**Work Shutdown Repercussions Due to Eclipse Traffic**

On Thursday, August 17, 2017 the Chief Engineer sent an email entitled “*Important Information about Solar Eclipse Event*” which outlined the Department’s policy for lane closures on specific facilities during the anticipated heavy traffic event related to the upcoming solar eclipse event on Monday, August 21, 2017, as follows:

|  |
| --- |
| **1) Engineering/Construction:**No CONSTRUCTION OR LANE CLOSURES ON MAINLINE (work off mainline that doesn’t impede flow of the roadway can continue at this time) 8:00 p.m. (sundown) 8/18 through 8:00 p.m. (sundown) 8/22 for the following roadways:  a. I-25 US-24 (Colorado Springs) to Wyoming border  b. I-76  c. SH-287  d. SH-71 Limon to Nebraska Border  e. I-70 SH-9 to SH-71  f. Other closures as additional data develops or at the discretion of the Regional Transportation Director |

Subsection 105.01 states (in part),

The Engineer will, in writing, suspend the work, wholly or in part:

(6) For any other condition or reason determined to be in the public interest”

Also, per Subsection 108.08(c)(1)(B),

“(c) *Delay.* Delay is defined as any event, action or factor that extends the time for the performance of the work.

1. *Excusable Delay*: A delay that was beyond the Contractor’s control and not caused by the Contractor’s fault or negligence, and for which a contract time extension may be granted.

B. *Noncompensable Delay*: An excusable delay for which the Contractor may be entitled to an extension of contract time but no additional monetary compensation. Contract time allowed for the performance of the work may be extended for delays caused by acts of God, acts of the public enemy, fires, floods, area wide strikes, freight embargoes, unusually severe weather, or delays not caused by the Contractor’s fault or negligence.”

Thus, this would be considered an excusable, non-compensable delay; i.e. the Contractor may be entitled to a time extension but no monetary compensation.

|  |
| --- |
| \*\*NOTE\*\* Only affected work on the critical path of a project would justify a time extension. |

It is advisable that Project Engineers notify their Contractors of this as quickly as possible, per an Engineering Memo (CDOT Form 105).

Questions related to this event or resultant issues should be directed to the appropriate Area Engineer.

**References:**

Please print a copy of this bulletin and keep it with your copy of the *Construction Manual*.

The *Construction Manual* and Construction Bulletins can be found on the Design and Construction Project Support web page at:

<https://www.codot.gov/business/designsupport/bulletins_manuals>.