



GW file

TO: Director, Preliminary Plan Review Bureau	 ENGINEERING INSTRUCTION NEW YORK STATE DEPARTMENT OF TRANSPORTATION
Distribution: <input checked="" type="checkbox"/> Main Office <input checked="" type="checkbox"/> Regions <input type="checkbox"/> Special	Code: <u> EI 73-23 </u>
APPROVED:  <u>Deputy Chief Engineer, (Construction)</u>	Date: <u> 3/27/73 </u> Supersedes:
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A recent federal audit has taken exception with payments made on several contracts contrary to the provisions of the specifications and with/or without adequate documented support for such payment quantities or methods. Presumably, such payments were made to offset the possibility of claims actions and appeared reasonable to the Regional Offices involved.

In order to meet federal, State, and general management requirements, all such decisions must be referred to the main office via a disputed work letter, order-on-contract, or a letter requesting concurrence, as appropriate. The main office will coordinate such decisions with the FHWA, the Comptroller's Office, and the Office of Legal Affairs as necessary in each specific situation.

Such formalization is essential to avoid loss of federal funds and to insure uniformity in contractor negotiations and is effective immediately.

JS:MC

PREL.	FINAL
PHOTOGRAPH LANDSCAPE	
RECEIVED FACTS AND INFORMATION DIVISION	
APR 5 1973	
MALCOLM D. GRAHAM	
CIRC.	
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