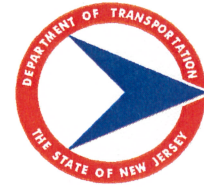


New Jersey Department of Transportation

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

Baseline Document Change Announcement



ANNOUNCEMENT: BDC24S-07

DATE: June 11, 2024

SUBJECT: Surety's completion-contractor Selection and The Department Approval Procedure
- Revision to the 2019 Standard Specifications for Roads and Bridge Construction, Subsection 108.14

The 2019 Standard Specifications for Road and Bridge Construction, Subsection 108.14 has been revised to enhance clarity regarding the timeframe in which the Surety elects a completion-contractor and to outline the procedure of the departmental approval process of the completion-contractor.

The following revisions have been incorporated into the 2019 Standard Specifications via 2019 Standard Inputs, SI2019:

108.14 Default and Termination of Contractor's Right to Proceed

THE THIRD PARAGRAPH IS CHANGED TO:

If the Department directs the Surety to complete the Contract, the Department will provide to the Surety the Contract as defined in 101.03 and the completion status of the Contract. If the Surety elects to use a completion-contractor to perform the Work, the Surety must promptly submit to the Department a request for approval of the proposed completion-contractor as a subcontractor as specified in 108.01 within 45 days of receipt of the Contract provided by the Department pursuant to this Section. The Department, in its sole discretion, has the right to reject a request by the Surety to use the Contractor or another contractor as the completion-contractor, either directly or under the direction of a consultant to the Surety.

THE FOLLOWING IS ADDED AFTER THE THIRD PARAGRAPH:

If the Department approves the Surety's request to use the Contractor as the completion-contractor, the Surety shall cause the Contractor to begin Work, as defined in 101.03, within 45 days of notice of the Department's approval or as directed by the Department based on factors including but not limited to weather, seasonal restrictions, permits or at its sole discretion. The failure of the Surety to comply with the deadlines set forth in this Section shall be deemed a material breach of the Contract.

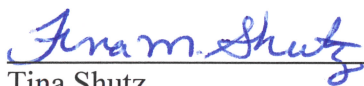
If the Department does not approve the Surety's proposed completion-contractor, the Surety must submit to the Department a request for approval of an alternative completion-contractor within 60 days of notice of the Department's disapproval. If the Department does not approve the Surety's alternative completion-contractor, the Department may continue to request approval of another alternative completion-contractor. Within 60 days of notice of the Department's approval of the Surety's proposed completion-contractor, the Surety shall cause the completion-contractor to begin Work, as defined in 101.03, or as directed by the Department based on factors including but not limited to weather, seasonal restrictions,

permits or at its sole discretion. The failure of the Surety to comply with the deadlines set forth in this Section shall be deemed a material breach of the Contract.

Implementation Code R (ROUTINE)

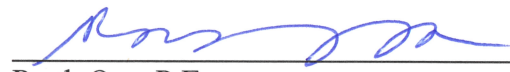
Changes must be implemented in all applicable Department projects scheduled for Final Design Submission at least one month after the date of the BDC announcement. This will allow designers to make necessary plan, specifications, and estimate/proposal changes without requiring the need for addenda or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