

DISTRICT FIVE CONSTRUCTION CONTRACT ADMINISTRATION UPDATE TRAINING NOTES May 1 & 2, 2006

TOPIC 1: Frank O'Dea (Contract Administration Update)

- IG's Office Comments on SA's

Frank reminded everyone to use the most current Supplemental Worksheet on the D5 Website. Last year the Inspector General's Office (IG) reviewed 25 Supplemental Agreements so DOCO has taken the SA Worksheet to comply with the procedures per the CPAM.

- Encumber Money Before Work (See CPAM)

Per Florida Statute and the FDOT Procedure – funds for Supplemental Agreements are to be encumbered before authorizing work to begin. You can email Cyndi or Robin to start the request for funds to be encumbered and submit your SA Worksheet package later. The turnaround time for State funds to be encumbered is a couple days and Federal funds sometimes a week or more. Once you have received an email notifying you, that your funds are encumbered you can issue your written Notice to Proceed. If you are in a pinch, the CPAM does allow you to write Work Orders to get the contractor going on the work, and write another Work Order deleting the work later. If you have unusual situations, call Frank O'Dea or Lorie Wilson for guidance.

- CSA Fully executed prior to executing work order

All Contingency Supplement Agreements must be fully executed prior to Work Orders written.

- Including Bond mark-ups on Work Order and SA's

Refer to DCE Memo 32-05 for guidance. Spec says the contractor must provide proof that they are paying for bond on extra work. Based on the memo, FDOT will use the **CONTRACT AFFIDAVIT** as that proof. FSA written on the Initial Contingency does not get a mark-up for bond; the mark up has been included in the original contract amount. Overruns on original pay items do not get a mark-up for bond (it is included in the unit price).

- Price Back-Up Material from Contractors – what is acceptable?

You must submit an Engineer's Estimate with your SA Worksheet package or for a FSA or Work Order. If your estimate is more than what the contractor submits you do not need to ask for additional documentation from the contractor. On the other hand – if your estimate is less than the contractors estimate, then have the contractor to provide whatever documentation you need. When coming up with your Engineer's Estimate, OK to use a range.

- [When do Claims and requests from contractors need to be certified?](#)

As of the July 2004 spec and per DCE Memo 08/06, for “any request for equitable adjustment of compensation, time, or other dispute resolution proposal certify under oath and in writing”. If you can’t agree on the amount, write a Unilateral, pay on what is agreed, and have contractor to certify the difference. If the FDOT request changes, the contractor does not have to certify. If it is going to a DRB on entitlement only, no need to mandate certification.

- [Sitemanager/Dailies/Printing hard copies.](#)

If your contract is a full blown Sitemanager contract where you are doing your daily work reports in Sitemanager – do not have to print or scan into Hummingbird, or provide to DOCO for auditing. If you have a reason to print out dailies/weeklies, that is fine.

- [Weather Impacts](#)

Adverse soil conditions must be related to weather. Your weather days must make sense. The next version of the Spec’s will have holidays treated like weather.

- [What can we do to help Project Administrators with the processes?](#)

More information requested on the D5 Website, use more Flow Charts, post a date when the form/procedure was updated, and make changes quarterly.

TOPIC 2: [John Burnette](#) / [Tonii Brush](#) (Final Estimates Issues)

- [Straightedge documentation/penalties](#)

Email (do not send a paper copy) the straightedge report to John Burnette, John will review and approve and forward to Frank O’Dea for his signature and approval. If your package is incomplete, it will be returned to you.

Required Documentation:

1. [Final Straightedge Report \(D5 Web\)](#)
2. Asphalt Pavement Straightedge Test Report (form #675-060-10)
3. Asphaltic Concrete Pay Reduction Summary Sheet (form #675-030-03)
4. A spread sheet or other form showing calculations for pay reduction
5. An engineer analysis show the reason for leaving a penalty in place at no pay

- [Asphalt Design Mixes closing lots when the design mix changes.](#)

Always close a lot when there is a change in design mix. When running a design mix and there is a change in the targets that adds a letter to the design mix number, as SP04-2010 changes to SP04-2010A, this constitutes a design mix change and the lot with the previous design mix number, SP04-2010, is to be closed and a new lot opened, SP04-2010A.

- [Miscellaneous Asphalt \(Reporting\)](#)

Road reports for miscellaneous asphalt are to be filled out by the VT road tech on a QC road report form.

Required documentation for miscellaneous asphalt:

1. Asphalt tickets (prefer original but will accept pink or other color copies)
2. Ticket pad cover
3. Road report
4. Approved design mix (no open graded mixes)

When misc. asphalt is being run at the same time as other surface courses or base then the QC road tech will show misc. asphalt as waste with a note stating the amount of tonnage of waste that went to misc. asphalt and the VT road tech completes the road report for the misc. asphalt. The misc. asphalt is to be included in the Contractor's Asphalt Certification.

- [Asphalt Certifications \(Correcting\)](#)

Do not have the contractor go back and make corrections on asphalt certification previously submitted to show reductions for removed and replaced asphalt. The contractor's asphalt certification is for the asphalt that is laid on roadway. The PA or delegate is to check to make sure the quantity shown on the certification is correct for each month they are submitted and if there is an error then it is to be returned for correction. At the end of the asphalt the sum of the certifications should equal the total amount of asphalt produced. The asphalt summary will show all asphalt produced and the reductions for the removed and replace asphalt to determine pay quantity for each pay item of asphalt.

An Asphalt Summary is required. For now any format is accepted but John and Tonii are working on a standardized Asphalt Summary format. When it is completed it will be posted on the D5 web site and be made a requirement to be submitted with the final estimate.

- [Resolution Test Payments](#)

Do not do a Work Order – All resolution tests are to be handled by a Line Item Adjustment in Sitemanager (one example of the Spec. is 334.5.3.1).

- [Attenuator Damage](#)

Do not do a Work Order – this is handled by a Line Item Adjustment in Sitemanager. Steve Lange has a handout on the Website for Attenuator Line Item Adjustments.

If a Work Order is paid for a Resolution Test or Attenuator Damage – it will be a Procedural Error, only Line Item Adjustments are accepted.

Do not go back and correct any Work Orders written for the attenuator leave alone.

- [IA Reviews](#)

Handout was for your information on how IA's are across the state. Refer to Chapter 15 of the Review and Admin Manual for detailed information on what the IA reviewer will be checking.

- **Pro-Rating Quantities on Multiple Fin. Projects**

All pay items produced and accepted for a particular item shall be reported under the lead FIN project number (See exception below). The quantities for each FIN number will be determined by the Project Administrator, as the prorated amount determined from the Trns*port Estimated System (TES) pay item breakout. This will be done by taking the total pay item quantity shown on the TES for each FIN number and dividing it by the total pay item quantity for the contract, then multiplying this amount by the total pay item quantity placed. This shall be done **monthly** after the estimate cutoff.

Example:

Project "A" TES shows 10,000 tons

Project "B" TES shows 20,000 tons

Total TES for contract = 30,000 tons

Tons placed this month = 4,359 tons

Project "A" would be determined by dividing 10,000 by 30,000 and Multiplying by 4,359.

$10,000 \div 30,000 = .33 \times 4,359 = 1,438.47$ or 1,438.50 tons

Project "B" would be determined by dividing 20,000 by 30,000 and Multiplying by 4,359.

$20,000 \div 30,000 = .67 \times 4,359 = 2,920.53$ or 2,920.50 tons

Total = 1,438.5 + 2,920.5 = 4,359 tons.

Exception:

When a pay item is shown only on one FIN number, those quantities will be reported on that FIN number.

- **Final Estimates Notes Update**

These notes are for your use and information. These notes are on the D5 Website.

<http://d5web/operations/01/Final%20Estimates.htm>

- **Plan Quantity Measurements (Measure changes only)**

Plan Quantity is our Friend! Do not measure plan quantities. If there is a plan error (contact the EOR) or an authorized change to the pay item – only measure area of change or error. It is a Procedural Error that could result in a strike if a plan quantity item is totally re-measured.

- **As-Built Signal Plans**

When the contractor is required to provide As-Built plans such as Landscaping or Signals insert the page(s) behind your sheets. Do not redo your sheets, the As-Built received from the contractor are signed and sealed. Be sure to mark on the Key Sheet the revision.

TOPIC 3: Robin Woods (DOCO Update)

- **Submittal of Final Estimate**

When your project has final accepted, you will be receiving an email from the DOCO staff to schedule a date and time to come to the District for training on the Offer of Final Pay and Sitemanager Training. DOCO suggest you schedule training within 25 days after your final accepted date even if you are not ready to finalize your offers to allow time for any changes. If you don't want any training let Robin and Frank know. The SPE and RE will be signing the Offer Letters to the contractors.

- **Offers of Final Payment to the Contractors**

DOCO will continue to provide training as the jobs are final accepted in order to prep you toward making the Final Offer of Payments.

If the Final Offer of Payment to the contractor is not made by the 30th day of final acceptance – it is a Procedural Error and will result in a strike.

DOCO will follow-up on collection of documents required before Offer is paid. Once the Offer of Final Payment has been made to the contractor by you – your role is complete.

Other Items of Discussion

Email Spreadsheets- for the Initial Contingency and Contingency Supplements at final acceptance of your contract to DOCO so all un-committed funds can be disencumbered.

Communication – email is a wonderful tool – but nothing replaces speaking to your contractor in person or picking up the phone to convey what needs to be accomplished or clarify any unresolved issues.

If you write an email in anger – hold for a day or two before sending and re-read, once you hit the send button – it's gone!

JPA – still requires documentation and an inspection. Read your contract for who is to be performing the inspection. On some of the contracts –it is noted that the utility company will provide the inspection.

At final acceptance, DOCO requires that the JPA signs off on agreeing with the final quantities on this project, see memo located on the D5 Website.

JPA is not an audit item.

As-Builts from the contractors are to be in hand at final acceptance of a contract.

Punch List items are to be completed before final acceptance of a contract.

Overrun on Quantities-

For calculating your encumbrance for overrun funds- Contracts with an original contract amount of \$5 million or less may incur an overrun to the total contract amount up to 2.5% of the original contract amount. To calculate the total contract amount take the Present Contract Amount less the Initial Contingency Agreement and any Contingency Supplemental Agreements (executed Supplemental Agreements shall be included).

Although overruns up to 2.5% may be paid as unencumbered disbursements, management encourages project managers to program and encumber additional funds prior to the expenditures exceeding the contract/project amount. Overruns in excess of 2.5% of the original contract amount must have additional funds encumbered prior to the authorization of the work that will cause the contract (not pay item or project) to overrun. D5 has a spreadsheet on the Website for your use in tracking your overruns/underruns. But – if you have any questions – please contact Robin Woods, Cyndi Pendarvis, or Steve Lange.

- Spreadsheet for overruns / underruns ([blank form](#))