



**ATTENTION: TP&D, DESIGN, CONSTRUCTION, MAINTENANCE AND
TRAFFIC OPERATIONS ENGINEERS**

SPECIAL PROVISION AND/OR SPECIFICATION CHANGE MEMORANDUM 24-18

MEMO

Date: August 14, 2018

To: District Engineers

From: Gina E. Gallegos, P.E.
Construction Division Director

DocuSigned by:

Gina Gallegos

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Subject: Statewide Special Provision 000-658 (14), "Schedule of Liquidated Damages"

The above-referenced special provision has been approved for statewide use, to replace existing special provision 000-001, and is required for all projects beginning with those entering the design phase in September 2018.

Effective September 1, 2018, Sunset legislation (Transportation Code §223.012) requires that the Department implement additional disincentives to help ensure the timely completion of projects that have a significant impact to the traveling public.

This special provision will be included in all construction and maintenance contracts beginning September 2018 to include the option for districts to specify additional project-specific liquidated damages on projects that have a significant impact to the traveling public. These additional liquidated damages will be determined during PS&E development and outlined in the plans under Item 8 of the General Notes.

A Department task force is working to finalize training materials for project selection criteria, use of a new road user cost (RUC) estimation tool, and obtaining traffic data. The task force anticipates launching district training sessions later this year.

Please disseminate this information to your Transportation Planning & Development, Design, Construction, Laboratory, Maintenance, and Traffic Operations Engineers.

CC: TxDOT Specification Committee
Federal Highway Administration
The Associated General Contractors of Texas

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