Florida Department of Transportation

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REVISED CONSTRUCTION BULLETIN NO. 03-04
(FA: 07 /14/04)

TO: **DISTRICT CONSTRUCTION ENGINEERS**

FROM: Ananth Prasad, Director, Office of Construction

COPIES: David Sadler, Randy Borgersen, Ken Blanchard, Stefanie Maxwell, Don Davis (FHWA), and Frank Rudd (FICE)

SUBJECT: **CONSTRUCTION PROJECT ADMINISTRATION MANUAL (CPAM) CHANGES FOR CHAPTER 4 SECTION 1, CHAPTER 4 SECTION 2, CHAPTER 7 SECTION 2, CHAPTER 7 SECTION 3, CHAPTER 7 SECTION 4 AND CHAPTER 12 SECTION 1**

Following are changes to the CPAM effective the date of this Bulletin.

Section 4.1.6 (A): Service Phase, Resident Level Responsibilities

Section 4.1.6(A) has been deleted and the following substituted:

The Construction Project Manager, under direct supervision of the Department Resident Engineer or the District Construction Consultant Manager and in turn the District Construction Engineer, administers the Consultant CEI Contract(s) and monitors the activities of the Consultant(s) engaged in construction contract administration. The Construction Project Manager will serve as the liaison to the FHWA and the Department as it relates to various contract administration issues. The areas of responsibility of the District Construction Consultant Manager and Construction Project Manager include:

Section 4.1.12 (A): Consultant Performance, Resident Level Responsibilities

The following has been added to the beginning of the paragraph in section 4.1.12(A):

During the early stages of the construction project, the Construction Project Manager shall thoroughly evaluate the performance of the CCEI Firm to ensure the CCEI Firm is demonstrating the necessary knowledge, skills and experience to make decisions in accordance with the Consultant's Contract. Any deficiencies in the performance of the CCEI Firm will necessitate remedial action, including but not limited to, reassignment of personnel, replacement of

personnel, increase in the frequency of monitoring and inspection activities, and increase the scope and frequency of training of the Consultant personnel. Such deficiencies shall be handled in accordance with section 4.2.5.

Section 4.2.5 (A): Initial Assessment of Responsibility for Errors, Omissions, or Contractual Lapses, Resident Level Responsibilities

The first sentence of the paragraph has been deleted and the following substituted:

If the CEI Consultant's work product, staffing, equipment, or contract administration is found unacceptable and not in agreement with Department's historical decisions during a Department Q.A. review, the deficiency should be clearly defined in writing, and the authority (contract section, article, page, etc.) cited.

Section 7.2.8(A): Quality Control Process for Contract Changes, District Level Responsibilities

The following new section has been added:

The District Construction Engineer shall develop a process to review a representative sample of all contract changes to ensure that such changes were necessary and comply with the Construction Contract documents. Such process will be documented and kept on file in each district.

Section 7.3.11.2(A): FHWA Oversight Projects, Resident Level Responsibilities

The first paragraph has been deleted and the following substituted:

The Resident Engineer on In-House CEI projects and the Department's Construction Project Manager on Consultant CEI projects shall solicit FHWA approval of and participation in all construction contract changes on all FHWA oversight projects, except as shown in ***Section 7.3.11***. Federal-Aid participation shall be documented on the ***FHWA Approval - Major and Minor Construction Changes, Form No. 700-010-47,*** FHWA refusal to participate in any construction contract change should be followed-up with an additional attempt to obtain Federal Aid participation by supplying all necessary additional information or explanations. The Resident Engineer on In-House CEI projects and the Department's Construction Project Manager on Consultant CEI projects should solicit the reason for any FHWA refusal to participate in any construction contract change. Such reason for non-participation shall be noted in the FHWA Approval - Major and Minor Construction Changes Form or attachment thereto. Should FHWA refuse to supply a reason, such refusal should also be noted in the document or on the attachment as part of the pertinent information included in the complete contract change package.

Section 7.3.11.3(A): District Oversight (Exempt) Projects, Resident Level Responsibilities

Section 7.3.11.3(A) has been deleted and the following substituted:

(A) District Level Responsibilities

Neither FHWA approval nor State Construction Office concurrence in Federal Aid participation is required on Exempt Projects. The District Construction Engineer shall approve the Federal Aid participation in accordance with the guidelines shown in ***CPAM Section 7.3.11.1***. The District Construction Engineer can delegate such approval authority to a person within District Construction office staff, but not to a Resident Engineer, and such delegation shall be maintained on file. Approval shall be documented in writing showing the amount of federal aid participation for all pay items included in the contract change and must be signed and dated by the District Construction Engineer or delegate and included in the project file.

Section 7.3.18(A): Quality Control Process for Contract Changes, District Level Responsibilities

The following new section has been added:

The District Construction Engineer shall develop a process to review a representative sample of all contract changes to ensure that such changes were necessary and comply with the Construction Contract documents. Such process will be documented and kept on file in each district.

Section 7.4.9.5(A): Director, Office of Construction Authorizations, Resident Level Responsibilities

The second paragraph has been deleted and the following substituted:

FHWA concurrence for project limit extensions or contract specification changes will be obtained by the Project Administrator on In-House CEI projects and the Department's Construction Project Manager on Consultant CEI Projects for FHWA oversight projects.

Section 7.4.10(A): Quality Control Process for Contract Changes, District Level Responsibilities

The following new section has been added:

The District Construction Engineer shall develop a process to review a representative sample of all contract changes to ensure that such changes were necessary and comply with the Construction Contract documents. Such process will be documented and kept on file in each district.

Section 12.1.6(A): Partial Acceptance, Resident Level Responsibilities

The first paragraph has been deleted and the following substituted:

The Department may accept a portion of a project as defined in ***Specification 5-10.2***. Once the Department has accepted the project or a portion of the project, the Project Administrator shall provide written notice of acceptance to the Contractor and the Contractor's obligations for

indemnification, defense and to hold the Department harmless under ***Section 7-12.1***, shall cease for the accepted portion of the project. However, the Contractor shall be responsible under ***Section 7-12.1*** only as it applies to direct performance of work items of final striping, landscape establishment period, signalization "burn-in" or any other contract item which requires performance or maintenance more than 20 days after the completion of all other contract items for the accepted portion of the project.

Section 12.1.9(A): Final Acceptance, Resident Level Responsibilities

The first paragraph has been deleted and the following substituted:

When the District Construction Engineer or Resident Engineer is satisfied that all items of work are completed satisfactorily as called for in the contract, the project will be accepted. The District Construction Engineer or Resident Engineer will notify the Contractor in writing that the Project has been final accepted. On Consultant CEI projects, the Consultant shall seek the Department's Construction Project Manager input prior to issuing Final Acceptance to the Contractor.

The first sentence of the third paragraph is deleted and the following substituted:

A ***Final Inspection and Acceptance of Federal-Aid Project, Form No. 700-010-32,*** is to be completed by the District Construction Engineer and submitted to the FHWA on all Federal Aid Exempt projects. Delegation of the District Construction Engineer signature authority for this form is not permitted.

If you have any questions, please contact Stefanie Maxwell at (850) 414-4314, SC 994-4314.

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