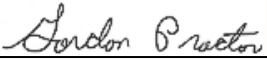


Approved:

  
Gordon Proctor, Director

Policy: 27-012(P)  
Effective: April 1, 2006  
Responsible Office: Division  
of Construction Management  
Supersedes policy dated: 10/1/2003

## **TIME EXTENSIONS AND WAIVER OF LIQUIDATED DAMAGES**

### **POLICY STATEMENT:**

This policy is to establish uniform procedures and criteria for granting waivers of liquidated damages and time extensions on construction administered projects.

### **AUTHORITY:**

The "Construction and Material Specifications," 2002 and 2005 editions, Sections 108.06, 108.07, 109.12, and 614.11.

The "Construction and Material Specifications," 1997 edition, Sections 108.06 and 108.07

### **REFERENCES:**

Standard Procedure 519-012(SP) Time Extensions and Waiver of Liquidated Damages

### **SCOPE:**

This policy is for use by District Construction Offices in granting additional contract time for excusable delays, waivers of liquidated damages on construction contracts, and establishing guidelines for baseline progress schedule review.

### **BACKGROUND AND PURPOSE:**

The Department has the power and duty to grant time extensions of contract completion dates for excusable reasons and to waive liquidated damages when the work is substantially completed and the public is benefiting from the improvement with no disruption of traffic. However, this action must be exercised uniformly among the various Districts to insure equal and fair treatment of all Contractors.

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This policy supersedes Policy No. 512-001(P) dated March 19, 1997.

**TRAINING:**

The Office of Construction Administration will perform a Quality Assurance Review (QAR) by reviewing various District Project files to determine each District's conformance to:

1. 1. This Policy.
2. 2. C&MS Sections 108.06 and 108.07.
3. 3. Written Administrative Rulings issued by the Office of Construction Administration.
4. 4. Contract documents in the granting of waivers of liquidated damages and postponement of contract completion dates.

**FISCAL ANALYSIS:**

This policy will not have any monetary impact.