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**Note to specifier: This standard language shall be included in the special provisions between scope of work and prosecution and progress. It is to be used only on those projects that the Bureau is bidding where federal funding is still in doubt.**

**Do NOT include this STSP language without prior coordination with the Bureau.**

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**Award and Execution of contract.**  Replace Section 30-02 of the standard specifications with the following:

The award of contract, if it is awarded, will be awarded prior to October 1, 2013 (or current year federal end of FY or other appropriate date)

Unless otherwise specified for work to begin prior, construction for this project is intended to begin in the spring of 2014 (or following construction season). Adjustment or revisions to the original unit bid prices will not be made. The Bidder shall not claim any increased expense, loss of expected reimbursement, or loss of anticipated profits suffered or claimed by the Contractor which results directly from starting construction as specified arising directly or indirectly from Contractor’s unbalance allocation of overhead and profit between the current construction season and next year, or from any other cause.

This project is being bid prior to the department knowing the full extent of the funding available. The intent is to award the project as soon as practical after the funding amount becomes known. The lowest responsible bidder will be determined by awarding the base bid plus as many alternate bids (if alternate bids were included in the original bid) that can be fully funded while remaining within the allocated project budget.

If an award is made in such a time that the successful bidder believes a portion of the contract work not otherwise specified to begin that the bidder believes can be reasonably completed prior to the end of the current construction season, the bidder may submit a written proposal to the department for consideration. The proposal shall provide sufficient detail identifying what portion of the work the bidder contemplates completing prior to the end of the existing construction season. The proposal shall include a schedule of operations and other sufficient details to provide reasonable assurance that the work can be completed to a condition that will not result in any detrimental effects to airport operations, environmental impacts or other factors. The Department will have the sole discretion as to acceptance or denial of the bidder’s proposal and its determination will be final.

Award of the Contract will be made by the Department to the lowest, responsible Bidder who’s Proposal conforms to the cited requirements of the Department. Should no award be made within the date listed above, the lowest responsible Bidder may, upon the expiration of such period, request in writing that the award be made within a stipulated time not less than 10 days, exclusive of Sundays and holidays, after the date of the request. Should no award be made within the stipulated time, the lowest responsible Bidder shall be relieved of their obligation to execute a Contract and Contract Bonds.