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| Add the following to all contracts unless there is a compelling reason not to do so, or if the partner agency requires more restrictive non-work schedules. If applicable, list interim completion dates, liquidated damages, and incentives in Subsection 108.04 and add a reference to Subsection 108.04 in Subsection 108.01, but **DO NOT** duplicate interim completion dates in Subsection 108.01. |

## Section 108. — PROSECUTION AND PROGRESS

**108.01 Commencement, Prosecution, and Completion of Work.** Add the following:

Limit operations as follows:

**(a)** (describe limitations)

**(b)** (describe limitations)

**(c)** (describe limitations)

**(d)** (describe limitations)

Perform no work except to maintain traffic control devices, erosion control devices, the roadway driving surface, and to control dust during the listed Federal holidays and surrounding days as shown in Table 108-2.

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| Table 108-2  **Federal Holidays and Surrounding Days** | | |
| **Federal Holiday** | **Time** | **Remarks** |
| Memorial Day | 12:00 Noon Friday to 6:00 am Tuesday | - |
| Independence Day | 12:00 Noon July 3 to 6:00 am July 5 | If July 4 falls on a weekend, Friday, or Monday, do not work the weekend. |
| Labor Day | 12:00 Noon Friday to 6:00 am Tuesday | - |
| Thanksgiving | 12:00 Noon Wednesday to  6:00 am Monday | - |
| Christmas / New Year’s | 12:00 Noon December 23 to 6:00 am January 2 | If December 23 or January 1 falls on a Monday, do not work the adjacent weekend and do not work on December 23. If January 1 falls on a Friday, do not work the weekend. |

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| **NOTE TO DESIGNER:** also inquire with local and owner agency for local holidays/celebrations/events that might require work restrictions. |

Schedule at least 2 non-work days out of every 14 calendar days. The selected non-work days do not need to be consecutive, but they must be scheduled. Provide at least 2 weeks notice before changing the scheduled days off.

Exemptions to scheduled days off may be granted by written approval from the CO for specific project operations and/or for periods of limited duration.

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| Use on all projects. |

Add the following:

A Notice to Proceed must be issued before commencement of any work. The contract completion date is (fill in).

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| Include the following for A+B bidding (cost plus time). |

Add the following:

The count of contract time will begin upon issuance of the Notice to Proceed and shall run continuously until final construction completion.

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| Use on all projects. |

Add the following:

Use the Government’s web-based system, *Engineer’s Estimating, Bidding, Award, and Construction System (EEBACS),* to prepare all “*Inspector’s Daily Record of Construction Operations”* (*Contractors Daily Reports)* and measurement notes (pay notes and field measurement documentation).

Attend a training session on the use of EEBACS. The training session will require up to 4 hours. No more than 3 Contractor staff may attend the training unless approved by the CO. The Contractor shall be responsible for training additional staff.

Complete and electronically submit *“EEBACS User Account Form”* (Form EEBACS-001) for each individual requiring EEBACS access. Submit forms to the CO at the preconstruction conference or at least 10 days prior to the start of any contract work or EEBACS training. As needed, request additional system access using Form EEBACS-001 and allow 7 days for system access.

Maintain active EEBACS accounts for all contractor staff who use EEBACS and ensure that the CO is notified within 24 hours after an account holder is reassigned or no longer employed by the Contractor. Within 24 hours after an account holder is reassigned or no longer employed by the Contractor, submit an EEBACS-001 form requesting that the account be disabled.

The electronic version of EEBACS-001 is available at:

<http://flh.fhwa.dot.gov/resources/pse/estimate/accounts.htm>

**108.02 Subcontracting.** Delete the third paragraph and substitute the following:

Within 14 days of subcontract award, submit a completed SF 1413 and 1413S. Complete Part I for each Subcontractor, and include Part II when the Subcontractor performs on-site work. Complete other forms that may be required by the Government to show the work subcontracted and the total dollar amount of the subcontract. Submit the above required information for each Subcontractor at lower tiers.

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| Complete **Subsection 108.04** when interim completion dates are applicable. Describe interim completion dates and, if any, liquidated damages and incentives. If incentives are used, be sure to set a maximum limit on the incentive payment. Where the work cannot be completed after the deadline, additional specifications may be required. For example: requiring the contractor to place a lift of pavement prior to November 15, 200x for a winter driving surface and assessing liquidated damages may not be appropriate. The specification should continue on to state what will be done if this doesn’t happen by the specified date and the temperature/weather conditions are not conducive to completing the work according to the requirements. In this case, the specification may require the contractor to construct a temporary sacrificial lift of pavement, at no cost to the government. This type of specification is especially important for environmental and winter shutdown timeframes. Environmental deadlines may require remobilization of the contractor’s operations, at no cost to the government. |

**108.04 Failure to Complete Work on Time**. Add the following:

(describe interim completion dates, liquidated damages and incentives).