

In developing the Department's M-I/M-LD provisions, the FHWA Code of Federal Regulations, FHWA Technical Advisories, AASHTO sources, published independent research studies, and court case history were taken into account as well as consultation with the FHWA and the Connecticut Assistant Attorney General.

Milestone Incentive and Milestone Liquidated Damages Guidance Document:

For detailed procedures and processes refer to the "[Milestone Incentives and Milestone Liquidated Damages Guidance Document](#)".

Contract Provisions:

The M-I/M-LD owned special provisions will supplement the following articles:

- "Contract Time and Liquidated Damages"
- Article 1.03.09 – Contractor Readiness Plan
- Article 1.08.03 – Prosecution of Work
- Article 1.08.09 – Failure to Complete Work on Time

Other Liquidated Damages provisions:

M-I/M-LD provisions are developed and considered separately from "Contract Completion Liquidated Damages and "Lane Use, Hourly Liquidated Damages". For informational purposes those are described below:

- "Contract Completion Liquidated Damages" (LD's) are a daily amount set forth in the contract to be deducted from the contract price to cover additional costs incurred by the Department because of the contractor's failure to complete *all* of the contract work within the number of calendar days or workdays specified or by the completion date specified.
- "Lane Use, Hourly Liquidated Damages" are determined separately by the Traffic Division in accordance with their current guidelines and procedures. If warranted, these are hourly liquidated damages applied for each hour or portion thereof in which the contractor interferes with normal traffic operations during the restricted hours provided in the contract's special provision for Article 1.08.04 "Limits of Operations."