Memorandum

To:  DEPUTY DISTRICT DIRECTORS, Construction
     DEPUTY DIVISION CHIEF, Structure Construction
     CONSTRUCTION MANAGERS
     SENIOR CONSTRUCTION ENGINEERS
     RESIDENT ENGINEERS

Date: March 16, 2009

File: Division of Construction
     CPD 09-1

From: MARK LEJA
     Chief
     Division of Construction

Subject: District Director Determination of Claims

Issuance of the district director determination of claims (determination) is required by Construction Manual Section 5-405H, “District Director Determination of Claims—Target Day 230. The determination concludes Caltrans’ administrative claims process, triggers preparation of the final estimate, and opens the contractor’s 90-day arbitration filing window. Some districts are not issuing a determination when all the claims have been resolved, leaving the administrative claims process open, and delaying project closeout.

Issue the determination for all contracts with claims as soon as possible and always within 230 days of contract acceptance. Each determination must say that the claims process is complete and each claim is either resolved or denied.

The district director signs all determinations that deny any portion of the contractor’s claims. When all the claims are resolved, the district director may delegate signature authority for determination letters to the deputy district director of construction who may further delegate this authority to the construction manager. Use the attached sample determination letter to close out contracts with completely resolved claims.

If you have questions, please contact Ronald Bacani, Construction Claims Engineer, at (916) 654-4452 or e-mail at ronald_bacani@dot.ca.gov.