MEMORANDUM

**DEPARTMENT OF TRANSPORTATION**

Standards and Specifications Unit

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**DATE**: February 3, 2011

**TO**: All Holders of Standard Specifications

**FROM**: Larry Brinck, Standards and Specifications Engineer

**SUBJECT**: Revision of Section 105, Disputes and Claims for Contract Adjustments

Effective this date, our unit is issuing a revised version of the Standard Special Provision: Revision of Section 105, Disputes and Claims for Contract Adjustments. This special provision is 33 pages long. It replaces the now obsolete version, which is dated January 25, 2010. It is to be used in all Design-Bid-Build projects and Modified Design/Build projects, and Design/Build projects unless the modified version of this standard special provision is approved by the Standards & Specifications Unit.

The use of this special provision is mandatory on projects advertised on or after March 3, 2011. Please feel free, however, to include it in projects advertised before this date.

The modifications in this revision reflect current decisions of the ADR Task Force, including:

1. The instructions have been modified to include Design/Build projects.
2. Total cost disputes and claims will not be considered unless all the legal requirements are established
3. Throughout the dispute, the Contractor and the Project Engineer shall keep complete daily records of extra costs and time incurred.
4. The three-party agreement will now include the date of the Chief Engineer’s signature.

Those of you who keep books of Standard Special Provisions should add this new one to your file. For your convenience, this and other standard special provisions issued this date will be available in one place at:

<http://www.coloradodot.info/business/designsupport/construction-specifications/2005-construction-specs/recently-issued-specs>

In addition, we are including a new Index of Standard Special Provisions, effective today.

If you have any questions or comments, please contact this unit.

LB/ms
Attachment
Distribution: Per Distribution List