

## **AMENDMENT TO OPSS 100, JULY 2025, MTO GENERAL CONDITIONS OF CONTRACT**

**DRAFT** Special Provision No. 100S62

July 2025

### **ATMS Definitions, Substantial Performance, and Advance Payments for Material**

#### **SECTION GC 1.0 - INTERPRETATION**

##### **GC 1.07 Definitions**

Subsection GC 1.07 of OPSS 100 is amended by the addition of the following definitions:

**ATMS Phase I of Contract** means items of ATMS work listed in the tender as Phase I items.

**ATMS Phase II of Contract** means items of work listed in the tender as Phase II items. The work for ATMS Phase II items shall commence upon completion of ATMS Phase I items of work in their entirety including all deficiencies, clean up, site restoration, final inspection, and submission of Contract Documentation.

##### **GC 1.08 Substantial Performance**

Subsection GC 1.08 of OPSS 100 is amended by the addition of the following paragraph:

.03 The Work under ATMS Phase II of Contract shall not be included in the criteria for substantial performance and Contract Completion.

#### **SECTION GC 8.0 - MEASUREMENT AND PAYMENT**

##### **GC 8.02 Payment**

##### **GC 8.02.03 Advance Payments for Material**

Clause GC 8.02.03 of OPSS 100 is amended by the addition of the following bullet to paragraph .02:

- g) Advance payment for material shall not apply to ATMS Contract items that require Proof of Performance Testing. Payment for each of these items will be made following the approval of the proof of performance test results.

**WARRANT:** All Contracts with "ATMS Maintenance and Warranty".