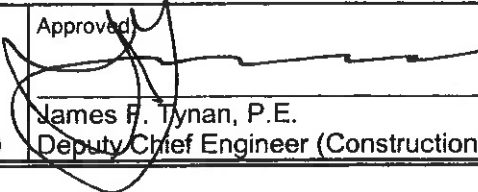


SUPERSEDED BY EB 15-031 EFFECTIVE 9/28/15		New York State Department of Transportation ENGINEERING INSTRUCTION	EI 08-022
Title: STANDARD SPECIFICATIONS – SECTION 696 CONTRACTOR CHARGES			
Distribution: ☐ Manufacturers (18) ☒ Local Govt. (31) ☒ Agencies (32)		☐ Surveyors (33) ☒ Consultants (34) ☒ Contractors (39) ☐ ()	
		Approved:  James F. Tynan, P.E. Deputy Chief Engineer (Construction)	4-3-08 Date

ADMINISTRATIVE INFORMATION:

- This Engineering Instruction (EI) is effective with projects submitted for the letting of 1/8/09.
- This EI does not supersede any other issuance.
- These revisions will be incorporated into the next update of the Standard Specifications.

PURPOSE: This EI issues revised Standard Specifications Section 696 *Contractor Charges*.

TECHNICAL INFORMATION:

- The Construction program will be starting pilot contracts under AASHTO SiteManager in the Summer of 2008.
- When the need arises for the Department to assess non pay item-related charges against a Contractor, SiteManager must have a contract pay item under which to record the amount(s).
- SiteManager has the functionality to record pay item-related charges to the Contractor directly against the contract pay item.
- Designers should not insert these contract pay items into any Engineer's Estimate.
- For contracts that will use SiteManager, the Office of Construction will add items 696.01, 696.02 and 696.03 to each contract with a quantity of 0 at initial set-up, so that the items are available for use. These contract pay items will replace charge codes 9991 thru 9994 currently used with CEES.

IMPLEMENTATION:

- Main Office Design Quality Assurance Bureau will insert the standard specification shelf note into projects using SiteManager beginning with projects submitted for the letting of 1/8/09.
- The following contract pay items are approved:

696.01 Engineering Charges	Dollars-Cents
696.02 Liquidated Damages	Dollars-Cents
696.03 Contractor Charges – Other	Dollars Cents

TRANSMITTED MATERIALS:

This EI transmits a standard specification shelf note for Section 696 *Price Adjustments*.

BACKGROUND: Charges to contractors are currently made in the Computerized Engineer's Estimate System (CEES) using sequence numbers and codes instead of an item number. SiteManager must have a contract pay item number under which to record the amounts of charges back to the Contractor in certain circumstances, and therefore the items must be in the contract when loaded into SiteManager.

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.

CONTRACTOR CHARGES

Make the following changes to the Standard Specification of May 4, 2006:
Delete Sections 689 thru 696 and **Replace** them with the following:

SECTIONS 689 THRU 695 (VACANT)

SECTION 696 CONTRACTOR CHARGES

696-1 DESCRIPTION. This section will provide for the accounting of charges assessed against the Contractor in accordance with the contract documents.

696-2 MATERIALS. None specified.

696-3 CONSTRUCTION DETAILS. The Department may assess the Contractor charges for Engineering Charges and/or Liquidated Damages against monies due the Contractor in accordance with §108-03 *Failure to Complete Work On Time*, or may make other charges in accordance with the contract. These charges will be assessed using the contract pay items in this section.

696-4 METHOD OF MEASUREMENT. These contract pay items will not be shown in the itemized proposal. Contractor charges will be measured on a Dollars-Cents basis.

696-5 BASIS OF PAYMENT. Should the Contractor be assessed charges, the amounts will be accounted for using the contract pay items in this section. Assessed charges will be deducted from a contract payment processed after the determination that charges will be made, or, if the Contractor is not due monies sufficient to recover the assessed charges, the State may utilize other methods of recovery.

Payment will be made under:

Item No.	Item	Pay Unit
696.01	Engineering Charges	Dollars Cents
696.02	Liquidated Damages	Dollars Cents
696.03	Contractor Charges – Other	Dollars Cents