

Authority of the Engineer

The term Engineer as defined in the Standard Specification 1103 is the duly authorized engineering representative of the Contracting Authority, acting directly or through the designated representatives who have been delegated responsibility for engineering supervision of the construction, each acting within the delegated scope of duties and authority.

Deciding Questions

In accordance with Standard Specification 1501.1, the Engineer will decide all questions regarding:

1. Quality and acceptability of materials furnished and work performed.
2. Manner of performance and rate of progress of the work.
3. Interpretation of the Plans, Specifications, and Special Provisions.
4. Measurement, control of quantities, and the amount of any deductions or adjustments to be made in payment.
5. Acceptable fulfillment of all Contract provisions on the part of the Contractor.

The Engineer's acceptance does not constitute a waiver of the Department's right to pursue any legal remedies for defective work or work performed by the Contractor in an unworkmanlike manner.

Authority to Suspend a Contract

In accordance with Standard Specification 1501.2, the Engineer may suspend the work, either wholly or in part, due to failure of the Contractor to:

1. Correct conditions unsafe for the workmen or the general public,
2. Carry out provisions of the Contract, or
3. Carry out orders,
4. Comply with the requirements of all permits for the project.

The Engineer may also suspend work for such periods as deemed necessary due to:

- unsuitable weather
- conditions unsuitable for prosecution of the work
- any other conditions or reasons deemed to be in the public interest

Suspension of the work is a serious step, which may result in delaying completion of the contract and in considerable cost to the contractor; and should only be resorted to when the contractor has failed to take remedial action within a reasonable time after being notified to do so. Suspension should only be ordered by the Head Inspector or Engineer/Supervisor on the project. The Inspector must notify the Engineer/Supervisor of this action as soon as possible giving all the information necessary to support it.

Suspension orders will be in writing except when work must be stopped at once and time does not permit issuance of a written order. A written order confirming the verbal order will be issued at the earliest possible time. The order must state the specific reason for the suspension referring to the specifications under which the action is taken; what actions, if any, the contractor must take before resuming work and the conditions under which the suspension will be revoked. A Change of Contract Construction Status form will be issued as soon as conditions are favorable for resuming work. See Contract Time section (5-591.340) for discussion on suspension and resumption of work.

Authorized Signatures

Some contracts, while assigned to an Engineer for supervision, may be further assigned to a "Project Supervisor." This title must be used in signing all documents required in administering the project. At the discretion of the Assistant District Engineer, the Office of Construction and Innovative Contracting will accept the Project Supervisor's signature on all contract documents to include the following that previously required an Engineer's signature or initials:

- Change of Contract Construction Status Report
- Partial and Final Payment Vouchers
- Request for Fund Encumbrance/De-encumbrance
- Time Extension Recommendations
- Supplemental Agreements
- Change Orders
- Work Orders – Minor Extra Work
- Weekly Statement of Working Days

Authority and Duties of the Inspector

In accordance with Standard Specification 1510, Inspectors are authorized to:

- inspect the Work and the preparation, fabrication, or manufacture of materials;
- notify the Contractor of Work that does not conform to the Contract;
- reject materials that do not conform to Specification requirements;
- suspend portions of the work , until the issue is decided by the Engineer questions regarding,
 - the Contract Documents,
 - use of unapproved material, or
 - safety.

Inspectors are not authorized to alter or waive requirements of the Contract Documents or to issue instructions contrary to the Contract Documents.

Inspectors are not obligated or authorized to provide direction, superintendence, or guidance to the Contractor, its crew, its subcontractors, or suppliers to accomplish the Work.

Any action or inaction of the Inspector does not constitute a waiver of the Department's right to pursue any and all legal remedies for defective work or work performed by the Contractor in an un-workmanlike manner.