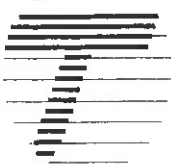
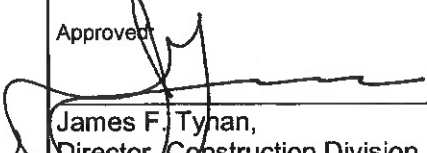


SUPERSEDED BY EB 15-031 EFFECTIVE 9/28/15		New York State Department of Transportation ENGINEERING INSTRUCTION	EI 07-008
Title: REVISION TO STANDARD SPECIFICATIONS SECTION 570 PAINT REMOVAL OPERATIONS			
Distribution: ☐ Manufacturers (18) ☒ Local Govt. (31) ☒ Agencies (32) ☐ Surveyors (33) ☒ Consultants (34) ☒ Contractors (39) ☐ _____ ()		Approved:  James F. Tyhan, Director, Construction Division 3-2-07 Date	

ADMINISTRATIVE INFORMATION:

- This Engineering Instruction (EI) is effective beginning with projects submitted for the letting of 09/06/07.
- This EI does not supersede any other issuance.
- This revision will be incorporated into a future update of the *Standard Specifications*.

PURPOSE: The purpose of this EI is to issue revision to Standard Specifications Section 570 *Paint Removal Operations*.

TECHNICAL INFORMATION:

- The revisions to §570-5.08 *Class A Containments* issued via EI 05-039 inadvertently omitted the paragraph concerning progress payments.

IMPLEMENTATION:

- Main Office Design Quality Assurance Bureau will insert the standard specification shelf note beginning with projects submitted for the letting of 09/06/07.

TRANSMITTED MATERIALS:

- Shelf Note for Paint Removal Operations.

CONTACT: Direct questions regarding this issuance to Brian DeWald of the Office of Construction via e-mail at BDeWald@dot.state.ny.us or at (518) 457-6472.

PAINT REMOVAL OPERATIONS

Make the following changes to the Standard Specifications of May 4, 2006:

Page 417 **Delete** §570-5.08 *Class A Containment* and **Replace** it with the following:

570-5.08 Class A Containment. The lump sum price bid shall include the cost of all labor, materials and equipment necessary to complete the work.

Progress payments will be made based upon the amount of work completed using a daily rate of payment determined from the estimate of work days of cleaning and painting shown in the Contractor's approved progress schedule and the lump sum price bid.

Should the Engineer request a revised progress schedule and use that schedule to establish a new daily rate, the lump sum price bid shall be reduced by the total of the amounts previously authorized for payment, prior to the establishment of the new daily rate.

No payment will be made for each calendar day during which there are substantial deficiencies. Substantial deficiencies are defined as: (1) The second occurrence of a visible emission for a cause which has been previously identified and corrected, or (2) air quality monitoring produces unacceptable results as defined in the Department's Air Quality Monitoring (AQM) Protocols.

The nonpayment will be calculated as follows:

$$(\text{Lump Sum Price Bid/Actual \# of Work Days}) \times (\text{\# of Days with Substantial Deficiencies})$$

In addition to the non payment for substantial deficiencies, the costs of any extension of the Air Quality Monitoring beyond the basic monitoring program or random audits defined in the AQM Protocol, which are necessitated by unacceptable AQM results, will also be charged to the Contractor.

Both of these amounts will be deducted from monies due to the Contractor.