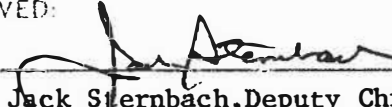


SUPERSEDED BY EB 96-027 EFFECTIVE 6/18/96	<h1>ENGINEERING BULLETIN</h1> <p>NEW YORK STATE DEPARTMENT OF TRANSPORTATION</p>	
	SUBJECT: EXTENSION OF TIME Subject Code 7.30	
Distribution:	<input checked="" type="checkbox"/> Main Office	<input checked="" type="checkbox"/> Regions
		<input checked="" type="checkbox"/> Special
APPROVED:  Jack Sternbach, Deputy Chief Engineer, Construction Division.		Code: <u>EB 83-37</u> Date: <u>10/19/83</u> Supersedes _____

This Engineering Bulletin Expires _____

A copy of this Bulletin should be inserted in the Construction Supervision Manual following Page 108-8.

Pending revision to Pages 108-9 and 108-10 of the Construction Supervision Manual, the following procedure is effective immediately in processing FORM HC250, Application for Extension of Completion Date.

Seven (7) copies of FORM HC250 should be forwarded to the Construction Division together with three (3) copies of a transmittal memorandum providing factual information concerning the reasons entered on the Application for Extension of Completion Date by the Contractor. It is essential that complete factual data regarding each reason pertinent to the extension and its relationship or effect on the number of days delay be provided in the transmittal memorandum. A breakdown of days beyond the control of the Contractor, and those attributable to the Contractor's operations should be indicated in accordance with Subsections 102-12 ENGINEERING CHARGES, 105-08 COOPERATION BY THE CONTRACTOR, and the considerations outlined in Subsection 108-04 EXTENSION OF TIME.

Since liquidated damages, pursuant to Subsection 108-03 FAILURE TO COMPLETE WORK ON TIME, may be applicable if engineering charges are assessed, the transmittal memorandum also should indicate whether or not the contract work is, or is expected to be, "substantially" finished and safe for use by the scheduled or previously extended completion date. The reasons for the extension as entered by the Contractor and the facts provided by the Region in the transmittal memorandum should suffice in determining whether or not an assessment of engineering charges is warranted. Thus, the Region should not include any recommendation in this regard. Additional information, if needed, will be requested from the Region.

Whenever a completion date is extended with engineering charges, liquidated damages also should be computed and deducted from any money due the Contractor, in accordance with Subsection 108-03 FAILURE TO COMPLETE WORK ON TIME, until the work on the project is "substantially" finished and safe to use by the traveling public as determined by the Regional Director on behalf of the Commissioner of Transportation.

Approved Extensions of Completion Dates, with engineering charges, will indicate a charge for liquidated damages when applicable.