

**Supplemental Specification  
2012 Standard Specification Book**

**SECTION 00820M**

**LEGAL RELATIONS AND RESPONSIBILITY TO THE PUBLIC**

**Delete Article 1.13 and replace with the following:**

**1.13 PROTECTING AND RESTORING PROPERTY AND LANDSCAPE**

- A. Preserve public and private property during the work.
- B. Secure legal right to access the property before any work is performed on public or private property. All damage as a result of trespass will be the financial responsibility of the Contractor including additional acquisition costs.
- C. The Engineer verifies the location of monuments and property line markers and provides written approval before they are moved, disturbed, or damaged.
- D. Accept liability for any damage to public or private property resulting from defective work, materials, or non-execution of the contract until contract completion.
- E. Restore damaged property and items removed temporarily during construction to a condition similar or equal to that existing before the damage at no cost to the Department.
- F. Temporarily discontinue work if remains of prehistoric dwelling sites or artifacts of historical or archeological significance are encountered. Refer to Section 01355.

**Delete Article 1.17, paragraph C and replace with the following:**

- C. Contractor and the Department agree to provide each other with a copy of the summons and complaint within a reasonable time if served with a lawsuit or Notice of Claim. Do not file a responsive pleading on behalf of the Department until receiving written notice that the Department chooses to have Contractor handle the defense. The Department will provide the Contractor such written notice in a timely manner allowing the Contractor adequate time to respond to the summons.

**Delete Article 1.17, paragraph F3 and replace with the following:**

3. Notify claimants of their right to request re-examination of denied or partially denied claims of \$5,000 or less by the:  
UDOT Claims Re-Examination Board  
4501 South 2700 West  
West Valley City, UT 84114-8430  
Phone: (801) 965-4715
  - a. The information provided to the claimant includes:
    - 1) A time deadline for requesting re-examination equal to seven days after notification of denial or partial denial
    - 2) Address and name of the person to whom it should be directed
    - 3) General information helpful in making a determination
    - 4) Department project number and location
  - b. The claim can be overturned by the Department if claimant is not notified of right to request re-examination.

**Add Article 1.17, paragraph F5:**

5. The Claims Re-examination Board cannot review any claim filed in the small claims court, district court, or appealed to the district court.
  - a. The person in charge of responding to Claims Re-examination Board requests will put the following paragraph on all written correspondence:  
  
"Parties seeking to file a claim before the Claims Re-examination Board must certify that the claim has not been filed in or heard by a small claims or district court."

**Delete Article 1.18, paragraph B.2.a and replace with the following:**

- a. Provide General Liability insurance with the following minimum limits of liability:
  - 1) \$1 million Bodily Injury and Property Damage – Each Accident
  - 2) \$3 million General Aggregate
  - 3) \$3 million Products and Complete Operations Annual Aggregate