

Design Advisory

From Bradley C. Wieferich, Engineer of Design

Using the Special Provision Exception Risk Analysis (Form 2908)

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Form 2908

This advisory is superseded by any subsequent revisions to the references listed in this index.

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When projects are submitted to the Specifications and Estimates Unit for advertisement with unapproved unique special provisions, the Unique Special Provision Exception Risk Analysis Form 2908 must be filled out and signed as part of the submission process in order to ensure projects are reviewed and advertised in a timely manner.

There has been some confusion in the filling out of the form, when it is due and the responsibilities associated with filling it out.

Form 2908 is not applicable for certain unique special provisions, such as liquidated damages, alternate bid calculations, lane rental and incentives. These types of special provisions must always be approved prior to submission for advertising.

The project manager is responsible for compiling the necessary information and accurately assessing the risk.

The role of the technical reviewers is to help project managers assess the risks associated with not having the listed unique special provisions approved prior to submission for advertisement. These risks may include incorrect materials being used, potential construction issues, claims or conflicts with previously made agreements with the construction industry.

The risk for requiring an addendum for an unapproved special provision will always exist until it is approved for use. Therefore, it is uncommon for an unapproved unique special provision to have a low risk of requiring an addendum.

It is important to assess the risks in an accurate and realistic manner in order to give the Region Engineer as much information as possible when the reviewing and signing Form 2908.