



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

Memorandum

December 21, 2006

CONSTRUCTION MEMORANDUM 06-26

TO: District Deputy Commissioners
District Highway Operation Directors
District Construction Engineers
District Testing Engineers
District Area Engineers
Project Engineers/Supervisors

FROM: Mark A. Miller, Director *Mark A. Miller*
Division of Construction Management

SUBJECT: Documentation of Controlling Operation of Work

At the November 16, 2006 Standards Meeting, a specification change was presented and passed that added some additional language to Section 108.08 "Determination and Extension of Contract Time." As you all are aware, all automatic time extension language in our specification such as, weather concerns, additional dollars of added work, etc. was removed in June of 2005. Currently, the only way a contractor can obtain a time extension to his/her contract is to provide evidence in their time extension request letter that the delay affected their controlling operation of the project at that time.

The specification change approved at the November 16, 2006 Standards Meeting should help the Project Engineers/Supervisors better monitor what delays affect controlling operations on projects.

We have always had language in our specifications in Section 108.08 in the second paragraph dealing with work day contracts that stated:

"A weekly statement showing the number of days charged to the contract to date and for the preceding week, the number of days specified for completion of the contract, and the days remaining and the controlling operation will be furnished. The contractor will be allowed one week from the date it receives the statement in which to file a written protest setting forth in what respect said weekly statement is incorrect."

The weekly statement referenced in the specifications is our Form I.C. 124 a copy of which is shown in the General Instructions to Field Employees (GIFE) manual on page 41-12. Section 40 of the GIFE also addresses this form along with how a controlling operation on a project is to be determined. Since we need to better document controlling operations on projects, additional language similar to the above has been added at the end of each to the next two paragraphs of Section 108.08 which states:

“A weekly statement showing controlling operation will be furnished. The contractor will be allowed one week from the date it receives the statement in which to file a written protest setting forth in what respect said weekly statement is incorrect. Otherwise, the statement will be deemed to have been accepted by the Contractor as correct.”

Adding these sentences to the paragraphs dealing with calendar day contracts and fixed calendar date contracts, should make time extension requests easier to approve or deny. Therefore, **effective immediately** all Project Engineers/Supervisors should be completing a weekly report similar to Form I.C. 124 shown in our GIFE.

MAM:dak

cc: ICA