



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

January 29, 2019

MEMORANDUM

TO: Division Engineers

FROM: T. M. Little, PE 
Chief Engineer

SUBJECT: Time Extensions Due to Weather in 2018

North Carolina experienced record amounts of rainfall during the 2018 construction season. These wet conditions had a substantial impact on many of our highway construction projects.

Article 108-10(B)3 of the Standard Specifications allows for time extensions in the event of weather conditions that prevent the controlling operation from being pursued for more than 40% of the entire contract time. Contract times are determined by taking into consideration typical amounts of weather impacts. We have determined that the conditions in 2018 were beyond those normally expected.

An administrative decision has been made to allow consideration for weather related time extensions beyond that contemplated in the Standard Specifications. This consideration will only be given for contracts that cover multiple construction seasons and that include all or a portion of 2018. Under this administrative decision, the portion of original or revised contract time that falls in 2018 will be evaluated for the 40% delay criteria exclusive of the remaining contract time. The remaining contract time (before and/or after 2018) will be considered as a whole and the application of the 40% criteria as stipulated in the Standard Specifications will be appropriate. All other aspects of the specifications apply. The Contractor must have pursued the work and the impacted work must have been the controlling operation. The specifications will be followed as it relates to the exclusion of any dates between the period of December 15 and March 15 when calculating percent of weather-related delays. Also excluded is the period between September 12, 2018 and September 25, 2018 for projects that previously received a time extension associated with Hurricane Florence based on my October 18, 2018 memo.

Supporting data for time extensions due to weather must reflect the effects on the work at the project location and not weather data from other sources. Contractors should be encouraged to use the spreadsheet on the Construction Unit's Web page titled "2018 Weather Delay

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Reporting" for submitting time extension requests. Weather claim requests for 2018 will be reviewed and processed in accordance with normal claim processing procedures and levels of authority as outlined in the Construction Manual.

Resident Engineers should immediately notify prime contractors on their applicable projects affected by this administrative decision. Questions should be directed to Brian Skeens in the Construction Unit at (828) 803-1461.

TML/mls

cc:

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