

January 1, 2020

Delete Subsection 108.9 of the Standard Specifications in its entirety and replace with the following:

108.9 Failure to Complete the Work on Time

If the Contractor fails to substantially complete the work by the contract completion date, the Contractor is liable for liquidated damages. Liquidated damages shall be assessed for each day beyond the contract completion date that the project is not substantially complete. The date of substantial completion is determined by the RCE. Days to be charged for liquidated damages will not stop due to seasonal restrictions. The daily liquidated damages rate is determined from the following schedule. This table does not apply if a different amount for liquidated damages is specified in the Contract Special Provisions.

Schedule of Liquidated Damages for Each Day Overrun in Contract Time		
Original Contract Amount		Daily Charge per Calendar Day at Fixed Rate
From More Than	To and Including	
\$0.00	\$500,000.00	\$600.00
\$500,000.00	\$1,000,000.00	\$800.00
\$1,000,000.00	\$2,000,000.00	\$1,000.00
\$2,000,000.00	\$5,000,000.00	\$1,200.00
\$5,000,000.00	\$10,000,000.00	\$1,700.00
\$10,000,000.00	and above	\$2,200.00

The punch list must be completed within 30 days of the final inspection unless another time frame is agreed upon by the RCE and Contractor at the final inspection. Seasonal restrictions and temperatures may be considered for individual items. Failure to complete the punch list may result in the RCE charging liquidated damages at the specified rate for any punch list item remaining incomplete beyond 30 days. Liquidated damages will be charged daily until all punch list items are complete. If a final inspection is held prior to the contract completion date, liquidated damages shall not be charged prior to the contract completion date for incomplete punch list items.

<p>APPROVED: Division Administrator</p> <p>By: _____ FEDERAL HIGHWAY ADMINISTRATION</p>
