not under the control of the Department.

Time charges for the completion incentive may be adjusted by the Engineer when work, under the control of the Department such as extension of limits or changes in scope not related to the issues in the previous paragraph, is added that changes the duration of the project as submitted in accordance with the schedule required to meet Article 8.1, "Prosecution of Work." Time charges for the completion incentive will also be adjusted for catastrophic events such as a declared state of emergency or natural disaster, if the event directly affects the Contractor's operations. When archeological sites are discovered during the course of construction, time charges may be adjusted when they impede the clearance process and affect the completion of the project.