

**SPECIAL PROVISION**

**FLEXIBLE START WINDOW CONTRACT**

**CRS: KNO-229-14.80**

**PID: 111312**

**PROJ: (2022)- 0466**

**DATED: 7/13/2022**

## FLEXIBLE START WINDOW CRITICAL WORK

THE CONTRACTOR HAS THE NUMBER OF CALENDAR DAYS DESIGNATED IN THE CRITICAL WINDOW CONTRACT TABLE BELOW IN WHICH TO COMPLETE ALL ITEMS OF CRITICAL WORK.

THE CONTRACTOR MAY BEGIN ANY TIME AS IDENTIFIED IN THE FLEXIBLE START WINDOW TABLE AND MUST COMPLETE THE CRITICAL WORK WITHIN THE CALENDAR DAYS DESIGNATED IN THE FLEXIBLE START WINDOW TABLE. CRITICAL WORK IS SHOWN IN THE TABLE.

BASED ON HISTORIC OBSERVATIONS AT THIS SITE, SURFACE EROSION REPAIR WORK MAY BE NECESSARY. IF DIRECTED, THE CONTRACTOR WILL BE REQUIRED TO PERFORM THIS AND ANY REMAINING EROSION CONTROL ITEMS. THE ENGINEER SHALL GIVE A MINIMUM OF 14 DAY NOTICE PRIOR TO A REQUESTED START IF THIS WORK IS REQUIRED, BUT SHALL BE NO LATER THAN 4/1/2023.

THE CONTRACTOR MUST SCHEDULE THE LATEST START DATE OF THE CRITICAL WORK PRIOR TO THE FOLLOWING CALCULATED DATE: LATE CRITICAL WORK START DATE = [WORK WINDOW END DATE] [(CALENDAR DAYS TO COMPLETE) X 1.25] IF THE CRITICAL WORK IS NOT STARTED BY THE LATE CRITICAL WORK START DATE, THE CONTRACTOR WILL BE ASSESSED A DISINCENTIVE AS DEFINED IN THE FLEXIBLE START WINDOW TABLE FOR EVERYDAY THE CONTRACTOR DOES NOT START THE CRITICAL WORK. IF THE WORK IS NOT COMPLETED WITHIN THE CALENDAR DAYS DESIGNATED IN THE FLEXIBLE START WINDOW TABLE, THE CONTRACTOR WILL BE SUBJECT TO DISINCENTIVES AS IDENTIFIED IN THE FLEXIBLE START WINDOW TABLE.

CM&S 108.06 C SHALL BE MODIFIED TO THE FOLLOWING AND SHALL BE APPLICABLE ONLY TO THE CRITICAL WORK (AS DEFINED IN THE WINDOW CONTRACT TABLE): 108.06 C EXTENSION TO THE COMPLETION DATE FOR WEATHER OR SEASONAL CONDITIONS. A WEATHER DAY FOR CRITICAL WORK IS DEFINED AS A WORKDAY THAT WEATHER REDUCED PRODUCTION BY MORE THAN 50 PERCENT ON ITEMS OF WORK ON THE CRITICAL PATH FOR CRITICAL WORK. SUBMIT A REQUESTED FOR AN EXTENSION OF TIME FOR A LOST WORKDAY DUE TO WEATHER WITH 2 DAYS OF OCCURRENCE. THE ENGINEER WILL EXTEND THE CALENDAR DAYS TO COMPLETE BY CALENDAR DAYS. THE ENGINEER WILL CONVERT WORKDAYS TO CALENDAR DAYS FOR EACH LOST WORKDAY DUE TO WEATHER BY MULTIPLYING THE NUMBER OF LOST WORKDAYS BY 1.4 FOR A 5-DAY WORK WEEK OR LESS; 1.2 FOR A 6-DAY WORK WEEK; AND 1 FOR A 7-DAY WORK WEEK; AND EXTEND THE CALENDAR DAYS TO COMPLETE BY THE RESULTING NUMBER OF CALENDAR DAYS PLUS ANY HOLIDAYS THE CONTRACTOR DOES NOT NORMALLY WORK THAT OCCUR IN THE EXTENSION PERIOD. WHEN THE CONVERSION OF WORKDAYS TO CALENDAR DAYS RESULTS IN A DECIMAL OF 0.5 OR GREATER, THE ENGINEER WILL ROUND THE NUMBER OF CALENDAR DAYS TO THE NEXT HIGHEST WHOLE NUMBER. WHEN THE CONVERSION RESULTS IN A DECIMAL LESS THAN 0.5, THE ENGINEER WILL DELETE THE DECIMAL PORTION OF THE CALENDAR DAYS.

THE FINAL COMPLETION DATE IS SET TO BE 6/30/2024 FOR ENSURING THE REASONABLE CARE AND ESTABLISHMENT OF INSTALLED PLANTS/TREES.

<i>DESCRIPTION OF CRITICAL WORK</i>	<i>CALENDAR DAYS TO COMPLETE</i>	<i>DIS- INCENTIVE (\$ PER DAY)</i>	<i>WORK WINDOW</i>	
			<i>START</i>	<i>END</i>
<i>RIVER BANK STABILIZATION WORK AND ASSOCIATED ITEMS (EXCLUDING THE LIVE STAKES AND PLANTING)</i>	<i>SIXTY (60) CALENDAR DAYS</i>	<i>\$100 PER DAY</i>	<i>SEP. 1 2022</i>	<i>DEC. 31 2022</i>
<i>LIVE STAKES AND PLANTING</i>	<i>TEN (10) CALENDAR DAYS</i>	<i>\$100 PER DAY</i>	<i>MAR. 1 2023</i>	<i>MAR. 31 2023</i>
<i>EROSION CONTROL REPAIR</i>	<i>THIRTY (30) CALENDAR DAYS</i>	<i>\$100 PER DAY</i>	<i>AS DIRE- CTED</i>	<i>MAY 31 2023</i>