

 Department of Design and Construction		SPECIFICATION BULLETIN	SB 23-003
Title: MOBILIZATION			
Prepared: 5/11/2023		Approved: 5/11/2023	
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APPLICABILITY:

- This Specification Bulletin (SB) is effective for projects advertised on or after 5/15/2023.

SUPERSEDEENCE:

- This SB supersedes the following SBs: **None.**

ATTACHMENTS:

1. *Section 6.39 (2 pages)*

REVISIONS TO THE NEW YORK CITY DEPARTMENT OF TRANSPORTATION STANDARD HIGHWAY SPECIFICATIONS, DATED 5/16/2022:

All references contained below are to the New York City Department of Transportation Standard Highway Specifications, Dated May 16, 2022. Said Standard Highway Specifications are hereby revised as follows:

- a) **Refer** to Section 6.39 – Mobilization
Replace with the revised Section in Attachment 1.

For questions regarding this bulletin, please contact Richard Jones, jonesri@ddc.nyc.gov.

SECTION 6.39 – Mobilization

6.39.1. DESCRIPTION. Under this section, the Contractor shall set up all necessary general plant and facilities, including shops, storage areas, office and such sanitary and other facilities as are required by City, State or Federal law or regulation. Unless otherwise provided, the cost of required bonds and/or any other similar significant initial expenses required for the initiation of the contract work shall also be included in this section. The determination of the adequacy of Contractor's facilities, except as noted above, will be made by the Engineer.

6.39.2. MATERIALS. Unless otherwise specified, materials required under this section are not part of the completed contract, and may be as selected by the Contractor.

6.39.3. CONSTRUCTION METHODS. Such work as is done in providing the facilities and services under this section shall be done in a safe and workmanlike manner and must conform with any pertinent City, State or Federal law, regulation or code. The Contractor must provide facilities and services under this section that are planned and executed to ensure the maintenance of safety and good housekeeping at the construction site.

6.39.4. PRICE TO COVER.

(A) General

Payment will be made by lump sum. The amount bid will include the furnishing and maintaining of any plant, services or other facilities noted under "Description" to the extent and at the time the Contractor deems them necessary for the Contractor's operations, consistent with the requirements of this section and the contract.

(B) Payment Amounts

The Mobilization amount bid for this lump sum item will be payable to the Contractor in two Mobilization Payments – the Initial Mobilization Payment and the Remaining Mobilization Payment.

The Initial Mobilization Payment will not exceed 12.5% of the Mobilization amount included in the bid schedule. The Remaining Mobilization Payment will not exceed 87.5% of the Mobilization amount included in the bid schedule.

(C) Prerequisites for Payments

Upon issuance of the Notice to Proceed, the Contractor may requisition for the Initial Mobilization Payment upon submission and approval of all required insurance certificates and bonds.

The Contractor may requisition for the Remaining Mobilization Payment when the following items are submitted and approved by the Engineer:

1. The provision of a Field Office per **Section 6.40** of the NYCDOT Standard Highway Specifications;
2. The Site Safety Plan per the Safety Requirements section of the Information for Bidders;
3. The Schedule of Operations (project baseline schedule) per **Section 1.06.25** of the NYCDOT Standard Highway Specifications;
4. The Progress Schedule per Standard Construction Contract Article 9;
5. Preconstruction Photographs per **Section 6.43** of the NYCDOT Standard Highway Specifications are submitted to the Engineer; and
6. Construction Report per Item 76.11CR of the NYCDEP Standard Sewer and Water Main Specifications, if item is required as part of the Contract.
7. Storm Water Pollution Prevention Plan (SWPPP) per Item 9.30 of the NYCDOT Standard Highway Specifications, if item is required as part of the Contract.

(D) Adjusted Mobilization Payment

However, should the Contract be terminated or its term expires prior to completion of at least fifty percent (50%) of the original price bid for the Contract, then the Contractor will be paid a proportionate amount of this item (hereinafter referred to as the "Adjusted Mobilization Payment") based on the following formula:

$$\text{Adjusted Mobilization Payment} = \text{As Bid Mobilization Cost} \times \frac{\text{Total Actual Payments to the Contractor approved by the Engineer}}{\text{Original Total Bid Price} + \text{Approved and Registered Change Orders}}$$

Where the Contractor has already received the original total payment for this item and the Contract has been terminated or expired prior to completion of at least fifty percent (50%) of the work covered under the original price bid for the Contract, then any monies owed by the City due to the above specified reduction in payment will be withheld from the monies the City owes to the Contractor and/or the City reserves a claim to such funds from the Contractor.

(E) Bid Amount

The amount bid for Mobilization must not exceed eight percent (8%) of the total contract price, excluding the price bid for Mobilization, and in no case will payment under this item exceed the original price bid for this item.

Payment will be made under:

Item No.	Item	Pay Unit
6.39 B	MOBILIZATION	L.S.