



MEMO

DATE: April 25, 2018

SUBJECT: 2018 Severe Storm & Flooding Emergency –
Adverse Impact Determination

TO: Michael W. Rebert, P.E.
Kenneth M. McClain
Alfred A. Picca, P.E.
George A. Dunheimer, P.E.

FROM: James A. Foringer, P.E. /s/
Acting Director of the Bureau of Project Delivery

Reference is made to the Proclamation of Disaster Emergency signed by Governor Wolfe on March 6, 2018.

In accordance with the requirements of Publication 408, Section 108.06(a), the Bureau of Project Delivery has made an inquiry in order to determine whether the conditions that existed during the subject weather-related event had a direct adverse impact on one or more active construction projects. Responses to that inquiry have indicated that, in several Districts, such impacts have been experienced.

Therefore, Secretary Richards has authorized me to notify the Engineering Districts that consideration may be given to requests for extensions of contract time submitted by Contractors on projects where a direct adverse impact from this event can be demonstrated. The Districts are reminded that, before a time extension request is approved, it must clearly be established that any delay to the project was not, in fact, the responsibility of the Contractor and that all necessary precautions to protect the project from damage were taken. Furthermore, for any given project to qualify for a time extension, the accepted Schedule in place at the time of the event must show work on one or more controlling operations occurring during the period in which the event took place.

Regardless of the project's Federal status (i.e. Federal Oversight, PennDOT Oversight, or Non-Federal), the ECMS approval workflow for time extension requests submitted under the "Weather-Related Event" reason will include review and approval by the Bureau of Project Delivery after such requests have been approved at the District level. The Bureau's Scheduling Specialists, Kristen Swan and Al Uscowskas, will be reviewing these time extension requests and are also available for consultation with personnel charged with reviewing requests at the District level.

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Questions or concerns regarding this letter may be directed to John Burnett at (717) 787-7035 or joburnett@pa.gov.

Attachment

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CC: George W. McAuley, Jr., P.E., Deputy Secretary for Highway Administration
Daryl St. Clair, P.E., Office of the Deputy Secretary for Highway Administration
Natasha Fackler, Policy Director
Highway Administration Bureau Directors
Christine Reilly, P.E., Construction & Materials Division Chief
Highway Delivery Division Chiefs
Associated Pennsylvania Constructors
Federal Highway Administration
PA Turnpike Commission