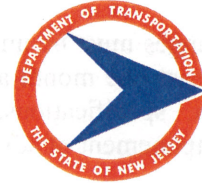


New Jersey Department of Transportation

1035 Parkway Avenue, PO Box 600, Trenton, New Jersey 08625-0600

Baseline Document Change Announcement**ANNOUNCEMENT: BDC24S-05****DATE: May 22, 2024****SUBJECT: Equipment Delay Damage for Non-Productive Activity**
- Revision to Subpart 104.03.09.1.e of the 2019 Standard Specifications for Road and Bridge Construction.

Subpart 104.03.09.1.e of the 2019 Standard Specifications for Road and Bridge Construction has been revised to provide clarification on the equipment delay damage for non-productive activity to the contractor.

The following revision has been incorporated into the 2019 Standard Specifications via 2019 Standard Inputs, SI2019:

104.03.09 Delay Damages

1. Non-Productive Activity. The Department will make payment for the following non-productive activities:
PART E IS CHANGED TO:

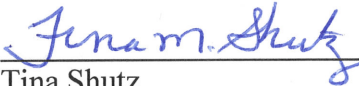
- e. **Equipment.** If as the result of the delay, the equipment cannot be used for any active work, and is directed by the RE to remain on the work site during the delay, the Department will make payment as specified in [104.03.08.7.a.5](#). If as the result of the delay, the RE determines that the equipment cannot be used for any active work, the RE may request the Contractor to remove the equipment. The Contractor may remove the equipment from the work site or allow it to remain. If the equipment is removed from the work site, the Department will make payment for labor and equipment costs to remove the equipment and to return it to the work site at the end of the delay period. If the equipment remains, the Department will not make payment for the equipment as specified in [104.03.08.7](#).

If the equipment is required for additional maintenance within the Project Limits, maintenance of traffic control devices, maintenance of SESC measures, and similar activities resulting from the delay and approved by the RE, the Department will make payment as specified in [104.03.08.7](#).

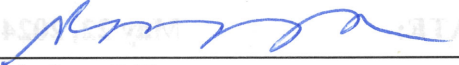
Implementation Code R (ROUTINE)

Changes must be implemented in all applicable Department projects scheduled for Final Design Submission at least one month after the date of the BDC announcement. This will allow designers to make necessary plan, specifications, and estimate/proposal changes without requiring the need for an addenda or postponement of advertisement or receipt of bids.

Recommended By:


Tina Shutz
Acting Director
Capital Program Support

Approved By:


Parth Oza, P.E.
Assistant Commissioner
Capital Program Management
and Deputy State Transportation Engineer

TS: MS