

TO:

ENGINEERING INSTRUCTION

**SUPERSEDED BY EI 94-014
EFFECTIVE 10/20/94**

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

SUBJECT: NOTES ON CONTRACT DOCUMENTS

Subject Code: 7.27-1

Distribution:



Main Office



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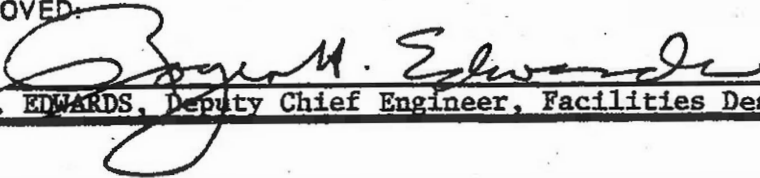
Special

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APPROVED:



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Contractors have complained that customary specification requirements are sometimes changed by special note and during the rush of preparing bids they might overlook the note. Such oversight causes overbidding when they miss an economical change and underbidding when they miss a change that increases their costs. Moreover, the indiscriminate use of special notes can lead to a hard-to-follow set of contract documents and confusion when conflicts between plan, proposal, and specifications are created.

Accordingly, we wish to reiterate the longstanding policy regarding the designer's use of special notes in the contract documents:

- (1) The designer should make every effort not to use notes to modify customary and, therefore, expected specification provisions. Modifications to specifications should be done by a special specification.
- (2) The designer should not include notes that simply restate parts of the General Provisions (Section 100) or other already stated specifications provisions. This redundancy is time consuming at best and can lead to confusion and misunderstanding if the provision or specification is incorrectly paraphrased or if a typographical error occurs.
- (3) Notes should be used to convey information to the bidder regarding the conditions of the contract under which the work generally is to be performed, such as any time or site restrictions which may exist or any special permit requirements.
- (4) Notes may be used by the designer when the specification itself alerts the bidder to look for a note and is specific as to where to look for it.