

**APPENDIX B**  
**Section II – Contract Administration**

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Agency of Transportation  
802-828-2593

Program Development Division  
Construction Section

### INSPECTOR'S DAILY REPORT

Weather: \_\_\_\_\_ Date: \_\_\_\_\_  
Project Name: \_\_\_\_\_ Project No: \_\_\_\_\_  
Work Assignment: \_\_\_\_\_  
\_\_\_\_\_

### CONTRACT PAY ITEMS COMPLETED

ITEM NO.	ITEM CODE	STA TO STA	QUANTITY

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED: \_\_\_\_\_

SKETCHES

(BELOW OR ON BACK)

**Vermont Agency of Transportation  
Daily Work Report**

Contract ID: 08031401

BARRE TOWN HES 026-1(38)

Date: 09/10/2008

Inspector ID: dhosking

Low Temp: 49  
AM Condition: Sunny

High Temp: 68  
PM Sunny

Items												
Project Number	Line Item #	Item Code	Reported Qty	Location Installed	From Station	Offset	Distance	To Station	Offset	Distance		
04B198	0010	203.15	30.500	Excavated to subgrade - FM COMMON EXCAVATION	54	+ 62.500	LT	0	54	+ 44.700	LT	0
04B198	0010	203.15	36.170	Excavated to subgrade - FM COMMON EXCAVATION	54	+ 44.700	LT	0	53	+ 69.000	LT	0
04B198	0010	203.15	55.800	Excavated to subgrade taper - FM DAH COMMON EXCAVATION	54	+ 62.500	LT	0	55	+ 0.000	LT	0
04B198	0015	203.31	15.000	18" sand layer - FM DAH SAND BORROW	54	+ 62.500	LT	0	54	+ 44.700	LT	0
04B198	0015	203.31	84.100	18" sand layer - FM DAH SAND BORROW	54	+ 44.700	LT	0	53	+ 69.000	LT	0
04B198	0015	203.31	15.600	18" sand layer taper - FM SAND BORROW	54	+ 62.500	LT	0	55	+ 0.000	LT	0
04B198	0045	301.35	10.000	1st 12" lift of DGCS - FM DAH SUBBASE OF DENSE GRADED CRUSHED STONE	54	+ 62.500	LT	0	54	+ 44.700	LT	0
04B198	0045	301.35	56.080	1st 12" lift of DGCS - FM DAH SUBBASE OF DENSE GRADED CRUSHED STONE	54	+ 44.700	LT	0	53	+ 69.000	LT	0
04B198	0045	301.35	20.800	1st 12" lift of DGCS - FM DAH SUBBASE OF DENSE GRADED CRUSHED STONE	54	+ 62.500	LT	0	55	+ 0.000	LT	0
04B198	0220	630.10	10.500	1 @ 10.5 hrs/each - DAH UNIFORMED TRAFFIC OFFICERS		+ 0.000				+ 0.000		0
04B198	0225	630.15	23.000	2 @ 11.5 hrs/each - FM DAH FLAGGERS		+ 0.000				+ 0.000		0
04B198	0235	641.10	0.022	Pro-rated progress payment - FM DAH TRAFFIC CONTROL		+ 0.000				+ 0.000		0
04B198	0240	641.15	0.040	Prorated pymt 2 work, 1 @ repair - DAH PORTABLE CHANGEABLE MESSAGE SIGN		+ 0.000				+ 0.000		0
04B198	0245	641.16	0.060	Pro-rated progress pymt - FM DAH PORTABLE ARROW BOARD		+ 0.000				+ 0.000		0

**Personnel**

Equip ID	Equipment Description	Total Qty	Qty Used	Contractor	Personnel
				110026070330	
				ADA TRAFFIC CONTROL, LTD.	
JHI004	truck, Peterbilt,	0	0	Supervisor	
JHI013	Pickup, 2006 Chevy 1500	2	0	Supervisor	0
JHI014	Pickup, 2005 Ford F-250	1	0		
JHI015	Excavator, 2007 Cat 315 CL	1	0		

Vermont Agency of Transportation  
Daily Work Report

Contract ID: 08031401

BARRE TOWN HES 026-1(38)

Date: 09/10/2008

JHI016 Skid Steer, RSV

1 0

Contracto 11010762010

J. HUTCHINS, INC.

Supervisor Canfield, Al

Supervisor 2

skilled 1

intermediate 2

common 2

Supervisor 2

skilled 1

intermediate 2

common 2

Staff Member

Hosking, Dave

Rowell, Jason

Remarks

**State of Vermont  
Agency Of Transportation  
Construction Section**

Daily Work Report - Guidance and Procedures

**General**

The following is a step-by-step guide on how to prepare and authorize a Daily Work Report in SiteManager. The process includes entering project comments, contractor equipment, personnel, staffing; item quantities, and, if applicable, recording the loss of contract time because of weather conditions or other circumstances.

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- 1. Entering a Daily Work Report**
  - a. Daily Work Report Info Tab
  - b. Remarks Fields
  - c. Contractors Tab
  - d. Contractors Equip Tab
  - e. Daily Staff Tab
  - f. Work Items Tab
  - g. Force Accounts Tab (currently not used)
  
- 2. Authorizing a Diary**
  - a. Authorize Tab
  
- 3. Charge Tab**

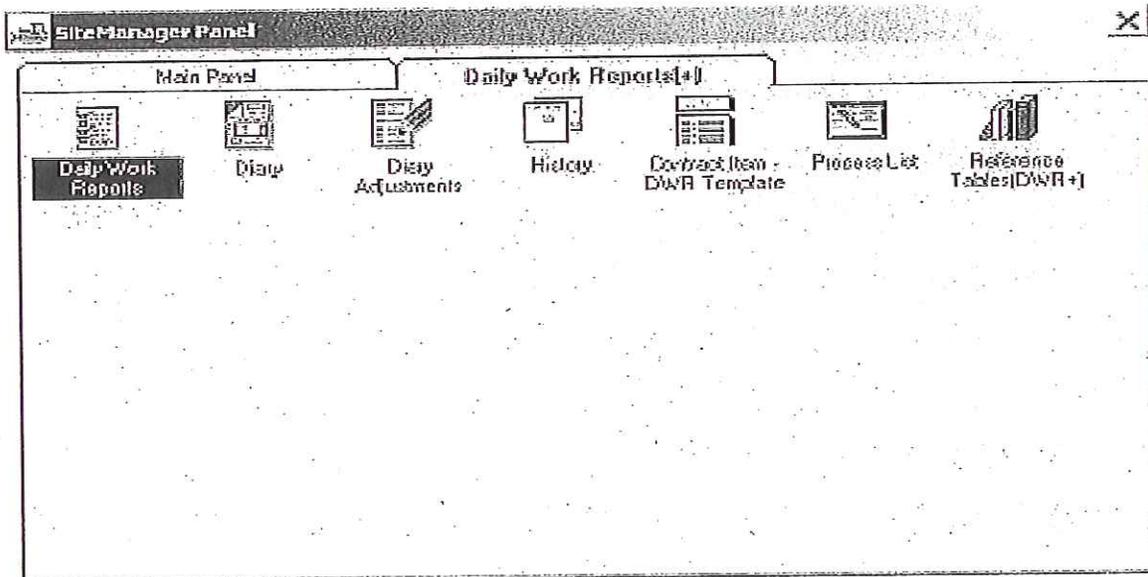
Each Resident Engineer or their delegate shall prepare and authorize a Daily Work Report within Site Manager for their respective project(s) on a daily basis.

The Daily Work Report installment data automatically populates the *Contract Item Placement Report* and *Estimate Item Detail Report* but does not automatically populate the *Contract Item Summary Report*. That report is populated only after the Daily Work Report is authorized. The authorization of the Daily Work Report on the Diary tab releases any installed quantities documented in the Daily Work Report, which will be paid on a subsequent *Bi-weekly Estimate*. The Daily Work Report serves as a composite work record of all the individual Inspector Daily Reports done on a project(s).

The daily preparation of the Daily Work Report and the subsequent authorizing of the Daily Work Report on the Diary tab is critical to the accurate generation of the *Bi-weekly Estimate* and its respective SiteManager reports.

### 1. Entering a Daily Work Report

- Log into SiteManager – Login and Password
- Navigate to the Daily Work Reports window: Main Panel → Daily Work Reports(+) → Daily Work Reports
- Choose the proper contract and open a Daily Work Report



- The user may then either create a new Daily Work Report date from scratch or select a previous Daily Work Report date in which to begin their entries. The user will need to utilize Services → Choose Keys → Select Contract if they are creating the very first Daily Work Report for the project. If the user selects a previously authorized Daily Work Report, they will be prompted as to whether or not they would like to copy the previous Daily Work Report's Contractors, Contractors Equipment, and Daily Staff information.

Contract ID

Selection

Contract ID: TEST001, 11010/62010, HES 028-1(38)

Inspector: dhosking, Hosking, David, TEST001

Date

Date

DWR Date	Locked	Auth Ind.
01/31/12	No	No
01/30/12	No	Yes
03/01/03	No	No

OK Cancel

Copy

Note: If the user elects to use the Copy Contractor Information option, they shall review and update the Contractors, Contractors Equip, and Daily Staff Tabs accordingly for the active DAILY WORK REPORT date.

**a. Daily Work Report Info tab**

**Contract ID field (CES Number):** This is the eight (8) digit number that precedes your project(s) description in SiteManager, which represents the sequence and call order of the projects that were let on a specific day [i.e. 98011203: 98 (Year) 01 (Month) 12 (Day) 03 (Call Order - the third project let that given day)]. This field is automatically populated.

**Inspector field:** This field reflects the individual who authored the Daily Work Report. This field is automatically populated.

**Daily Work Report Date field:** This field reflects the date chosen by the author for work to be reported within the Daily Work Report. The user will double click on the field and a calendar will appear from which to choose the date. The date cannot be later than the actual date the Daily Work Report is being created. The user should also be aware that a Daily Work Report can be created for an earlier date, so the user shall be diligent in entering the correct date.

**Locked field:** This field automatically populates with a “Yes” when the Daily Work Report has been included in a *Bi-Weekly Estimate*. Otherwise “No” will show in this field.

**Authorized:** This field automatically populates with a “Yes” when the Daily Work Report has been authorized on the Diary tab. Otherwise “No” will show in this field.

**Authorized Date:** This field automatically populates with the date the Daily Work Report was authorized on the Diary tab. Otherwise the field will show 00/00/00.

**Temperature:** An accurate attempt shall be made to document the daily “High” and “Low” temperature experienced on the project throughout the day of the Daily Work Report.

**Weather Conditions:** An accurate attempt shall be made to document the observed weather conditions in both the morning “AM” and afternoon (or evening) “PM” timeframes.

**For Projects let under the 2006 Standard Specifications for Construction:**

The procedure for the crediting of inclement “weather days” has not changed. The Contractor shall be given credit for a weather day when the majority of the work day is suspended due to inclement weather conditions. In order for a weather day to be granted, the Contractor must show up at the work site able to perform contract work as they normally would, before a weather day can be granted by the Resident Engineer or their designee.

**For Projects let under the 2011 Standard Specifications for Construction:**

Just as with the 2006 Standard Specifications for Construction, the user should always be detailed in their notes regarding weather events in SiteManager. However, for projects let with the 2011 edition, the Rain (credit day) weather condition option shall no longer be used. If there is inclement weather, it should be thoroughly noted in the Daily Work Report, the appropriate weather condition selected from the drop down menu (except for the Rain or Snow (Credit Day) options), precipitation amounts, and whether any Written Orders specific to weather were issued. In addition, the user should note in the general remarks field whether the Contractor arrived on project, anticipating and prepared to perform normally scheduled work. With the 2011 specification, Contractors will be able to dispute inclement weather conditions on a more cumulative basis (i.e. an inordinate amount of rain during a particular construction season) so it is important to keep detailed weather related documentation.

**No Work Items Installed:** This toggle is automatically populated with a  when no work items have been “installed” as part of the Daily Work Report on the Work Items tab.

**No Contractors On Site:** This toggle is automatically populated with a  when neither the Prime Contractor nor any of their Subcontractors have been associated to the Daily Work Report on the Contractor’s tab.

**No Daily Staff On Site:** This toggle is automatically populated with a  when no VTrans staff members associated to the Daily Work Report on the Daily Staff tab.

**b. Remarks Fields**

Daily Work Report comments or remarks shall be documented and separated into the following categories (or fields): General, Project Accidents, Media/Press, Environmental Issues, Paving Issues, Structural Issues, Specification Issues, Traffic Control, Other, State Police, Subcontractor, and Visitor. Guidance on how to complete these fields is outlined below.

**General:** Inclusion of the following information is recommended in the General Field.

- Daily precipitation measurement on project (24 hour period)
- Simple statements to define the beginning or end of a bi-weekly estimate period
- General description of the day's events related to the Contractor's performance of the contract [i.e. daily construction efforts]
- Approximate location on project of construction efforts
- Daily assignment(s) of any inspectors (Agency, Temporary, or Consultant) assigned to the project(s)
- A brief summary of each Inspector's Daily Report or activities
- Statements to the fact of whether or not any Contractor/Sub-Contractor, inspection or other critical staff members were not present on site that day
- Notation should also be made if work efforts begin or end in the evening or over-night hours.

**Project Accidents (Safety):** This field should reflect specific information on any accidents that have occurred on project.

- Motor vehicle accidents within the project or in the vicinity of the work zone.
- Any accidents to project staff, either Agency or Contractor, that require medical attention of some form.
- Any safety concerns observed on the project shall also be documented here, as well any enforcement measures that were utilized.

**Media/Press:** This field should document any interview requests made by the media or press concerning your project(s). Any and all media requests received by a Resident Engineer in the field shall be forwarded to the Agency's Public Information Officer at Headquarters.

**Environmental Issues:** This field should document any environmental concerns observed on your project(s). This includes but is not limited to:

- Permit conditions and compliance or lack thereof
- Initiation of permit amendments due to changes in the scope of work
- Any Off-Site Activity submittals (if the Resident Engineer is included) and/or the type and destination of materials (including hazardous materials) being moved (wasted) off site
- Implementation of erosion control measures
- On-site monitoring of the EPSC
- Precipitation amounts
- A brief summary of any Environmental Inspector or Regulator site visits and any enforcement measures utilized

The Resident Engineer shall also forward any environmental concerns along to the Construction Environmental Engineer at Headquarters.

**Paving Issues:** This field should document any paving concerns observed on your project(s).

- Review and approval of asphalt mix designs
- Material testing requirements of the Hot Mix Asphalt (HMA) batched from the plant
- Workmanship of the HMA lay down train including compaction efforts
- Any on site quality control testing done by the Contractor
- Any quality assurance measures performed by the Agency
- Any mechanical issues experienced with paving equipment or HMA delivery vehicles
- Any HMA specification issues

The Resident Engineer shall forward any paving issues along to the Construction Paving Engineer at Headquarters.

**Structural Issues:** This field should document any structural issues observed on your project(s). This is primarily for bridge construction or rehabilitation projects, as well as structural bridge painting projects. Typical issues experienced are:

- Review and acceptance of steel erection plans
- Shop drawings
- Containment and disposal plans
- Cleaning and painting of structural steel plans
- Structural steel placement
- Bolt torquing results
- Skidmore testing
- Review and approval of structural concrete mix designs for a project submitted by the concrete supplier
- Installation of reinforcing steel
- Quality of the structural concrete batched to the project(s)
- Workmanship of the structural concrete placement efforts
- Any on-site quality control testing done by the Contractor
- Any quality assurance measures performed by the Agency
- Any mechanical issues experienced with concrete batching or placement equipment
- Structural concrete specification issues

The Resident Engineer shall forward any structural issues along to the Construction Structures Engineer.

**Specification Issues:** This field should document any specific specification issues experienced during the construction of a project. There are currently two Standard Specifications for Construction editions that are in use depending on the age of the project; the 2006 “Green Book” and the 2011 “White Book”. Please check your project special provisions to determine with which specification the project was advertised. The Resident Engineer shall forward any specification issues along to the Construction Services Engineer at Headquarters.

**Traffic Control:** This field should reflect any observations made by the Resident Engineer regarding traffic control measures utilized on their project(s).

- Review and approval of Traffic Management Plans (TMP)
- Use of Flaggers or Uniformed Traffic Control Officers (UTO) within the work zone
- Use of proper safety apparel by workers
- Placement, erection, and use of traffic control features such as advance warning signage and traffic cones, barrels, or barrier, and any use of Portable Changeable Message Signs (PCMS) by the Contractor on project(s).
- If a detour is part of the project, the Resident Engineer should note any issues regarding function and operation of the detour.

The Resident Engineer shall forward any traffic control issues to the Construction Safety Officer at Headquarters.

**Other:** This field should contain any information that does not easily translate into any of the other fields mentioned.

**State Police (Speed Enforcement):** This field should document the use of Vermont State Police (VSP) Troopers on the project for speed enforcement efforts. The project shall have a *Certified Statement Designating a Temporary Speed Limit on the Interstate, State or U.S. Highway System* signed by the Director of Program Development (PDD), along with all the required speed reduction signage correctly installed within the work zone, before any VSP enforcement can be requested. The Trooper should notify the Resident Engineer when they arrive on project so that they can be properly deployed. The Resident Engineer shall document begin and end times of all VSP enforcement efforts, along with where on the project they were enforcing the temporary speed reduction. The Resident Engineer shall forward any State Police issues to the Construction Executive Assistant at Headquarters.

**Subcontractor:** This field should document any observations made by the Resident Engineer regarding Subcontractors approved to work on their project(s). Typical information would consist of:

- The need for an Interim Subcontractor Agreement prior to sublet work beginning
- Documentation of the Subcontractors working on the project(s) and their respective staff and equipment usage.
- Whether or not the Subcontractor is performing the work authorized in their *Approved Subcontractor Agreement*.
- Whether or not the Subcontractor is performing a "Commercially Useful Function (CUF)" on the project(s)
- Any observations regarding safety in regards to a Subcontractor
- Any issues regarding certified payrolls for any given Subcontractor.

The Resident Engineer shall forward any Sub-Contractor issues to their respective Regional Construction Technician at the Regional Office.

**Visitor:** This field should document any visitors to the project during the day. A visitor is anyone not who is not formally assigned to the project(s), nor authorized to be on site on a daily basis. All visitors shall report to the Resident Engineer first

before entering the project. Visitors can be both Agency and Non-Agency personnel and their name, title, and nature of business shall be recorded in this field.

**c. “Contractors” tab**

This tab is where the Daily Work Report author will record the basic information related to the Prime Contractor and/or Subcontractor(s) working on the project each day.

**Contractor Window:** The user will click inside the Contractor window and then click on the “New” (N) button on the tool bar. The Daily Work Report author will then select the appropriate Contractor or Subcontractor from the drop down menu.

**Supervisor/Foreman Name Window:** The user will click inside the Supervisor/Foreman Name window and then click on the “New” (N) button on the tool bar. The Daily Work Report author will select the appropriate Contractor personnel from the drop down menu within the Supervisor/Foreman Name window.

The full names of the superintendents and forepersons for both the Prime Contractor and any Subcontractors will appear on this list. However, it should be noted that only the names that are stored in the master database will show on this list. If an update to the master list is required, the Regional Construction Technician must be notified so they can see to it that the project-specific information is added to the master list.

**Personnel Type Window:** The user will click inside the Personnel Type window and then click on the “New” (N) button on the tool bar. The Daily Work Report

author will select the appropriate personnel type from the drop down menu within the Personnel Type Window. Personnel types are broken down into the following categories; Common, Flagger, Foreman, Laborer, Operator, Project Manager, Skilled, Truck Driver, and Uniformed Traffic Officer. To add more than one personnel type, the user must repeat the initial steps for adding personnel. Please note that these categories are listed for the Prime Contractor, but they must also be listed for any Subcontractors working on the project, on this same tab.

Subcontractors are added by the Regional Construction Technician as part of the Subcontractor approval process. If you are on a project where an Interim Subcontractor Agreement is in-place, you will not see that Subcontractor on this tab. The Regional Construction Technician must enter the required Subcontractor approval information before any such Subcontractor(s) appear.

If the user has elected to use the Copy Contractor Information option when creating the Daily Work Report date, the user shall be sure to review and update the daily information in each Contractor and Subcontractor's Tab accordingly for the selected Daily Work Report date.

While the Resident Engineer can edit which personnel are available to enter into the Daily Work Report from the master list, the Supervisor/Foreman and Personnel master lists cannot be modified by the Resident Engineer. The master list shall be loaded at the same time the project is activated by the Regional Construction Technician.

**AASHTO SiteManager**  
 File Edit Services Window Help

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**Daily Work Reports**

DWR Info    Contractors    Contractor Equip.    Daily Staff    Work Items    Force Accounts

Contract ID: TEST001    Inspector: Hosking, David    Date: 01/30/12

Contractor	Nbr of Supervisors	Nbr of Workers	Contractor Hrs Worked
110026070330 2D4 TRAFFIC CONTROL LTD	1	4	0.000
11010762010 J. HUTCHINS, INC. "PRIME"	1	7	0.000

Supervisor/Foreman Name	Hours Worked
Centel, Al	0.000

Personnel Type	Nbr of Persons	Hours Worked	Total Hours
common	3	0.000	0.000
CUT	1	0.000	0.000
skilled	3	0.000	0.000

**d. “Contractor Equip” tab**

This tab is where the Daily Work Report author will record the basic information related to the Prime Contractor and/or Subcontractor(s) equipment working on the project each day.

**Contractor Window:** The user will click inside the Contractor window and then click on the “New”  button on the tool bar. The Daily Work Report author will select the appropriate Contractor or Subcontractor from the drop down menu within the Contractor Window.

**Equipment ID - Description window:** The user will click inside the Equipment ID - Description window and then click on the “New”  button on the tool bar. The Daily Work Report author will select the appropriate Contractor equipment from the drop down menu within the Equipment ID - Description Window.

Equipment shall be broken down to include:

- Each piece of equipment physically present on the project, whether active or idle, along with an approximation of the hours used on any active equipment.
- The make, model, and year of each piece of equipment will be displayed under the Equipment ID – Description window. Often this additional information is required and used when tracking a claim on project or if contract work is being done through the Force Account method.

It should be noted that only the names that are stored in the master database will show up on this list. If an update to the master list is required, the Regional Construction Technician should be notified so that they can add the project-specific information to the master list.

If the user has elected to use the Copy Contractor Information option when creating the Daily Work Report, the user shall be sure to review and update the daily information in the Contractors Equip Tab accordingly for the selected date.

While the Resident Engineer can edit which equipment is available to enter into the Daily Work Report from the master list, the Equipment ID master list cannot be modified by the Resident Engineer. The master list shall be loaded at the same time the project is activated by the Regional Construction Technician.

AASHTO SiteManager

File Edit Services Window Help

Daily Work Reports

DWR Info: Contractors Contractor Equip. Daily Staff Work Items Force Accounts

Contract ID: TEST001 Inspector: Hosking, David Date: 01/30/12

Contractor	Nbr of Supervisors	Nbr of Workers	Contractor Hrs Worked
110026070330 ADA TRAFFIC CONTROL LTD	1	4	0.00
11010762010 J. HUTCHINS INC. "PRIME"	1	7	0.00

Equipment ID - Description	Nbr. of Pieces	Nbr Used	Hours Used
JH018 Excavator, Cat 325	1	1	0.00
JH023 Loader, 70 444	1	1	0.00
JH051 Roller, Champion	1	1	0.00
JH012 skid steer, Bobcat, 873, 1935	1	0	0.00
JH004 truck, Peterbilt	2	2	0.00

e. **“Daily Staff” tab**

This tab is where the Daily Work Report author will record the basic information related to the field staff assigned to the project each day.

**Staff Member Window:** The user will click inside the Staff Member window and then click on the “New”  button on the tool bar. The Daily Work Report author will select the appropriate staff member from the drop down menu within the Staff Member Window.

The appropriate name of the staff member assigned to the project shall be selected. The S/C field will populate itself. Information for the Work Code, Reg Hours, OT Hours, Vehicle ID, Starting Mileage, and Ending Mileage fields does not need to be entered. The staff member list shall be loaded at the same time the project is activated by the Regional Construction Technician. Therefore, it is important to make sure the Regional Construction Technician is aware of the staff requirements of the project.

If the user has elected to use the Copy Contractor Information option when creating the Daily Work Report, the user shall be sure to review and update the daily information in the Daily Staff Tab accordingly for the selected date.

The Staff Member master list cannot be modified by the Resident Engineer. The master list shall be loaded at the same time the project is activated by the Regional Construction Technician.

AASHTO SiteManager  
 File Edit Services Window Help

Daily Work Reports

DWR Info Contractors Contractor Equip. Daily Staff Work Items Force Accounts

Contract ID: TEST001 Inspector: Hosking, David Date: 01/30/12

Staff Member	S/C	Work Code	Reg. Hours	OT Hours	Vehicle ID	Starting Mileage	Ending Mileage
Hosking, David	S		000	000			
Parson, Logan	S		000	000			

f. “Work Items” tab

This tab is where the Daily Work Report author will record the detailed information related to the work items installed on the project each day.

The user will first select the appropriate work item from the list shown. Click on the appropriate work item and you will notice a new window appears. This is the window in which the detailed information for the work items installed this day will be entered.

AASHTO SiteManager  
 File Edit Services Window Help

Daily Work Reports

DWR Info Contractors Contractor Equip. Daily Staff Work Items Force Accounts

Contract ID: TEST001 Inspector: Hosking, David Date: 01/30/12

InstId	Project Number	Line Item Number	Category Number	Category Description	Item Code	Description
<input checked="" type="checkbox"/>	08FRDJ	0010	1011	ROADWAY	203.15	COMMON EXCAVATION
<input checked="" type="checkbox"/>	08FRDJ	0015	1011	ROADWAY	301.35	SUBBASE OF DENSE GRADED CRUSHED STONE
<input checked="" type="checkbox"/>	08FRDJ	0225	1011	ROADWAY	630.15	FLAGGERS
<input type="checkbox"/>	08FRDJ	0005	1011	ROADWAY	201.10	CLEARING AND GRUBBING, INCLUDING INDIVIDUAL
<input type="checkbox"/>	08FRDJ	0015	1011	ROADWAY	203.31	SAND BORROW
<input type="checkbox"/>	08FRDJ	0020	1011	ROADWAY	204.20	TRENCH EXCAVATION OF EARTH
<input type="checkbox"/>	08FRDJ	0025	1011	ROADWAY	204.21	TRENCH EXCAVATION OF ROCK
<input type="checkbox"/>	08FRDJ	0030	1011	ROADWAY	204.22	TRENCH EXCAVATION OF EARTH, EXPLORATORY
<input type="checkbox"/>	08FRDJ	0035	1011	ROADWAY	204.30	GRANULAR BACKFILL FOR STRUCTURES
<input type="checkbox"/>	08FRDJ	0040	1011	ROADWAY	210.10	COLD PLANTS, BITUMINOUS PAVEMENT
<input type="checkbox"/>	08FRDJ	0050	1011	ROADWAY	401.10	AGGREGATE SURFACE COURSE
<input type="checkbox"/>	08FRDJ	0055	1011	ROADWAY	404.65	EMULSIFIED ASPHALT
<input type="checkbox"/>	08FRDJ	0060	1011	ROADWAY	406.25	BITUMINOUS CONCRETE PAVEMENT
<input type="checkbox"/>	08FRDJ	0055	1011	ROADWAY	450.30	SLEEPERPAVE BITUMINOUS CONCRETE PAVEMENT.
<input type="checkbox"/>	08FRDJ	0075	1011	ROADWAY	601.2615	18" CPEP(SL)
<input type="checkbox"/>	08FRDJ	0085	1011	ROADWAY	601.3620	24" CPEP(SL)
<input type="checkbox"/>	08FRDJ	0095	1011	ROADWAY	601.7020	24" CPEPES

The basic information regarding the description of a work item, along with the cumulative quantity installed, will populate itself and display in the upper third of the window.

The screenshot shows the 'Daily Work Reports' window in the AASHTO Site Manager software. The window is divided into several sections:

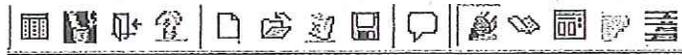
- Contract Information:** Contract ID: TEST001, Inspector: Hoising David, Date: 01/30/12.
- Project Information:** Project Nbr: 069901, Line Item Nbr: 0010, Item Code: 20315, Category Nbr: 1011.
- Item Description:** Item Desc: EXCAVATION, Unit Price: \$12.0000.
- Quantities:** Qty Reported to Date: 4397.000, Qty Authorized to Date: 0.000, Qty Installed to Date: .000, Bid Qty: 2600.000, Qty Paid to Date: .000, Current Contract Qty: 4600.000.
- Material Inspection Detail Table:**

Loc Seq Nbr	Location Installed	Placed Qty	Plan Page Number	Length Used
1	Removal of Existing Pavement - LAP	27.0000		
- Material Inspection Detail Form:** Placed Qty: 27.000, Plan Page Nbr: 0, Contractor: HUTCHINS, MIC PRIME, Pmnt Course: Removal of Existing Pavement - LAP.
- Location Fields:** Station (From: 16 +, To: 19 +), Offset (RT), Distance (000), Measured Information (Calculated/Estimated).

The user will click on the “New” (□) button on the tool bar and a series of empty fields will appear on the bottom third of the window.

- In the Placed Qty field, the user will enter the work item quantity installed this day.
- The Plan Page Nbr field is normally not completed, but the user can choose to complete this field if required.
- In the Contractor field, the user will select either the Prime Contractor or the appropriate Subcontractor who installed the work item.
- The Pmnt Course field shall be completed if the user is entering a hot-mix asphalt work item.
- The Loc Seq Nbr will populate itself according to the number of specific installation entries made for the work item on this day.
- In the Location field, the user shall enter the appropriate description of the work installed, or they shall enter if not themselves, as to who has Field Measured or Inspected the Placed Qty. (i.e. Abut#1: FM BY DC or 3 @ 7:00am to 3:30pm; FM BY LFK.)
- In the respective “From” and “To” Station, Offset, and Distance fields, the user will enter detailed information on the location in which the work item was installed this day. For Example (English Units): From (Station) 100 + 50 (Offset) LT=Left, RT=Right, CL=Centerline, (Distance) 37.25. (Metric Units) From 003 + 064 (Offset) LT=Left, RT=Right, CL=Centerline, (Distance) 11.354.
- In the Measured Information field, the user shall select either Calculated or Estimated. The Calculated option should be used if the installed work item quantity was determined by a field measurement or through a series of specific and detailed calculations. The Estimated field should be used if the installed work item quantity is a progress payment. These progress payments will have supporting documentation after the work on the item has been completed and more specific and detailed calculation will be completed at the

completion of the Item. The user must choose one of these two options or the Work Item tab will not allow the user to save the data.



When the user has additional information that needs to be tied to the Placed Qty., the information shall be placed in the “Remarks”  button. The information placed in this area shall be simple calculation, additional locations, time of work or referencing where the supporting documentation is located.

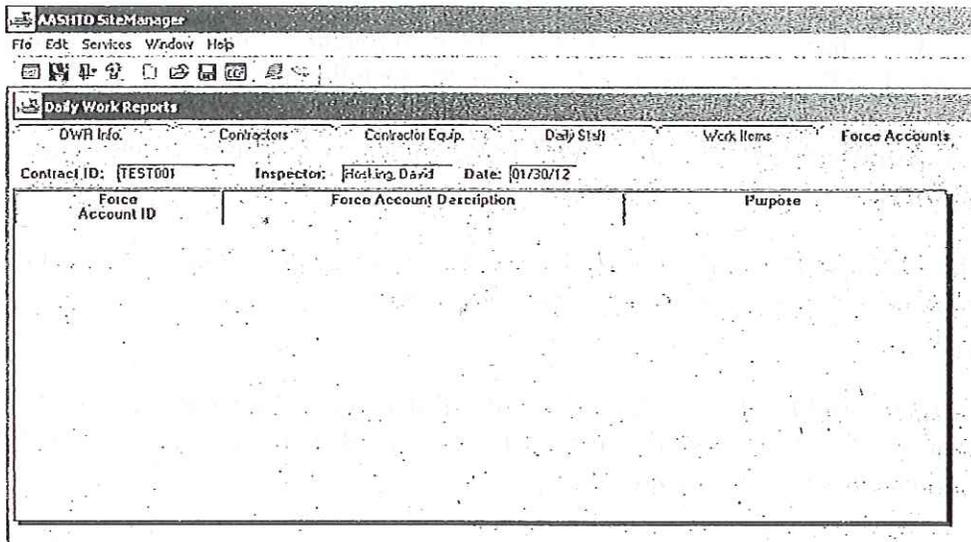
- The bottom portion of the window labeled Material Inspection Detail will show any material testing requirements specific to the work item the user selected. Material Component gives a brief description of the work item material, Const Est Matrl Qty shows the estimated design or Change of Design quantity of the material, Satisf Repr Matrl Qty shows how much of the estimated material quantity needs material inspection reporting (i.e. the amount of the work item quantity that requires material testing or related certifications), Report Matrl Qty shows how much of the required reporting quantity has been installed to date, and Matrl Unit is the unit of measure for the work item.

**Note of Interest:**

The field labeled Project Nbr in the upper left corner of the Work Item tab, under the Contract ID field, is actually the *Project Payment Management System* or “PPMS” number. This six (6) digit number is often included alongside the Contract Identification Number and Project description. This number is generated by the Finance Department when the project is first conceived and follows the project throughout its lifetime. The first two digits represent the year the project was added to PPMS (or the earlier system). The third digit is always a letter, and somewhat defines the project type: A = Interstate, B = former Primary system, C = former Secondary system, D = Urban, E = Other Highway categories, F = Bikepaths & Enhancements, G = Rail, H = Airports, J = Off-System Town Highway Bridges, and K = Miscellaneous Other Projects. The last three digits are numeric, starting over each year. Due to the way records are created in PPMS, the PIN will always be recorded as an even number. Using 08B126 as an example: (08) the project was added to PPMS in 2008 (B) the project is on the former Primary system (VT15) and (126) the project was the 63<sup>rd</sup> even numbered PIN set up in 2008. One Contract Identification Number may contain multiple PPMS numbers if the Contract is a composite of individual projects in any given geographic area of the State.

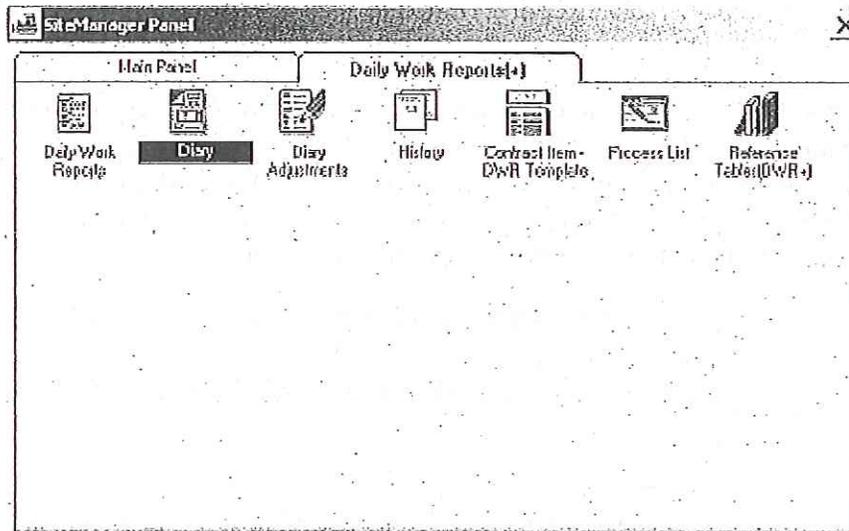
**g. “Force Accounts” tab**

This tab is where the Daily Work Report author would record the detailed information related to an active force account on the project each day. It should be noted however that the Agency does not currently use this tab, thus the user can ignore it.



## 2. Authorizing a Diary

- Log into SiteManager – Login and Password
- Navigate to the Daily Work Reports window: Main Panel → Daily Work Reports(+) → Diary
- Choose the proper contract and open a Diary



### a. “Authorize” Tab

**Contract ID field (CES Number):** This is the eight (8) digit number that precedes a project description in SiteManager, which represents the sequence and call order of the projects that were let on a specific day. [i.e. 98011203, breakdown: 98 (Year) 01 (Month) 12 (Day) 03 (Call Order - the third project let that given day)}. This field is automatically populated.

**Diary Date field:** This field reflects the date chosen by the author for work to be authorized within the Diary. The user will double click on the field and a calendar will appear from which to choose the Diary date. The date cannot be later than the

actual date the Diary is being created. The Diary shall be the same as the Daily Work Report date for the purpose of authorizing the installed work.

**Last Modified User ID field:** This field reflects the last user to authorize or modify the Diary.

**Creator User ID field:** This field reflects the user who originally created the Diary. This user is usually the same user that authored the accompanying Daily Work Report.

**Inspector field:** This field reflects the full name of the user who had originally authored the Dairy or the user who last modified the Diary. This field will automatically populate itself.

**Authorized field:** This is the field in which the user will populate with a  when s/he wishes to authorize the work items Installed and project remarks made in the accompanying Daily Work Report.

**Authorized Date field:** This field will automatically populate with the date the Diary was last authorized or modified by the user.

**Daily Work Report Template field:** This field shall only be populated with a  by the user if a Daily Work Report Template was used. This field is normally not populated by the user.

**Remarks field:** This field is where the user would elect to place additional information related to the Diary. Note that the same choices for remark fields are available to the user much like those of the Daily Work Report remark fields. The "Spell Check" button at the right of the Remarks field is available to the user as well. The user shall then click the "Save" button on the tool bar.

Inspector	Authorized	Authorized Date	DWR Template
WSP Up Card	<input checked="" type="checkbox"/>	01/30/12	

Remarks:  
A General  End / Begin Estimate Period No XX  
B Project Accidents  
C Media/Press

### 3. "Charge" Tab

**Contract ID field (CES Number):** This is the eight (8) digit number that precedes a project description in SiteManager, which represents the sequence and call order of the projects that were let on a specific day. [i.e. 98011203, breakdown: 98 (Year) 01

(Month) 12 (Day) 03 (Call Order - the third project let that given day)}. This field is automatically populated.

**Date field:** This field populates automatically to show the date the Diary was last authorized by the user.

**Charge Type field:** This field is where the user will choose what Charge Type will be associated with the authorized Diary Date. The Charge Types are “Full Day”, “Half Day”, and “No Charge”.

- Full Day shall be selected with a  if the Contractor was able to perform productive work on the project for the entire normally scheduled work day or for a majority of a normally scheduled work day.
- Half Day shall not be selected by the user as the Agency only recognizes Full Day or No Charge.
- No Charge shall be selected with a  if the Contractor was unable to perform productive work on project for a majority of a normally scheduled work day due to inclement weather or other causes.

**Credit Reason field:** This field shall be completed by the user anytime the “No Charge” type is selected. The user shall select either “User Defined” or “Weather Day” from the drop down menu.

- “Weather Day” means inclement weather was the reason for the credit day.
- “User Defined” means an event other than weather was the reason for the credit day. The Extension of Time Analysis (EOT) done at the completion of a project shall expand upon and clarify any credit reasons determined in the Diary. The user shall then click the “save” button from the tool bar.

The five (5) fields to the right of the Charge Type field show a cumulative total of all Diaries and Charge Days to date. These fields populate automatically.

Milstn Nbr	Milestone Description	Charge Amount	Credit Reason

Changes can be made to any aspect of the Daily Work Report up to the point it is authorized with a Diary. Once the Diary is authorized, the Daily Work Report is then “Locked” and SiteManager will not allow further modifications to it. If a Daily Work

Report needs to be modified after the Diary has been authorized, the user will need to “unauthorize” the Diary associated with the accompanying Daily Work Report.

Modifications to a Daily Work Report can be done by:

- Removing the  from the Authorized field
- Saving the Diary
- Performing the required modifications to the Daily Work Report
- Reauthorizing the Diary by placing a  in the Authorized field
- Then saving the Diary once again.

Once an estimate has been generated for said Daily Work Report, any further modifications to the Daily Work Report or Diary cannot be performed. Any such modifications or adjustments would need to be made on a new Daily Work Report.

[Appropriate Regional Address]

[www.aot.state.vt.us](http://www.aot.state.vt.us)[Appropriate Regional Phone #]  
[Appropriate Regional Fax #]  
(ttd) 800-253-0191

Subject:

Ladies and Gentlemen:

**NOTICE TO PROCEED**

This letter is to advise you that the Contract Documents, for the above mentioned project, were satisfactorily completed, by all parties in the Contract, on . In accordance with the "2006 Vermont Agency of Transportation Standard Specifications", this letter dated will serve as the "Notice to Proceed" date.

The "Notice to Proceed" date will be used in calculations of liquidated damages, if applicable, and is the date that work can commence subject to timely submittal and approval of all charts, schedules, plans and letters indicated in the project Contract Documents. This Notice does not supersede or waive any requirements in these documents. The Anticipated Contract Completion Date is

No physical work, other than installation of field offices and project signing, will be allowed prior to the Preconstruction Conference, unless authorized by a Written Order.

Sincerely,

, P.E.  
Regional Construction Engineer

c Montpelier Project File  
Project File/Log  
Resident Engineer,  
Pete Daye, Contract Administration

State of Vermont  
(Appropriate Regional Address)

*Agency of Transportation*

[www.aot.state.vt.us](http://www.aot.state.vt.us)

phone] 802-748-2447  
[fax] 802-751-3297  
[ttd: 800-253-0191

Subject:

### **NOTICE TO PROCEED**

This letter is to advise that the Contract Documents, for the above-referenced project, were satisfactorily executed by all parties on , 2010.

In accordance with the 2001/2006 Standard Specifications, you are hereby issued the "Notice to Proceed" effective as of , 2010.

The "Notice to Proceed" date will be used in calculations of liquidated damages, if applicable, and is the date that work can commence subject to timely submittal and **approval** of all charts, schedules, plans and letters indicated in the Contract documents. This Notice does not supersede or waive any requirements in these documents. From the Notice To Proceed date, you will have calendar days to complete this project which establishes a completion date of .

No physical work other than installation of field offices and project signing will begin prior to the Pre-Construction Conference, unless authorized by the Engineer in a Written Order.

Sincerely,

, P.E.  
Regional Construction Engineer

c Montpelier Project Files  
Project File/Log  
Resident Engineer,  
Pete Daye, Contract Administration



Agency of Transportation

Program Development Division  
Construction Section

TO: David J. Hoyne, Construction Engineer

FROM: \_\_\_\_\_, Regional Construction Engineer

DATE: \_\_\_\_\_

SUBJECT: Completion & Acceptance - Project Name & Number

The actual work for the above-mentioned project was completed on \_\_\_\_\_, and accepted on \_\_\_\_\_. The substantial completion date was \_\_\_\_\_ and the contract completion date was \_\_\_\_\_. An extension of time IS/IS NOT necessary. This project has been completed in substantial conformance with the approved program and authorization. There are no right-of-way encroachments and no significant unexplained overruns or underruns.

The Final Inspection was held by memorandum on \_\_\_\_\_, with comments to be returned by \_\_\_\_\_. Comments were received by: \_\_\_\_\_

cc ANR, District Environmental Engineer: Chris Brunelle/Pat Ross/Fred Nicholson  
Archeologist: Duncan Wilkie/Jen Russell  
Billing Section - Financial Service: Debbie Morse  
Civil Rights: Sonya Boisvert, Sue Hackney, Lori Valburn, Colleen Montague  
Construction Engineer: David Hoyne  
Construction Environmental Engineer: Andrea Cabral, Bill Farley  
Construction Structures Engineer: Doug Bonneau  
Contract Administration: Mike Lozier, Lori Demingware  
Contractor: \_\_\_\_\_  
Corps of Engineers: Marty Abair  
Director of Program Development: Rich Tetreault  
District Transportation Administrator: \_\_\_\_\_  
Environmental Coordinator:  
Environmental Specialists: NW-Craig Digiammarino, NE-Kevin Viani, SW-Chris Slesar, SE-Lee Goldstein  
FHWA: Cheryl Dow  
Finals Engineer: Eric Fontana  
Financial Services: Martin Churchill/Diane Harless  
Historic Preservation: Scott Newman  
Materials & Research Engineer: Bill Ahearn  
Materials & Research: Charlie Jerd, Chris Rea, Chris Benda, Jim Wild, Mark Ljungvall  
Montpelier Project Files: Gerry Waldo  
Director of Operations: Scott Rogers

Paving Engineer: Mark Woolaver  
Programming Section: Marv Kingsbury  
Project File: Regional Secretary  
Project Manager: \_\_\_\_\_  
Quality Assurance, Mike Pologruto  
Resident Engineer, \_\_\_\_\_  
Regional Construction Engineer,  
Right-of-Way: Rob White, Karla Perkins  
Roadway, Pavement Design, and Traffic and Safety Section,  
Kris Martin, Kevin Marshia  
Safety Officer: Rob Gentle  
Stormwater Management Engineer: Jon Armstrong  
Structures: Michelle Dion, Wm. Michael Hedges  
Structures Chief Bridge Inspector, Pam Thurber  
Subcontractors: \_\_\_\_\_  
Technical Services Environmental Section: John Narowski  
Town of: \_\_\_\_\_  
Town of: \_\_\_\_\_  
Traffic Operations and Design Engineer, Amy Gamble  
Traffic Operations Project Supervisor:  
Utilities Engineer: Craig Keller, Sabine Frost  
Wetlands Specialist: John Lepore/Glenn Gingras

TO: David Hoyne, Construction Engineer  
FROM: , Regional Construction Engineer  
DATE:  
SUBJECT: Completion & Acceptance – Project Name and Number

The actual work for the above-mentioned project was completed on \_\_\_\_\_, and accepted on \_\_\_\_\_.  
The substantial completion date was \_\_\_\_\_ and the contract completion date was \_\_\_\_\_. An extension of time IS/IS NOT necessary. This project has been completed in substantial conformance with the approved program and authorization. There are no right-of-way encroachments and no significant unexplained overruns or underruns.

The Final Inspection was held on \_\_\_\_\_, with the following persons present:

Representing the Agency:  
Representing the Contractor:  
Representing the Town:  
Other:

c Each Person Notified of Final Inspection (Anyone that attends is listed above, the rest of the people that were notified, but did not attend the Final, is to be listed in the cc list)

cc ANR, District Environmental Engineer: Chris Brunelle/Pat Ross/Fred Nicholson  
Archeologist: Duncan Wilkie/Jen Russell  
Billing Section - Financial Service: Debbie Morse  
Civil Rights: Sonya Boisvert, Sue Hackney, Lori Valburn, Colleen Montague  
Construction Engineer: David Hoyne  
Construction Environmental Engineer: Andrea Cabral, Bill Farley  
Construction Structures Engineer: Doug Bonneau  
Contract Administration: Mike Lozier, Lori Demingware  
Contractor: \_\_\_\_\_  
Corps of Engineers: Marty Abair  
Director of Program Development: Rich Tetreault  
District Transportation Administrator: \_\_\_\_\_  
Environmental Coordinator:  
Environmental Specialists: NW-Craig Digiammarino, NE-Kevin Viani, SW-Chris Slesar, SE-Lee Goldstein  
FHWA: Cheryl Dow  
Finals Engineer: Eric Fontana  
Financial Services: Martin Churchill/Diane Harless  
Historic Preservation: Scott Newman  
Materials & Research Engineer: Bill Ahearn  
Materials & Research: Charlie Jerd, Chris Rea, Chris Benda, Jim Wild, Mark Ljungvall

Montpelier Project Files: Gerry Waldo  
Director of Operations: Scott Rogers  
Paving Engineer: Mark Woolaver  
Programming Section: Marv Kingsbury  
Project File: Regional Secretary  
Project Manager: \_\_\_\_\_  
Quality Assurance, Mike Pologruto  
Resident Engineer, \_\_\_\_\_  
Regional Construction Engineer,  
Right-of-Way: Rob White, Karla Perkins  
Roadway, Pavement Design, and Traffic and Safety Section, Kris Martin, Kevin Marshia  
Safety Officer: Rob Gentle  
Stormwater Management Engineer: Jon Armstrong  
Structures: Michelle Dion, Wm. Michael Hedges  
Structures Chief Bridge Inspector, Pam Thurber  
Subcontractors: \_\_\_\_\_  
Technical Services Environmental Section: John Narowski  
Town of: \_\_\_\_\_  
Traffic Operations and Design Engineer, Amy Gamble  
Traffic Operations Project Supervisor:  
Utilities Engineer: Craig Keller, Sabine Frost  
Wetlands Specialist: John Lepore/Glenn Gingras



### **SUBCONTRACT INSTRUCTION & CHECKOFF SHEET**

\_\_\_\_\_ Letter(s) requesting permission to (re)sublet from the Prime Contractor, which shall include a List of Contract Item Number(s), Description of Item(s), and Percentage of each item to be performed by the Subcontractor. The letter must also contain the Company Name, Contact Name, Address, Telephone Number, FAX Number and e-mail address of the intended Subcontractor, as well as the intended start and completion dates. The following statement and attachments must also be included:

"It is hereby certified that the following D/WBE Subcontractor(s) has/have been solicited for their interest, capability and prices prior to this request." List the names and enclose a copy of the reply or, if no reply was received, a copy of your solicitation letter. (This statement is not required if the Subcontractor is a D/WBE.)

\_\_\_\_\_ If the proposed Subcontractor has not worked previously for VAOT, a *Letter of Performance* from the Prime Contractor shall be submitted with the request stating that the intended Subcontractor is equipped and specifically experienced to perform the work being subcontracted. Prime will also be notified if the new Subcontractor is required to supply a W-9 form to the Agency. If so, the Prime will notify the Subcontractor to fax their W-9 to Financial Operations at (802) 828-2024, Attention: VAOT – Vendor Numbers. If Subcontractor has questions, they are to be directed to Financial Support Services at (802) 828-2631.

\_\_\_\_\_ The Subcontractor must be registered with the Secretary of State, for all subcontracts regardless of the amount of the subcontract. Under **NO** circumstances can a Subcontractor work on **ANY** State of Vermont project without being registered with the Vermont Secretary of State.

\_\_\_\_\_ An executed Contractor's Equal Opportunity Statement Form (CA-109) completed by the subcontractor, must accompany the subcontract. This form is required for all subcontracts valued at \$10,000.00 or more; using contract unit prices, not subcontract unit prices.

\_\_\_\_\_ A copy of the subcontract agreement with all attachments; executed by both parties of the subcontract, namely the Prime Contractor and the Subcontractor, shall be submitted to this Office.

\_\_\_\_\_ The subcontract shall contain the following written statement and any applicable forms shall be attached to the subcontract:  
"The Required Provisions Form FHWA-1273 and the Special Provisions pertaining to Specific Equal Opportunity Responsibilities, Women/Disadvantaged Business Enterprise Policy, and the Wage Determination Decision of the Secretary of Labor are attached to, and are made part of, the subcontract."

\_\_\_\_\_ The subcontract shall contain a copy of the Disadvantaged Business Enterprise (DBE) Policy (CA-110). This form shall be included in all subcontracts regardless of whether the subcontractor is a DBE.

\_\_\_\_\_ Subcontract requests, accompanying documentation as listed above, and a completed copy of this check-off sheet shall be forwarded to the Regional Construction Office at the address listed above.

\_\_\_\_\_ Workers Compensation: State Contracts Compliance Requirement – Subcontract Reporting Form. This form should be updated to include information related to the Subcontract being submitted and included with the subcontract packet.

#### **Other information to observe:**

A Prime Contractor cannot subcontract more than 50% of the contracted work. This percentage is based off contract unit prices NOT subcontracted unit prices. Specialty Items (those clearly marked as such in the contract) do not count toward the 50% limit. Items added, or quantities increased, by Change of Design do not count toward the 50% limit.

Subcontractors are not permitted to work on a project until formal subcontract approval has been given by the Regional Office; except in situations where the Resident Engineer deems it necessary. In these situations, an Interim Subcontract Approval form **MUST** be completed the first day the subcontractor is on-site. Under **NO** circumstances shall a Prime be paid for work performed by a subcontractor until formal subcontract approval has been given by the Regional Office. See Subsection 108.01, Subletting or Assignment of Contract, of the VAOT 2011 Standard Specifications for Construction for more information.



Date

Prime Contractor  
Address  
City, ST Zip

Ladies and Gentlemen:

**Subject: Project Name and Number**

In reply to your letter of (date of request) requesting consent to sublet certain items on the above project to name & address of sub-contractor, I wish to advise that approval is given for the subletting of the following items:

number	name of item	percentage
--------	--------------	------------

This approval in no way relieves you of any of the requirements of your contract and bonds with the State of Vermont.

This approval is granted on the condition that the subcontractor does not again sublet any of the work without further permission from the Agency of Transportation.

Your understanding with your subcontractor must be documented by the contract agreement executed by both parties to the contract, namely, the prime contractor and the subcontractor. The subcontract shall include either by attachment or incorporation by reference all of the specifications and requirements contained in the prime contract and which will be pertinent to the subcontract. This incorporation shall include a copy of the required provisions, form PR-1273, Required Contract Provisions all Federal-Aid Construction Contracts, the Special Provisions, Specific Equal Employment Opportunity Responsibilities, Minority Business Enterprise Policy, a copy of the Wage Determination Decision of the Secretary of Labor, incorporated in the prime contract, and identification of the items to be sublet together with the Special Provisions and Modifications pertaining thereto.

A copy of the executed subcontract should be retained in the files on the project and available in case of audit by the State or the Federal Highway Administration. Another copy of the subcontract should be retained in the files of the subcontractor.

Please advise the subcontractor of the necessity for complying with labor requirements, furnishing payrolls, weekly statements and Record of Materials and Supplies, FHWA 47 if required.

It is your responsibility to see that the subcontractor carries out all the requirements of the contract which pertain to the work performed by him as well as the payment of all his bills for labor and materials.

Any time the subcontractor does not perform the work to the satisfaction of the Agency of Transportation, the Agency may require the contractor to take over and complete the work of the subcontractor.

Sincerely,

Regional Construction Engineer

Enclosure

cc: Civil Rights, Sonya Boisvert  
Director of Audits, Tax Department, Brenda Vovakes  
Materials & Research Engineer, Bill Ahearn  
Montpelier Project Files  
Regional Project File  
Resident Engineer,

Date

Prime Contractor  
Address  
City, ST Zip

Ladies and Gentlemen:

Subject: **Project Name and Number**

In reply to your letter of (date of request) requesting consent to allow your primary subcontractor, (name of parent subcontractor), to re-sublet certain items on the above-referenced project to (name and address of lower tier subcontractor), I wish to advise that approval is given for the re-subletting of the following items:

Item #	item description	percentage
--------	------------------	------------

This approval in no way relieves you or your primary subcontractor of any of the requirements of your contract and bonds with the State of Vermont.

This approval is granted on the condition that the prime subcontractor does not again sublet any of the work originally subcontracted to his/her firm without further permission from the Agency of Transportation. Please be reminded that any future requests to re-sublet any items from a primary subcontractor to a lower-tier subcontractor, will be reviewed on a case-by-case basis.

Your understanding with your primary subcontractor must be documented by the subcontract agreement executed by both parties to the subcontract, namely, the prime subcontractor and the lower-tier subcontractor. The subcontract shall include by attachment, all of the specifications and requirements contained in the prime contract and which will be pertinent to any and all subcontracts. This incorporation shall include a copy of the required provisions, form PR-1273, Required Contract Provisions for all Federal-Aid Construction Contracts, the Special Provisions, Specific Equal Employment Opportunity Responsibilities, Minority Business Enterprise Policy, a copy of the Wage Determination Decision of the Secretary of Labor (which can be found on the Agency's Web Page and as indicated in the Special Provision No. 1, Vermont Minimum and Labor Truck Rates, incorporated in the prime contract, and identification of the items to be sublet together with the Special Provisions and Modifications pertaining thereto.

A copy of the executed subcontract should be retained in the files on the project and available in case of audit by the State or the Federal Highway Administration. Another copy of the subcontract shall be retained in the files of the prime subcontractor and lower-tier subcontractor.

Please advise the prime subcontractor that it is their responsibility to insure that the lower-tier subcontractor is required to comply with labor requirements, furnishing payrolls, weekly statements and Records of Materials and Supplies, and FHWA 47 if required.

It is your responsibility to see that the lower-tier subcontractor carries out all the requirements of the contract which pertain to the work performed by him/her as well as the payment of all his/her bills for labor and materials.

Any time the lower-tier subcontractor does not perform the work to the satisfaction of the Agency of Transportation, the Agency may require the contractor, or the prime subcontractor to take over and complete the work of the lower-tier subcontractor.

Sincerely,

Regional Construction Engineer

Enclosure

cc: Civil Rights, Sonya Boisvert  
Director of Audits, Tax Department, Brenda Vovakes  
Materials & Research Engineer, Bill Ahearn  
Montpelier Project Files  
Regional Project File  
Resident Engineer,

State of Vermont  
Construction Section

Agency of Transportation  
Program Development Division

**TO:** , Regional Construction Engineer

**FROM:** , Regional Program Services Clerk

**DATE:**

**SUBJECT:** Subcontractor Request - # Project Name and Number

Request of **prime contractor** to sublet items (see attached list) on the **name of project** project to Name and address of sub.

Telephone #: (000) 000-0000

Federal ID #: 00-0000000

Anticipated Start Date: month day, year

Anticipated Completion Date: month day, year

Summary of Request (s):

1) name of sub

\$ 0.00

Total:

\$ 0.00

Total Contracted Amount: \$0.00

Total Percentage Subcontracted: 0.00%

Attachments (2)

cc: Civil Rights, Sonya Boisvert  
Director of Audits, Tax Department, Brenda Vovakes  
Materials & Research Engineer, Bill Ahearn  
Montpelier Project Files  
Regional Project File  
Resident Engineer,



State of Vermont  
Construction Section  
1 National Life Drive  
Montpelier, VT 05663-5001  
www.aot.state.vt.us

Agency of Transportation

[phone] 802-828-2593  
[fax] 802-828-2795  
[ttd] 800-253-0191

## INTERIM SUBCONTRACTOR APPROVAL FORM

This interim Subcontractor Approval Form to the Contract dated \_\_\_\_\_, for Project No. \_\_\_\_\_, in the Town of \_\_\_\_\_, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the State of Vermont, by the Agency of Transportation, party of the first part and \_\_\_\_\_ of \_\_\_\_\_, party of the second part, hereinafter called the contractor.

Prior to the contractor subletting any portion of the contract, the contractor agrees that:

- (a) The subcontractor who is performing the work is particularly experienced and equipped for such work:
- (b) The subcontractor has been made aware by the prime contractor of all requirements and provisions as set forth in the contract and has agreed to comply with all said requirements.

Based on the above, permission is granted to sublet the following items:

<u>Subcontractor Name &amp; Address</u>	<u>Item No. or Description of Work</u>	<u>Percentage to be Applied Subcontract Work</u>
---	--	--

This form represents interim approval pending submission of standard contractor approval by the Construction section. No payment for work accomplished under this subcontract will be made until all subcontractor approval documents have been processed by the Construction Division.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the day and year first above written. Executed in Quadruplicate.

SUBCONTRACTOR

PRIME CONTRACTOR

\_\_\_\_\_  
Name of corporation, Co-partnership/Individual

\_\_\_\_\_  
Name of Corporation, Co-partnership/individual

\_\_\_\_\_  
Name of Individual Signing the Form

\_\_\_\_\_  
Name of Individual Signing the Form

\_\_\_\_\_  
Title of Individual Signing the Form

\_\_\_\_\_  
Title of Individual Signing the Form

State of Vermont, Agency of Transportation

By \_\_\_\_\_  
Resident Engineer

Note: This form may not be utilized to circumvent the requirement that the prime contractor must perform at least 50% of the total initial contract cost, except that any items designated as "Specialty Items" may be performed by subcontract and the cost of any such "Specialty Items" so performed may be deducted from the total current contract cost.



## Instructions:

The purpose of the interim subcontractor approval form is to permit the prime contractor to subcontract work under the following conditions only:

Situations whereby the prime contractor and agency do not have sufficient time to process and approve the necessary standard subcontract documents prior to the subcontractor commencing work.

Emergency situations whereby it is necessary for the prime contractor to employ a subcontractor on immediate notice and for a short duration. (Examples: installation of temporary guardrail, critical equipment breakdown, etc.)

This form shall be signed by the contractor's authorized representative on the project, party of the second part and the Resident Engineer, party of the first part. Signature of the subcontractors' authorized representative is also required.

This form shall be made out in quadruplicate for the following distribution:

- Original copy – Contractor
- Photocopy – Construction Project Files, Montpelier
- Photocopy – Regional Project Files
- Photocopy – Resident Engineer's file
- Photocopy – Subcontractor's file

**However, prior to any payment for work accomplished under this interim agreement form, standard subcontractor prequalification approval must be granted by the Regional Construction Engineer.**

This document and its attachments present all provisions and requirements of the prime contract and must be satisfied prior to any work being performed by the subcontractor.

**Agency of Transportation  
Estimate Summary to Contractor**

Contract ID: 08031401  
Vendor ID: 11010762010

Estimate Number: 0005  
Vendor Name: J. HUTCHINS,INC.

Pay Period:  
08/28/2008-09/10/2008

**Contract Location:**  
INTERSECTION OF US 302, VT 110 AND TH 30 IN BARRE TOWN

**No Charge:** 0 days  
**Total No Charge:** 1 days

**Contractor:**  
J. HUTCHINS,INC.  
88 ROGERS LANE  
RICHMOND, VT 05477  
Phone: 802-434-3500

**Date Let:** 03/14/2008  
**Date Awarded:** 03/25/2008  
**Date Contract Executed:** 04/09/2008  
**Date Notice to Proceed:** 04/15/2008  
**Date Work Began:** 07/16/2008  
**Date Adjusted Completion:** 10/16/2009

**Escrow Agent:**  
**Surety Co:**Surety  
**Counties:** BARRE TOWN

Project Number	PCT	Fed State Project Number	Description
04B198	100.00	BARRE TOWN HES 026-1(38)	CONSTRUCTION OF A ROUNDABOUT,MINOR REALIGNMENT,NEW SIDEWALKS

			Total to Date	Prev to Date	This Estimate
Current Contract Amount	\$1,254,923.65	Participating	\$239,845.57	\$193,475.44	\$46,370.13
Original Contract Amount	\$1,254,923.65	Non-Participating	\$13,667.50	\$0.00	\$13,667.50
Percent Complete	20.20 %	<b>Total Earnings</b>	<b>\$253,513.07</b>	<b>\$193,475.44</b>	<b>\$60,037.63</b>
		Stockpiled Materials	\$0.00	\$0.00	\$0.00
		<b>Gross Earnings</b>	<b>\$253,513.07</b>	<b>\$193,475.44</b>	<b>\$60,037.63</b>
		Retainage	\$0.00	\$0.00	\$0.00
		Escrow Amount	\$0.00	\$0.00	\$0.00
		Securities Encumbered	\$0.00	\$0.00	\$0.00
		<b>Net Earnings</b>	<b>\$253,513.07</b>	<b>\$193,475.44</b>	<b>\$60,037.63</b>
		Liquidated Damages	\$0.00	\$0.00	\$0.00
		Incentives	\$0.00	\$0.00	\$0.00
		Disincentives	\$0.00	\$0.00	\$0.00
		Fuel Adjustment	\$0.00	\$0.00	\$0.00
		Bituminous Adjustment	\$0.00	\$0.00	\$0.00
		Autopay Adjustment	\$0.00	\$0.00	\$0.00
		<b>Amount Due</b>	<b>\$253,513.07</b>	<b>\$193,475.44</b>	<b>\$60,037.63</b>
		Other Adjustments	\$-21,483.10	\$-9,483.10	\$-12,000.00
		<b>Payment</b>	<b>\$232,029.97</b>	<b>\$183,992.34</b>	<b>\$48,037.63</b>

Approved for Payment By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name Title

Agency of Transportation  
Estimate Summary to Contractor

Contract ID: 08031401

Estimate Number: 0005

Pay Period:

Vendor ID: 11010762010

Vendor Name: J. HUTCHINS, INC.

08/28/2008-09/10/2008

Project Name: BARRE TOWN HES 026-1(38)								
Line Item	Category	Item Code	Description	Unit Price	Qty This Est	Unit	Quantity Paid	Cumulative Amount
0010	1011	203.15	COMMON EXCAVATION	\$12.000	596.100	CY	\$7,153.20	\$7,153.20
0015	1011	203.31	SAND BORROW	\$15.000	213.800	CY	\$3,207.00	\$3,207.00
0020	1011	204.20	TRENCH EXCAVATION OF EARTH	\$25.000	49.340	CY	\$1,233.50	\$1,233.50
0025	1011	204.21	TRENCH EXCAVATION OF ROCK	\$120.000	24.680	CY	\$2,961.60	\$2,961.60
0045	1011	301.35	SUBBASE OF DENSE GRADED CRUSHED STONE	\$30.000	152.950	CY	\$4,588.50	\$4,588.50
0060	1011	406.25	BITUMINOUS CONCRETE PAVEMENT	\$95.000	6.510	TON	\$618.45	\$618.45
0065	1011	490.30	SUPERPAVE BITUMINOUS CONCRETE PAVEMENT	\$104.500	132.140	TON	\$13,808.63	\$13,808.63
0155	1011	608.25	ALL PURPOSE EXCAVATOR RENTAL, TYPE I	\$95.000	3.000	HR	\$285.00	\$285.00
0220	1011	630.10	UNIFORMED TRAFFIC OFFICERS	\$52.000	30.500	HR	\$1,586.00	\$1,586.00
0225	1011	630.15	FLAGGERS	\$27.500	176.500	HR	\$4,853.75	\$4,853.75
0235	1011	641.10	TRAFFIC CONTROL	\$25,000.000	0.022	LS	\$550.00	\$550.00
0240	1011	641.15	PORTABLE CHANGEABLE MESSAGE SIGN	\$5,000.000	0.040	EACH	\$200.00	\$200.00
0245	1011	641.16	PORTABLE ARROW BOARD	\$5,000.000	0.060	EACH	\$300.00	\$300.00
0370	1011	900.608	SPECIAL PROVISION	\$200.000	8.500	CY	\$1,700.00	\$1,700.00
0395	1031	634.10	EMPLOYEE TRAINEESHIP	\$35.000	13.500	HR	\$472.50	\$472.50
0400	1041	651.15	SEED	\$5.000	2.400	LB	\$12.00	\$12.00
0405	1041	651.18	FERTILIZER	\$2.500	10.000	LB	\$25.00	\$25.00
0415	1041	651.35	TOPSOIL	\$35.000	7.400	CY	\$259.00	\$259.00
0510	1051	651.25	HAY MULCH	\$650.000	0.040	TON	\$26.00	\$26.00
0520	1051	652.20	MONITORING EPSC PLAN	\$50.000	1.000	HR	\$50.00	\$50.00
0530	1051	653.20	TEMPORARY EROSION MATTING	\$3.000	80.000	SY	\$240.00	\$240.00
0570	1081	629.23	SEAMLESS COPPER WATER TUBE	\$40.000	42.500	LF	\$1,700.00	\$1,700.00
0595	1081	629.39	CORPORATION STOP	\$300.000	1.000	EACH	\$300.00	\$300.00
0670	1083	204.20	TRENCH EXCAVATION OF EARTH	\$25.000	66.700	CY	\$1,667.50	\$1,667.50
0695	1083	900.640	SPECIAL PROVISION	\$150.000	80.000	LF	\$12,000.00	\$12,000.00
0715	1999	631.25	FIELD OFFICE TELEPHONE (N.A.B.I.)	\$3,000.000	0.080	LU	\$240.00	\$240.00
<b>Project Current Amount</b>							\$60,037.63	\$60,037.63
<b>Contract Current Amount</b>							\$60,037.63	\$60,037.63

Agency of Transportation  
Estimate Summary to Contractor

Contract ID: 08031401

Estimate Number: 0005

Pay Period:

Vendor ID: 11010762010

Vendor Name: J. HUTCHINS,INC.

08/28/2008-09/10/2008

## Other Adjustments (Total to Date detail):

Line Item	Category	Item Code	Description	Unit Price	Quantity	Unit	Quantity Paid
0145	1011	605.20	6 INCH UNDERDRAIN CARRIER PIPE,	\$10.000	-22.000	LF	\$-220.00
0500	1051	649.51	GEOTEXTILE FOR SILT FENCE,	\$3.000	-487.700	SY	\$-1,463.10
0615	1081	678.30	ELECTRICAL CONDUIT SLEEVE,(8")(PVC)	\$50.000	-126.000	LF	\$-6,300.00
0620	1081	679.21	LIGHT POLE BASE,	\$750.000	-2.000	EACH	\$-1,500.00
0695	1083	900.640	SPECIAL PROVISION,(POLYETHYLENE PIPE SLEEVE)(1 X 18")	\$150.000	-80.000	LF	\$-12,000.00
<b>Total</b>							<b>\$-21,483.10</b>

Agency of Transportation  
Estimate Summary to Contractor

Contract ID: 08031401  
Vendor ID: 11010762010

Estimate Number: 0005  
Vendor Name: J. HUTCHINS, INC.

Pay Period:  
08/28/2008-09/10/2008

Other Adjustments Detail:

Line Item	Category	Item Code	Description	Unit Price	Quantity	Unit	Quantity Paid	Estimate
0400	1041	651.15	SEED ,	\$5.000	-12.000	LB	\$-60.00	0002
0405	1041	651.18	FERTILIZER ,	\$2.500	-58.000	LB	\$-145.00	0002
0500	1051	649.51	GEOTEXTILE FOR SILT FENCE,	\$3.000	-384.700	SY	\$-1,154.10	0002
0615	1081	678.30	ELECTRICAL CONDUIT SLEEVE,(8")(PVC)	\$50.000	-126.000	LF	\$-6,300.00	0002
0400	1041	651.15	SEED ,	\$5.000	12.000	LB	\$60.00	0003
0405	1041	651.18	FERTILIZER ,	\$2.500	58.000	LB	\$145.00	0003
0500	1051	649.51	GEOTEXTILE FOR SILT FENCE,	\$3.000	-103.000	SY	\$-309.00	0003
0600	1081	678.23	WIRED CONDUIT,(2")(PVC)	\$12.500	-101.000	LF	\$-1,262.50	0003
0620	1081	679.21	LIGHT POLE BASE,	\$750.000	-2.000	EACH	\$-1,500.00	0003
0145	1011	605.20	6 INCH UNDERDRAIN CARRIER PIPE,	\$10.000	-22.000	LF	\$-220.00	0004
0600	1081	678.23	WIRED CONDUIT,(2")(PVC)	\$12.500	101.000	LF	\$1,262.50	0004
0695	1083	900.640	SPECIAL PROVISION,(POLYETHYLENE PIPE SLEEVE)(1 X 18")	\$150.000	-80.000	LF	\$-12,000.00	0005
0615	1081	678.30	ELECTRICAL CONDUIT SLEEVE,(8")(PVC)	\$50.000	-123.000	LF	\$-6,150.00	0006
0145	1011	605.20	6 INCH UNDERDRAIN CARRIER PIPE,	\$10.000	22.000	LF	\$220.00	0007
0325	1011	675.20	TRAFFIC SIGNS, TYPE A,	\$13.200	-26.000	SF	\$-343.20	0007
0340	1011	675.301	FLANGED CHANNEL SIGN POST,	\$6.050	-99.000	LF	\$-598.95	0007
0615	1081	678.30	ELECTRICAL CONDUIT SLEEVE,(8")(PVC)	\$50.000	-81.000	LF	\$-4,050.00	0007
0135	1011	604.415	REHAB. DROP INLETS, CATCH BASINS, OR MANHOLES, CLASS II,	\$2,000.000	-0.750	EACH	\$-1,500.00	0008
0500	1051	649.51	GEOTEXTILE FOR SILT FENCE,	\$3.000	487.700	SY	\$1,463.10	0008
0615	1081	678.30	ELECTRICAL CONDUIT SLEEVE,(8")(PVC)	\$50.000	330.000	LF	\$16,500.00	0008
0620	1081	679.21	LIGHT POLE BASE,	\$750.000	2.000	EACH	\$1,500.00	0008
0635	1081	679.47	BRACKET ARM, (10' TRUSS ARM)	\$385.000	-1.000	EACH	\$-385.00	0008
0650	1081	679.50	LUMINAIRE ,	\$550.000	-1.000	EACH	\$-550.00	0008
0695	1083	900.640	SPECIAL PROVISION,(POLYETHYLENE PIPE SLEEVE)(1 X 18")	\$150.000	80.000	LF	\$12,000.00	0008
0150	1011	605.95	UNDERDRAIN FLUSHING BASIN,	\$100.000	-1.000	EACH	\$-100.00	0009
0320	1011	649.31	GEOTEXTILE UNDER STONE FILL,	\$3.000	-16.700	SY	\$-50.10	0009
0325	1011	675.20	TRAFFIC SIGNS, TYPE A,	\$13.200	26.000	SF	\$343.20	0009
0340	1011	675.301	FLANGED CHANNEL SIGN POST,	\$6.050	99.000	LF	\$598.95	0009
0635	1081	679.47	BRACKET ARM, (10' TRUSS ARM)	\$385.000	1.000	EACH	\$385.00	0009

Agency of Transportation  
Estimate Summary to Contractor

Contract ID: 08031401

Estimate Number: 0005

Pay Period:

Vendor ID: 11010762010

Vendor Name: J. HUTCHINS, INC.

08/28/2008-09/10/2008

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0650	1081	679.50	LUMINAIRE ,	\$550.000	1.000	EACH	\$550.00	0009
0135	1011	604.415	REHAB. DROP INLETS, CATCH BASINS, OR MANHOLES, CLASS II,	\$2,000.000	0.750	EACH	\$1,500.00	0010
0150	1011	605.95	UNDERDRAIN FLUSHING BASIN,	\$100.000	1.000	EACH	\$100.00	0010

Rpt-ID: RCPESPRJ

Vermont

Date: 05.08.2008

User: bcodling

Agency of Transportation

Page 1 of 3

Estimate Summary By Project

Contract ID: 08020103

Estimate Number: 0001

Pay Period: 02.28.2008  
to 05.07.2008

**Contract Location:**  
IN CABOT ON TH 41 0.105 KM EAST OF THE JUNCTION OF  
VT 215 GO EAST ON TH 41 FOR 50 METERS

**Time Allowed:** 258 Days  
**Time Charged:** 1 Days  
**Elapsed Calendar Days:** 70 Days  
**Percent Time:** 28.12

**Region:** NE      **Residency:**

**Contractor:**  
TREMBLAY CONSTRUCTION, LLC  
P.O. BOX 63  
50 FIREHOUSE LANE

**Date Let:** 02/01/2008  
**Date Awarded:** 02/07/2008  
**Date Contract Executed:** 02/19/2008  
**Date Notice to Proceed:** 02/28/2008  
**Date Work Began:** 00:00:0000  
**Date Time Stopped:** 00:00:0000  
**Date Accepted:** 00:00:0000  
**Adjusted Completion Date:** 11/21/2008

WASHINGTON VT 05675  
**Phone:** 802-883-2353

**Escrow Agent:**  
**Surety Co:** Surety

**Current Contract Amount** \$535,257.00  
**Original Contract Amount** \$535,257.00  
**Funds Available** \$504,257.00  
**Percent Complete** 5.79%

<b>Counties:</b>
CABOT

Construction Engineer

Rpt-ID: RCPESPRJ

Vermont

Date: 05-08-2008

User: boodling

Agency of Transportation  
Estimate Summary By Project

Page 2 of 3

Contract ID: 08020103

Estimate Number: 0001

Pay Period: 02-28-2008  
to 05-07-2008

Project Number: 95J270 REPLACEMENT OF BRIDGE NO. 37 ALONG WITH I  
- APPROACH WORK  
Federal State Project Number: CABOT BRD 1446(27)

	Total to Date	Prev to Date	This Estimate
Participating	\$31,000.00	\$0.00	\$31,000.00
Non-Participating	\$0.00	\$0.00	\$0.00
<b>Total Earnings</b>	<b>\$31,000.00</b>	<b>\$0.00</b>	<b>\$31,000.00</b>
Stockpiled Materials	\$0.00	\$0.00	\$0.00
<b>Gross Earnings</b>	<b>\$31,000.00</b>	<b>\$0.00</b>	<b>\$31,000.00</b>
Payment Adjustment 1	\$0.00	\$0.00	\$0.00
Payment Adjustment 2	\$0.00	\$0.00	\$0.00
Payment Adjustment 3	\$0.00	\$0.00	\$0.00
Other Adjustments	\$0.00	\$0.00	\$0.00
Retainage	\$0.00	\$0.00	\$0.00
Escrow Amount	\$0.00	\$0.00	\$0.00
Securities Encumbered	\$0.00	\$0.00	\$0.00
Liq Dam Incent/Disincent	\$0.00	\$0.00	\$0.00
<b>Total:</b>	<b>\$31,000.00</b>	<b>\$0.00</b>	
		<b>Total Payable:</b>	<b>\$31,000.00</b>

Rpt-ID: RCPESPRJ

Vermont

Date: 05/08/2008

User: bcodling

Agency of Transportation  
Estimate Summary By Project

Page 3 of 3

Contract ID: 08020103

Estimate Number: 0001

Pay Period: 02/28/2008  
to 05/07/2008

Project Number 96J270

LIN	Item Code	Item Description 1 Item Description 2 Supplemental Description 1 Supplemental Description 2	Units	Auth Qty Unit Price	Prev Qty Qty This Period Qty To Date	Amount This Period	Cumulative Amount
<b>Category Number: 1011 ROADWAY</b>							
0070	635.11	MOBILIZATION DEMOBILIZATION	LS	1.000 37000.000	.000 .500 .500	\$18,500.00	\$18,500.00
0075	641.10	TRAFFIC CONTROL	LS	1.000 11000.000	.000 .500 .500	\$5,500.00	\$5,500.00
<b>Category Amount:</b>						\$24,000.00	\$24,000.00
<b>Category Number: 1051 EROSION CONTROL</b>							
0150	652.10	EPSC PLAN	LS	1.000 6000.000	.000 .500 .500	\$3,000.00	\$3,000.00
<b>Category Amount:</b>						\$3,000.00	\$3,000.00
<b>Category Number: 1999 FULL C.E. ITEMS</b>							
0300	631.10	FIELD OFFICE, ENGINEERS	LS	1.000 16000.000	.000 .250 .250	\$4,000.00	\$4,000.00
<b>Category Amount:</b>						\$4,000.00	\$4,000.00
<b>Project Total Amount:</b>						\$31,000.00	\$31,000.00

# Contract Item Summary Report

Contract 07042701 HARTFORD RS 0113(40)

Project 86C027 HARTFORD RS 0113(40)

Category Number: 1011 ROADWAY

Item	Item Code	Description	Unit	Unit Price	Contract Qty	Paid to Date
0005	201.10	CLEARING AND GRUBBING (INCL. INDV. TREES & STUMPS)	LS	\$40,000.00	1	1
0010	203.15	COMMON EXCAVATION	CY	\$8.00	40194	38996.44
0015	203.16	SOLID ROCK EXCAVATION	CY	\$15.00	1800	1399.35
0020	203.28	EXCAVATION OF SURFACES AND PAVEMENTS	CY	\$12.00	130	69.9
0025	203.31	SAND BORROW	CY	\$8.00	4500	3614.91
0030	203.40	FINE GRADING-SUBGRADE	SY	\$1.00	31000	30053.42
0035	204.20	TRENCH EXCAVATION OF EARTH	CY	\$30.00	10100	7914.75
0040	204.21	TRENCH EXCAVATION OF ROCK	CY	\$175.00	130	196.29
0045	204.25	STRUCTURE EXCAVATION	CY	\$25.00	155	153.9
0050	204.30	GRANULAR BACKFILL FOR STRUCTURES	CY	\$35.00	1235	992.72
0055	210.10	COLD PLANING-BIT.PAVEMENT	SY	\$12.00	975	314.88
0060	301.35	SUBBASE OF DENSE GRADED CRUSHED STONE	CY	\$20.00	25300	21409.94
0065	404.65	EMULSIFIED ASPHALT	CWT	\$200.00	70	55.376
0070	406.50	PRICE ADJUSTMENT ASPHALT CEMENT (N.A.B.I.)	LU	\$1.00	1	100431.21
0075	490.30	SUPERPAVE BITUMINOUS CONCRETE PAVEMENT (PG 58-	TON	\$95.00	11470	111719.61
0080	501.25	CONCRETE, CLASS B	CY	\$1,200.00	15	54.135
0085	501.31	CONCRETE CLASS D (MOD. - FLOWABLE FILL)	CY	\$125.00	200	105

Thursday, January 22, 2009

Page 1 of 17

# Estimate Item Detail

Estimate Begin Date: 8/21/2008  
Estimate End Date: 9/3/2008

**HARTFORD RS 0113(40)**

Contract ID: 07042701

Project 86C027 HARTFORD RS 0113(40)

Category 1011 ROADWAY Contractor: PIKE INDUSTRIES, INC.

Item Code: 0010 203.15 COMMON EXCAVATION

DWR Date Reported Qty Location Installed

DWR Date	Reported Qty	Location	Installed	Station	to	Station
20080821	41.5	reconstruct drive @ 3+00	Worcester Ave.	+	0	+ 0
20080903	2338	21+45-24+00 rt & 21+45-24+00 rt estimate		+	0	+ 0
Total Installed for						
2,379.500						

Item Code: 0025 203.31 SAND BORROW

DWR Date Reported Qty Location Installed

DWR Date	Reported Qty	Location	Installed	Station	to	Station
20080903	583.2	box cut		21 +	45	rt 24 + 0
Total Installed for						
583.200						

Item Code: 0030 203.40 FINE GRADING-SUBGRADE

DWR Date Reported Qty Location Installed

DWR Date	Reported Qty	Location	Installed	Station	to	Station
20080903	777.6	box cut		21 +	45	rt 24 + 0
Total Installed for						
777.600						

Item Code: 0035 204.20 TRENCH EXCAVATION OF EARTH

DWR Date Reported Qty Location Installed

DWR Date	Reported Qty	Location	Installed	Station	to	Station
20080829	1.56	UDS #6		25 +	22	rt 25 + 26

Thursday, January 22, 2009

Page 1 of 14



State of Vermont  
 Construction Section  
 1 National Life Drive  
 Montpelier, VT 05663-5001  
 www.aot.state.vt.us

Agency of Transportation

[phone] 802-828-2593  
 [fax] 802-828-2795  
 [ttd] 800-253-0191

PROJECT: \_\_\_\_\_

PROPERTY OWNER'S RELEASE  
 KNOW ALL TO WHOM THESE PRESENTS COME:

THAT the undersigned, \_\_\_\_\_, of \_\_\_\_\_, in the County of \_\_\_\_\_ and State of \_\_\_\_\_, owner(s) of certain lands and premises adjacent to a certain public highway in the Town of \_\_\_\_\_; and known as \_\_\_\_\_; in consideration of the improvements on said land and premises in connection with construction on said highway, to wit:

do hereby waive, release and discharge the Agency of Transportation of the State of Vermont, and all of their officers, agents, and employees of and from any damage or claim of damages of any kind or nature which I (we) may have claim to have now or in the future in connection with the above-mentioned work done or to be done on said land and premises.

It is not intended to hereby exempt any party or contractor who may be hereafter designated to perform the work hereinabove provided from liability for damage to the property due to negligent acts or omissions.

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_ and State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_.

\_\_\_\_\_  
 Property Owner's Signature

\_\_\_\_\_  
 Property Owner's Name (Printed)

- Project File/Regional Construction Engineer
- Project Manager
- Property Owner
- Resident Engineer
- Right-of-Way Section via Construction Engineer (Original Copy)





# BI-WEEKLY TIME and EXPENSE SHEET

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_ Time Period \_\_\_\_\_  
 Project Name and Number: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_

## Time

	Week 1							Week 2								
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
Date																
Straight Time																
Overtime																

## Expenses

	Week 1							Week 2								
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
Mileage																
Meals																
Lodging																
Other Expenses																

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_



**PDD - Construction Section**  
**Emergency Contact & 511 Information**  
**Input Form**

**Instructions:**

Tab Through Form, completing all Gray fields that apply. When Complete please send an electronic version to your regional office.

Project Name & Number:			
Resident Engineer:	Name		Field Office #
	Cell #		Pager #
Project Field Office Address:			
Description of Project:			

State Route, Interstate, or Bridge Number(s)	
--	--

Location Specifics: Use a MM, Exit No., or other identifier when possible. Include Town or City.	
--	--

Lane Closure or Roadway Restrictions:	
---------------------------------------	--

Type of Detour (Choose One)	All Traffic		Cars Only
	Trucks Only		Other

Details & Specifics:	
----------------------	--

Duration of Construction or Restriction(s)	Anticipated Begin Date		Anticipated End Date
--	------------------------	--	----------------------

Days of Operation (including weekends)	
--	--

Hours of Operation (specify day or night hours)	
---	--

Traffic Control or Restrictions In-Place	Flaggers		Temporary Signal
Please check all that apply with an "X"	Speed Enforcement		Other

Delay Status (Choose One)	Short		Long
---------------------------	-------	--	------

Regional Construction Engineer	Name		
--------------------------------	------	--	--

Contact Information	Cell #		Regional Office
---------------------	--------	--	-----------------

Construction Engineer (Headquarters)	David Hoyne 802-828-2593 (Main Desk)		
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Name & Address of Contractor			
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Superintendent	Name		Contact #
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Emergency Contact Information (after hours)	Name		Contact #
---	------	--	-----------

Contractors Competent Person	Name		Contact #
------------------------------	------	--	-----------

Contractors Safety Officer	Name		Contact #
----------------------------	------	--	-----------

Public Relations Contact	Name		Contact #
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Miscellaneous Information			
<i>Any changes during the course of the project should be directed to Transportation Operations Center at 828-2648. Also, please send an electronic version to your Regional Office.</i>			

<b>Distribution List:</b>			
Municipality (Town or City):		DMV - Oversized Permits Section: Donna Earl / Kim Plante	
Operations Communications Center: Larry Dodge		Other:	
Operations Maintenance District(s):			
Headquarters Project Files			
Regional Office Project File			
State Police Barracks via this email address:	<a href="mailto:PSAPSUPERV@dps.state.vt.us">PSAPSUPERV@dps.state.vt.us</a>	(This Email for Distribution Purposes ONLY)	

Revised 03/22/2011



State of Vermont  
 Construction Section  
 1 National Life Drive  
 Montpelier, VT 05663-5001  
 www.aot.state.vt.us

Agency of Transportation

[phone] 802-828-2593  
 [fax] 802-828-2795  
 [ttd] 800-253-0191

## Notification of Roadway Restrictions

PROJECT NAME: \_\_\_\_\_ PROJECT NUMBER: \_\_\_\_\_

EXACT LOCATION: \_\_\_\_\_  
 \_\_\_\_\_

ROUTE No. \_\_\_\_\_ BRIDGE: \_\_\_\_\_

LENGTH OF PROJECT: \_\_\_\_\_

WIDTH OF LANE AT NARROWEST POINT: (SEE NOTE 1 BELOW) \_\_\_\_\_ FEET

TWO-WAY TRAFFIC ON BRIDGE AND TWO-WAY DETOUR: \_\_\_\_\_

WHICH LANE IS CLOSED: \_\_\_\_\_

NATURE OF CONSTRUCTION: \_\_\_\_\_

SPEED LIMIT THROUGH PROJECT AREA: \_\_\_\_\_ M.P.H.

SURFACE-PAVED or UNPAVED?: \_\_\_\_\_

EXPECTED DURATION FROM: \_\_\_\_\_ TO \_\_\_\_\_  
 (month/day/year) (month/day/year)

CURVE INVOLVED? YES \_\_\_\_\_ NO \_\_\_\_\_

RECOMMEND SHORTER LENGTH OF TRUCK? \_\_\_\_\_ FEET

OTHER COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

BE SURE TO TURN OVER AND FILL OUT THE BACK OF THIS SHEET ALSO. THANKS.



RESIDENT ENGINEER: \_\_\_\_\_

WORK TRAILER PHONE NUMBER: \_\_\_\_\_

IS RESTRICTION DAYTIME ONLY, OR DAY AND NIGHT? \_\_\_\_\_

NOTES:

When giving the width of lane DO NOT build in an allowance for safety, etc. as this is done in Engineering. For example: If you have jersey barrier on both sides and there is a measured distance of 14' 0" between the two sides, do not put in less than the 14' distance under width of lane at narrowest point. Engineering has set standards for various load types for the required width needed for these moves.

Restrictions must be completed and sent to the Construction office. Resident Engineer to fax a copy to Motor Vehicles' Oversize Permit Section. The Resident Engineer is responsible for submitting these with enough lead time to ensure that DMV has a MINIMUM of two weeks notice prior to the restriction taking effect.

This sheet is intended to be used for long term restrictions such as one-way traffic on bridges and one-way detours, but not for daily restrictions controlled by flaggers of Uniformed Traffic Officers UNLESS oversize vehicles will not be able to pass through.

When in doubt, ASK. If you have questions or concerns please call 828-2593.

c Communications/Operations – National Life Building

(Larry Dodge [larry.dodge@state.vt.us](mailto:larry.dodge@state.vt.us) and Gregory Fox [gregory.fox@state.vt.us](mailto:gregory.fox@state.vt.us))

Montpelier Project Files

Motor Vehicle Oversize Permit Section (Fax Number 828-5418)

(Donna Earle [donna.earle@state.vt.us](mailto:donna.earle@state.vt.us))

Project File/Regional Secretary – Original

Resident Engineer

Structures Section, Pam Thurber

Traffic Operations, Bruce Nyquist

Traffic Operations, Josh Schultz

RESIDENT ENGINEER VERIFICATION FORM

Date: \_\_\_\_\_

 Resident Engineer or  
 VTrans Inspector: \_\_\_\_\_

Project Name &amp; Number: \_\_\_\_\_

 Prime Contractor & Any  
 Subcontractor(s): \_\_\_\_\_

**Section 1**
Payroll Verification

Pay Date: \_\_\_\_\_ Week Ending: \_\_\_\_\_

**Check All That Apply**

- The certified payrolls have been reviewed and meet all Davis-Bacon requirements.
- The following certified payroll has been reviewed and the following Davis-Bacon deficiencies are noted:

 The following employees were interviewed:


**Section 2**
General EEO/Contractor & Labor Compliance Verification

- Is the Resident Engineer Aware of any non-compliance with prompt pay and/or retainage requirements?  
 Yes  No
- Are all required posters in place?  Yes  No

**Questions for the Project Supervisor:**

- Is there a log of walk-in applicants kept on file on the project?  Yes  No
- Is the company EEO Policy Available to all employees?  Yes  No
- Are all employees given equal opportunity for training, promotion, O/T, etc. without regard to gender, race, ethnicity, age or any other state or federally protected group or class?  Yes  No
- Are there any females or minorities currently working on the project?  Yes(List Below)  No

Name	Employer	Classification	Female/ Minority
			Female

OJT (if applicable)

- Are the OJT Weekly Progress Reports being submitted in a timely manner and are they correctly completed?  
 Yes  No

**Section 3**

**DBE**

- Are DBEs working on the project as primes or subs?  Yes  No If Yes, complete the CUF Form below  
To view the complete list of DBE's go to: <http://www.aot.state.vt.us/civilrights/Documents/WEBDBEREGISTRYFULL.pdf>

**Commercially Useful Function (CUF) Monitoring**

DBE Company Name:

LD Safety Marking

DBE is performing as:  Prime Contractor  Subcontractor  Second Tier Subcontractor  
 Material Supplier  Manufacture  Regular Dealer  Broker

**Performing**

Does the DBE have employees on the job to perform work?  Yes  No  
 Do the DBE's employees only work for the DBE?  Yes  No  
 Is the DBE working without assistance from the prime contractor or another subcontractor?  Yes  No  
 Is the DBE only using equipment it owns, rents, or leases?  Yes  No

**Materials**

Does a review of the load tickets and/or bills of lading indicate the material is being supplied by the DBE?  Yes  No

**Supervising**

Is the DBE supervising it's employees and their work?  Yes  No  
 Is the supervisor a full-time employee of the DBE?  Yes  No

**CUF**

Does the DBE appear to be performing a Commercially Useful Function (CUF)?  Yes  No  
 If DBE is **not** performing a CUF, contact Sonya Boisvert at 828-2644 or e-mail: [sonya.boisvert@state.vt.us](mailto:sonya.boisvert@state.vt.us)

Comments:

**Section 4**

**Only complete the below portion if more than one DBE is on the project.**

DBE Company Name: LD Safety Marking

DBE is performing as:  Prime Contractor  Subcontractor  Second Tier Subcontractor  
 Material Supplier  Manufacture  Regular Dealer  Broker

**Performing**

Does the DBE have employees on the job to perform work?  Yes  No  
 Do the DBE's employees only work for the DBE?  Yes  No  
 Is the DBE working without assistance from the prime contractor or another subcontractor?  Yes  No  
 Is the DBE only using equipment it owns, rents, or leases?  Yes  No

**Materials**

Does a review of the load tickets and/or bills of loading indicate the material is being supplied by the DBE?  Yes  No

**Supervising**

Is the DBE Supervising it's employees and their work?  Yes  No  
 Is the supervisor a full-time employee of the DBE?  Yes  No

**CUF**

Does the DBE appear to be performing a Commercially Useful Function (CUF)?  Yes  No  
 If DBE is **not** performing a CUF, contact Sonya Boisvert at 828-2644 or e-mail: [sonya.boisvert@state.vt.us](mailto:sonya.boisvert@state.vt.us)

Comments:

## Instructions for using the New Resident Engineer Verification Form

To ensure compliance with all federally mandated civil rights requirements, including payroll and Commercially Useful Function (CUF) we have made several updates/changes to the RE Verification form. You will notice that it has gotten longer, with more questions but we have also changed the procedures for using it so that you will only have to fill out one form per week per project, no matter how many subcontractors submit certified payrolls that week.

First things first; Open the document and save it. Please use the following naming convention when saving the form: REVerificationContractorNameWeekEndingDate for example: REVerificationPikeWE041511. This is how they should be sent to me.

In the past you had to complete this form for each payrolls, prime and subs. Now you will only have to do one form once a week. For example, when you go in and check your payroll file and there are payrolls in there for the prime and two subs, you should use just one form for all 3 of those payrolls. I have listed below step by step instructions for using the new form.

1. Enter date, RE/Inspector name, and the project name and number.
2. Enter contractor's/subcontractors name. For example: Pike (Prime) ADA and L&D(subs), the form would look like this:

Agency of Transportation		RESIDENT ENGINEER VERIFICATION FORM	
Date:			
Resident Engineer or VTrans Inspector:			
Project Name & Number:			
Prime Contractor & Any Subcontractor(s):		Pike/ADA/L&D	
<b>Payroll Verification</b>			
Pay Date:	And list all 3 pay dates:	Week Ending:	Pay week they are for:
Check All That Apply			
<input type="checkbox"/> The certified payroll has been reviewed and meet all Davis-Bacon requirements.			
<input type="checkbox"/> The following certified payroll has been reviewed and the following Davis-Bacon deficiencies are noted:			

3. Enter week ending date and pay date for all payrolls you are submitting the payroll for.

### Section 1 - Payroll Verification:

4. Note any discrepancies and employee interviews. This has not changed, and is the same as last season.
5. OJT info if applicable.

### Section 2 - New to the form:

6. **General EEO/Contractor & Labor Compliance Verification**  
Some of these questions are for you to answer and some you will need to ask the project supervisor.

**General EEO/Contractor & Labor Compliance Verification**

- Is the Resident Engineer Aware of any non-compliance with prompt pay and/or retainage requirements?  Yes  No
- Are all required posters in place?  Yes  No

**Questions for the Project Supervisor:**

- Is there a log of walk-in applicants kept on file on the project?  Yes  No
- Is the company EEO Policy Available to all employees?  Yes  No
- Are all employees given equal opportunity for training, promotion, O/T, etc. without regard to gender, race, ethnicity, age or any other state or federally protected group or class?  Yes  No
- Are there any females or minorities currently working on the project?  Yes (List Below)  No

Name	Employer	Classification	Female	Minority	Female
			Female	Minority	Female
			Female	Minority	Female
			Female	Minority	Female
			Female	Minority	Female

**OJT (if applicable)**

- Are the OJT Weekly Progress Reports being submitted in a timely manner and are they correctly completed?  Yes  No

This is a drop down option.

**Section 3 – DBE and Commercially Useful Function (CUF) Monitoring:**

If there is a DBE working on the project as a prime or sub then you need to complete the rest of the form.

- Enter company name. To make this easier we have added a drop down box that list the most commonly used DBE's. To view a complete list of DBE's go to our website: <http://www.aot.state.vt.us/civilrights/Documents/WEBDBEREGISTRYFULL.pdf>

**Commercially Useful Function (CUF) Monitoring**

DBE Company Name:

DBE is performing:  LD Safety Marking s

Does the DBE perform work?  Yes  No

Is the DBE working as a prime contractor or another subcontractor?  Yes  No

Does the DBE own, lease, or leases?  Yes  No

Does a review of loading indicate the material is being supplied by the DBE?  Yes  No

Supervising

Is the DBE supervising it's employees and their work?  Yes  No

Is the supervisor a full-time employee of the DBE?  Yes  No

CUF

Does the DBE appear to be performing a Commercially Useful Function (CUF)?  Yes  No

If DBE is not performing a CUF, contact Sonya Boisvert at 828-2644 or e-mail: [sonya.boisvert@state.vt.us](mailto:sonya.boisvert@state.vt.us)

Comments:

**Section 4:**

- You will only need to complete section 4 of the form if there is more than one DBE subcontractor on the project.

Please complete the entire form weekly and send to Sonya. Thank you!



**TO:** Construction Personnel

**FROM:** David J. Hoyne, Construction Engineer *DJH.*

**DATE:** March 3, 2010

**SUBJECT:** Field Memo #1 - 2010  
Independent Cost Analysis for New Items added by Change in  
Design/Supplemental Agreement

As part of the American Recovery and Reinvestment Act (ARRA) the Federal Highway Administration (FHWA) conducted field reviews of several ARRA funded projects. One of the findings of this review was a lack of an independent cost analysis of new items added to the contract by a Change in Design/Supplemental Agreement. This field memo provides the background information from the Code of Federal Register (CFR) and the procedure for staff to follow.

The following is pulled directly from the report prepared by the FHWA review team:

**COMPLIANCE ISSUES:**

1. States are required to perform and document a cost analysis for each negotiated change order or extra work order. This requirement is contained in 23CFR 635.120(e). The purpose of this estimate is to provide the Resident Engineer with a basis for negotiating with the Contractor to ensure that the State is paying a fair price for the required work. Change Orders should not be based solely on the Contractors price quote.

**REVIEW RECOMMENDATIONS:**

1. VTRANS should provide direction to its Resident Engineers on the requirement for an independent State's estimate and should provide guidance on how to prepare such an analysis.

Note: that while nothing in the findings or the regulations addresses the timing of the cost analysis, it is prudent that the analysis be based on an estimate made prior to receipt of the contractor's price(s). That is so the estimate may be used in any negotiation with the contractor, or in a decision to use the force account method of payment.

The following is the language from 23CFR 635.120(e) supporting the finding:

23 CFR 635 CONSTRUCTION AND MAINTENANCE

635.120 Changes and extra work.

(a) Following authorization to proceed with a project, all major changes in the plans and contract provisions and all major extra work shall have formal approval by the Division Administrator in advance of their effective dates. However, when emergency or unusual conditions justify, the Division Administrator may give tentative advance approval orally to such changes or extra work and ratify such approval with formal approval as soon thereafter as practicable.

(b) For non-major changes and non-major extra work, formal approval is necessary but such approval may be given retroactively at the discretion of the Division Administrator. The STD should establish and document with the Division Administrator's concurrence specific parameters as to what constitutes a non-major change and non-major extra work.

(c) Changes in contract time, as related to contract changes or extra work, should be submitted at the same time as the respective work change for approval by the Division Administrator.

(d) In establishing the method of payment for contract changes or extra work orders, force account procedures shall only be used when strictly necessary, such as when agreement cannot be reached with the contractor on the price of a new work item, or when the extent of work is unknown or is of such character that a price cannot be determined to a reasonable degree of accuracy. The reason or reasons for using force account procedures shall be documented.

(e) The STD shall perform and adequately document a cost analysis of each negotiated contract change or negotiated extra work order. The method and degree of the cost analysis shall be subject to the approval of the Division Administrator.

(f) Proposed changes and extra work involved in nonparticipating operations that may affect the design or participating construction features of a project, shall be subject to review and concurrence by the Division Administrator.

The following text is the background and guidance the FHWA has provided on this subject and change orders in general and is also available at the following web address:

<http://www.fhwa.dot.gov/programadmin/contracts/core03.cfm#s3B05>

### **Change Orders (Extra Work and Time Extensions) / Participation**

#### **Background:**

Establishing a strict set of rules to govern policy on change orders is not practicable since applying the rules would be subject to the specific circumstances that created the need for the change order.

It is unrealistic to expect that a construction project could be built without deviating from the project plans. Although project designers should be diligent and exercise due care in developing the plans, they are not omniscient. There are many peculiarities (e.g., unforeseen site conditions,

utility conflicts, changes in the geology, etc.) that can arise during construction and virtually every project should expect changes. Only the construction engineer is in a position to judge the adequacy of the project's design and respond to needed changes.

Frequently, change orders are used to make the design a better fit for the actual field conditions. Also, a change order may result in a better product at no substantial increase in cost or time, or an equivalent product with savings in cost, time, or both. Generally, change orders are classified by purpose:

- plan changes,
- specification changes,
- change in cost (+/-), and
- change in time (+/-).

**Guidance:**

Major extra work or major changes in the contract plans and provisions need to be formally approved in advance by the FHWA. This approval is needed in advance to assure that other documents are modified (environmental document, TIP/STIP, etc.) or to determine that the work is eligible, and/or to determine if the work should be advertised as a separate contract. However, when emergency or unusual conditions justify, FHWA may give advance verbal approval and ratify such approval with formal approval, as soon as practicable.

Non-major changes and non-major extra work also require formal approval; however such approval can be given verbally. The DWR should be used to document verbal approvals and noted on the change order. Non-major changes and non-major extra work on non-oversight projects do not require FHWA's approval pursuant to the Stewardship Agreement.

*A Major change or major extra work shall hereby mean a change which:*

1. *Extend the project limits beyond those stated in the environmental document (for those projects with an environmental document).*
2. *Significantly affect the cost of the project (Increases or decreases the project cost by more than 25% or \$250,000 whichever is less (does not apply to commodity price adjustments such as APA and FPA).*
3. *Adds to the project work that is not within the original character or scope of work that would require a change to the environmental document (for those projects with an environmental document).*
4. *Adds to the project work that is not within the original character or scope of work that would require a change to the environmental permit.*

Coordination between the VTrans and the FHWA is essential in the review of change orders. There are four basic components that will be considered during review of change orders. These considerations are:

1. Federal aid eligibility;
2. impact on the original "scope of the work,"
3. basis of payment, and
4. time adjustments.

**Federal-aid Eligibility.** Typically, if the proposed change is eligible for Federal aid reimbursement, then full participation logically follows. However, there may be situations where

only parts of the change order are eligible. FHWA is prohibited from participating in costs related to routine or recurring maintenance (snow removal, graffiti removal, litter pickup, mowing, roadside vegetation control, etc.), however, FHWA may participate in preventive maintenance work that is shown to be cost effective (such as pavement joint repair, crack sealing, drainage clean out work, etc.).

Participation in design or construction engineering errors in general is determined on case by case basis, considering each on its own merits. Participation in errors that may reasonably be expected to occasionally occur (despite the exercise of normal diligence) may be justified, as long as there was no carelessness, negligence, incompetence, or under-staffing as the contributing factor.

Participation in consultant design errors is generally limited to the additional construction costs resulting from such errors and the consultant should pay for the cost of the new design as long as the errors are not a result of gross negligence or carelessness. Refer to consultant design errors and omission document for additional guidance.

**Impact on the Original "Scope of the Work".** Typically, if the proposed change falls within the previously authorized scope of work, then FHWA participation follows.

There may be circumstances in which participation in the full scope of the change order work is precluded. For example, a change order on a pavement rehabilitation project may provide for the installation of additional edge drains at and beyond the project limits. A change of the project limits and modification of the project agreement would be needed in order for the cost of edge drains outside the project limits to be eligible. Otherwise, participation would be limited to the cost of edge drains up to the original project limits.

There may be other circumstances where major contract modifications are proposed which are beyond the original scope of work. In those cases it must determine whether the additional work is a modification of the original scope or a significant change that would benefit from competitive bidding. The individual circumstances associated with the magnitude and quality of the change as well as the cumulative impact upon the whole project should be reviewed. Among the considerations are:

- Have the contract work elements changed?
- How does the additional work impact quantities and cost?
- Does the proposed change impact the complexity of the work?
- What is the cumulative impact on the project?
- Would the public benefit from competitive bidding rather than a negotiated change?

**Basis of Payment.** A cost analysis must be performed and suitably documented for each negotiated work change order. The method and degree of analysis is dependent on the type and cost of the work to be done. The following guidance is to be used for non-major changes and non-major extra work change orders:

- For known defined types of work, average unit bid prices can be used to analyze and document the reasonableness of the cost of the work. A defined type of work is considered to be one that has a pay item with substantial bid history. Payment can be by lump sum or unit of measurement.
- For unknown types of work the estimated usage of labor, equipment, and materials shall be used to analyze and document the reasonableness of the cost of the work. This work estimate can be an effort as submitted by the contractor or an estimate developed by VTrans. Payment can be by lump sum or unit of measurement.

- Force account procedures should only be used as a last resort when agreement cannot be reached on the price of a new work item, or when the extent of the work is unknown or of such character that a price cannot be determined to a reasonable degree of accuracy.

For major changes and major extra work change orders an estimate from PDD (Project Manager) should be used to analyze and document the reasonableness of the cost of the work. Payment can be by lump sum or unit of measurement.

**Time Extensions.** The change order should also provide the time needed to accomplish the work. If work covered by a change order affects a controlling operation, a change in the contract time may be warranted. If the controlling operation is unaffected, a change in the contract time is not warranted. In order to establish the time required to perform the work, an estimate of the time should be developed as the other components (i.e., labor, equipment, and materials) are estimated.

Occasionally, there are events that are beyond the control of the contractor that affect the controlling operation. Such events include the following:

- labor strikes (including job pickets),
- public protests (to the project),
- general riot,
- declaration of war,
- "acts of God," and
- traffic accidents (e.g., hazardous spills).

Events that are normally considered to be under the control of the contractor and, therefore, do not warrant a time extension include:

- shutdowns for maintenance,
- breakdowns,
- suspensions or stop work orders for violation of safety or pollution regulations,
- shutdowns for construction accidents, and
- material delays.

The contractor is responsible for the timely order and delivery of materials for the project. A delay in delivery of materials does not in itself generally support an extension of contract time. However, if an **unusual** market condition (i.e., an industry wide strike, natural disaster, or area-wide shortage) occurs, a time extension may be in order.

Delays due to inclement weather should be expected and should generally not be the basis for a change in contract time except in extreme cases.

Also delays due to utility and/or railroad generally do not justify a time extension. Whenever the railroad or utility is permitted to adjust its facilities coincidentally with contract operations, such activities must be clearly addressed in the contract provisions. It should be understood that any interference by the railroad or utility to the contractor's operations generally will not constitute an allowable delay.

Budgetary problems may lead to inability to pay the contractor or provide adequate inspection staff. Federal participation has been refused in such costs based on the assurances required in 23 USC 302 that require States to be adequately staffed to carry out the Federal-aid program.

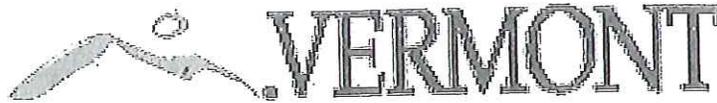
In summary, each negotiated change to a contract shall have appropriate support documentation consistent with these guidelines. As the guidelines affirm, the required analysis is commensurate with the magnitude of the change. There are several resources available to the Resident Engineer to assist with the analysis. The Quality Assurance Unit has staff dedicated to the practice of estimating, the historic bid information is available electronically, the Project Manager and design team stand ready to support us and finally the Regional Technician and Regional Construction Engineer will also have expertise to offer.

There is no standard formula that will apply to every situation. Each situation is unique and requires a careful assessment of the circumstances to determine an equitable adjustment for extra work. The Resident Engineer is uniquely positioned to have an overall sense of the work and the unique characteristics of the project that will enable a fair analysis to be performed.

The Resident Engineer has the lead role in conducting the analysis but the available resources should be used to augment the effort. As always, the chain of command is prepared to assist and consult as necessary.

This Field Memo is effective immediately.

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Feb 2014

Review AS  
B-21 Status  
DST-BA & RM

Agency of Transportation

Program Development Division  
Construction Section

**TO:** Construction Personnel

**FROM:** David J. Hoyne, Construction Engineer *DJH*

**DATE:** April 5, 2011

**SUBJECT:** Field Memo #1 - 2011 - Response to NRT DBE Findings

Resident Engineer Verification Form -Appendix B-19 (New 2011)  
 2011 CM Section 2-180.60, pg. II-40  
 2011 CM Section 2-130.60, pg. II-17  
 Subcontractor Check off Sheet -Appendix B-5 (Revised 2011)  
 DBE Policy Contract Requirements (CA110 - March 2011)

Over the past year as part of the American Recovery and Reinvestment Act (ARRA) the Federal Highway Administration (FHWA) National Review Team (NRT) conducted field reviews of several ARRA funded projects. The focus of this particular review centered on DBE compliance. Of the eight items listed in the review four items were identified as being processes or procedures that are under the direct control of the Construction Section.

The following is a listing of each observation and findings that are specific to the Construction Section's responsibility followed by the Sections response and plan of action to address the findings.

**Item #2 - NRT Observation and Finding:** During a demonstration of Site Manager it was observed that there were a number of inconsistencies in the data entered. This included but was not limited to such things as Prime Contractors being listed as DBE's on individual work items and incomplete or inconsistently used data fields. Since VTRANS field staff does not use a separate CUF analysis form, it appears they use Site Manager to document that DBE firms were on the project sites and performing work. If Site Manager is to be used to document the components of commercially useful function determinations, the data needs to be accurate, complete and consistent for all projects in all regions.

**Item #2 - Construction Section Action Plan:** VTrans concurs that the entire Site Manager chapter in the Construction Manual (Section IX) is due for a major overhaul, including all sections that must be accurate and complete to allow for effective DBE CUF monitoring, such as Section 5, which contains procedures for adding all available equipment, personnel and supervisory info for subcontractors, including DBE's. This project has been assigned a high priority; however, it is anticipated that from start to finish, this project will take in excess of one year, in order to accomplish a comprehensive and accurate reworking of all Site Manager procedures, and to develop training for all staff. In the interim VTrans is developing and implementing procedures and training for Construction field staff to ensure effective DBE CUF monitoring and documentation, which will be accomplished by the start of the 2011 season. The Site Manager Section of the Construction Manual (Section IX) will be revised on or before September 30, Field Memo #1 2011

2012, to ensure that all documentation of DBE CUF monitoring in Site Manager is consistent and accurate.

**Item #3 - NRT Observation and Finding:** The VTrans DBE Program document indicates that the State's Resident Engineers will be responsible for regular monitoring of DBE participation on the project site. VTRANS contract administration process, construction inspection details and overall project responsibilities are spelled out in its 2009 Construction Manual. This manual includes subsections 2-180.60 Equal Employment Opportunity and 2-180.70 Civil Rights; however, there is no discussion on its field staff's duties and responsibilities in fulfilling their regular monitoring of DBE participation. During project interviews the NRT found that the resident engineers seem to equate not having DBE project level goals to not having DBE program responsibility. It was apparent they do not fully understand or realize their role in DBE program implementation.

**Item #3 - Construction Section Action Plan:** Section 2-180.60 of the VTrans Construction manual will be revised to clearly identify field staff's duties and responsibilities for regular monitoring of DBE participation (see attached). In addition a revised *Resident Engineer Verification Form* (see attached) will be utilized by field staff. The form includes by way of a checklist format a method for field staff to document on every project a determination whether a DBE is performing a CUF. The use of this form reinforces the responsibilities that field staff has in the execution of the DBE policy.

**Item #4 - NRT Observation and Finding:** Pursuant to 49 CFR 26.55(c) VTRANS may count expenditures to a DBE contractor toward DBE goals only if the DBE is performing a commercially useful function on that contract. During interviews with field staff, it was apparent that VTRANS staff relies on their long working relationships with DBE's to equate to monitoring CUF. While that familiarity may simplify CUF monitoring of DBE's it does not constitute a conscious, documented CUF determination. VTRANS has many of the requisite components to ensure DBE's are performing a commercially useful function already documented or required to be documented--in Site Manager. Nonetheless, VTRANS does not have a mechanism to formalize and document for every DBE subcontract its determination whether that DBE is performing a commercially useful function.

**Item #4 - Construction Section Action Plan:** Section 2-180.60 of the VTrans Construction manual will be revised to clearly identify field staff's duties and responsibilities for regular monitoring and conformation that DBE's are performing a CUF (see attached). A revised *Resident Engineer Verification Form* (see the attached) will be utilized by field staff. The form includes by way of a checklist format a method for field staff to document on every project a determination whether a DBE is performing a CUF.

**Item #6 - NRT Observation and Finding:** VTRANS' CA-110 requires contracts at all levels to include the VTRANS DBE policy. 49 CFR 26.13 also requires VTRANS to ensure that all subcontracts contain this DBE policy. In reviewing the subcontracts brought by the DBE firms interviewed during the course of the NRT found this statement was not included.

**Item #6 - Construction Section Action Plan:** Under this field memo both Section 2-130.60 of the VTrans Construction Manual and the *Subcontractor Check Off Sheet (Appendix B-5)* shall be revised to include the requirement that all subcontracts must contain this DBE Policy. The revisions to the manual will include specific direction that this requirement must be executed as part of the Consent to Sublet process, by the regional office staff.

In addition to the above, attached you will find for your use, the updated Disadvantaged Business Enterprise (DBE) Policy Contract Requirements (CA110 – March 2011). The policy contains additional information and guidance that supports the changes to Construction Section procedures that are to be implemented as part of this field memo.

In summary, Item 2 will be acted upon over the course of the coming year. Items #3, #4, and #6, upon execution of this field memo, including updates to the Construction Manual, along with a briefing of each item at Spring Meeting, serves as VTrans response and action plan to the NRT findings.

The Resident Engineer and regional staff have an important responsibility in the implementation of the Agency's responsibility with regard to its DBE policy. If you have any questions regarding your role both your Regional Engineer and representatives of the Civil Rights section are prepared to answer any question you may have about the implementation of this policy.

This Field Memo is effective immediately.

Attachments:

*Resident Engineer Verification Form - Appendix B-19 (New 2011)*

2011 CM Section 2-180.60, pg. II-40

2011 CM Section 2-130.60, pg. II-17

*Subcontractor Check off Sheet - Appendix B-5 - (Revised 2011)*

DBE Policy Contract Requirements (CA110 – March 2011).

**State of Vermont  
Agency Of Transportation  
Construction Section**

**Drafting and Executing Change Orders – Guidance and Procedures**

**General**

The following provides the Resident Engineer and Regional Staff with the specific steps and guidance that are to be followed when drafting and executing a Change Order.

**Contents**

Each step listed below includes the position typically involved with that particular task. The Resident Engineer is listed as (RE), the Regional Technician is listed by (RT). Tasks that require entries to be made in SiteManager are also listed.

1. Introduction
2. Verbal Approvals (RE)
3. Supplemental Item Numbers (RE)
4. Drafting the Change Order (RE)
5. Price analysis for new items added to the contract (RE/RT)
6. Reason Codes (RE/RT)
7. Review of the draft Change Order (RT)
8. Entering the draft Change Order into SiteManager (RT)
  - a. To enter the Change Order into SiteManager
  - b. To run the Change Order process and save and/or view the Change Order in PDF format
  - c. To view the Change Order Report in SiteManager
  - d. To review specific information entered into SiteManager that is on the Change Order Report
9. Review of the draft Change Order (Change Order Review Team)
10. Addressing comments on the Draft Change Order (RT/RE)
11. Saving and distributing the final Change Order for approval (RT)
  - a. To set Change Order Approval Levels in SiteManager
12. Approval of the Change Order (VTrans and FHWA)
  - a. Approval of the Change Order
13. Approval of the Change Order – Contractor (Program Services Clerk)
14. Saving and distributing the fully executed Change Order (Programs Services Clerk)

## 1. Introduction

The following guidance provides a step-by-step guide and procedure for both the Resident Engineer and Regional Staff to follow in developing and executing a Change-in-Design/Supplementary Agreement (Change Order).

## 2. Verbal Approvals

For all proposed Change Orders, the Resident Engineer will need to discuss with, and obtain verbal approval from, the Regional Construction Engineer and Project Manager before proceeding with the Change Order or any of the additional work. This includes making both the Regional Construction Engineer and Project Manager aware of the anticipated cost of the additional work, as well as any additional time that may be granted by the Change Order.

When an FHWA signature is found in the title block of the project plan set, FHWA has oversight and FHWA approval will also be necessary. The Resident Engineer will need to obtain verbal approval from the FHWA Engineer, in addition to the Regional Construction Engineer and the Project Manager, before proceeding with the Change Order or any of the additional work.

## 3. Supplemental Item Numbers:

When a Change Order adds an item that does not follow the standard specification for that item; the following list of items and units will be used to create the modified item. A Supplemental Description shall be included that adequately identifies the item and modification. This will provide a method in which to query the SiteManager's database at the end of the year, formulate reports that can be used by design sections to identify areas for improvement, and identify trends in item use and modifications:

### Metric Supplemental Agreement Item List

<u>Item #</u>	<u>Item Description</u>	<u>Unit</u>	<u>Unit Name</u>
900.500	SUPPLEMENTAL AGREEMENT	HA	Hectares
900.508	SUPPLEMENTAL AGREEMENT	CM	Cubic Meter
900.510	SUPPLEMENTAL AGREEMENT	DAY	Days
900.515	SUPPLEMENTAL AGREEMENT	DL	Dollar
900.520	SUPPLEMENTAL AGREEMENT	EACH	Each
900.525	SUPPLEMENTAL AGREEMENT	L	Liters
900.530	SUPPLEMENTAL AGREEMENT	HR	Hour
900.535	SUPPLEMENTAL AGREEMENT	KG	Kilogram
900.540	SUPPLEMENTAL AGREEMENT	M	Meters
900.545	SUPPLEMENTAL AGREEMENT	LS	Lump Sum
900.550	SUPPLEMENTAL AGREEMENT	LU	Lump Unit
900.560	SUPPLEMENTAL AGREEMENT	KM	Kilometer
900.575	SUPPLEMENTAL AGREEMENT	SM	Square Meter
900.580	SUPPLEMENTAL AGREEMENT	T	Metric Ton

English Supplemental Agreement Item List

Item #	Item Description	Unit	Unit Name
900.500	SUPPLEMENTAL AGREEMENT	ACRE	Acres
900.505	SUPPLEMENTAL AGREEMENT	CF	Cubic Foot
900.508	SUPPLEMENTAL AGREEMENT	CY	Cubic Yards
900.510	SUPPLEMENTAL AGREEMENT	DAY	Days
900.515	SUPPLEMENTAL AGREEMENT	DL	Dollar
900.520	SUPPLEMENTAL AGREEMENT	EACH	Each
900.525	SUPPLEMENTAL AGREEMENT	GAL	Gallons
900.530	SUPPLEMENTAL AGREEMENT	HR	Hour
900.533	SUPPLEMENTAL AGREEMENT	IN	Inch
900.535	SUPPLEMENTAL AGREEMENT	LB	Pounds
900.540	SUPPLEMENTAL AGREEMENT	LF	Linear Foot
900.545	SUPPLEMENTAL AGREEMENT	LS	Lump Sum
900.550	SUPPLEMENTAL AGREEMENT	LU	Lump Unit
900.553	SUPPLEMENTAL AGREEMENT	MF <sup>3</sup> BM	Thousand Foot Board Measure
900.555	SUPPLEMENTAL AGREEMENT	MGAL	Thousand Gallons
900.560	SUPPLEMENTAL AGREEMENT	MILE	Miles
900.563	SUPPLEMENTAL AGREEMENT	MLF	1000 Linear Foot
900.565	SUPPLEMENTAL AGREEMENT	MSY	1000 Square Yards
900.570	SUPPLEMENTAL AGREEMENT	SF	Square Foot
900.575	SUPPLEMENTAL AGREEMENT	SY	Square Yards
900.580	SUPPLEMENTAL AGREEMENT	TON	Tons
900.583	SUPPLEMENTAL AGREEMENT	CWT	Hundred Weight

Please note that with the use of these items, it is necessary for the appropriate Standard Specifications for Construction section and, whenever possible, the actual item being modified, to be referenced in the new description of the item.

For instance, if you are adding a modified version of Item 501.25, Concrete Class "B", you would use Item 900.508 Supplemental Agreement with description of (501.25 - Concrete Class "B" (Mod)), detailing the modification in the section of the Change Order labeled "New Items Not in Contract".

**Please note: A change in unit price alone, without a change in the Standard Specification, will no longer signify a modification.**

**4. Drafting the Change Order:**

Once all of the appropriate verbal approvals have been obtained, the Resident Engineer will prepare a draft of the Change Order in Microsoft Word on the appropriate form. Only the designated form shall be used to prepare the Change Order, located at: G:\Forms\Field Forms\General\CO Blank.doc. If the Resident Engineer does not have access to the Construction G: drive, the form is available on the Construction Field Forms CD or can be e-mailed from Headquarters or one of the Regional Construction Offices.

The Change Order shall not be numbered or dated by field personnel. It will be numbered and dated by the Regional Technician as the Change Order is being entered into SiteManager. This will ensure that the Change Orders are sequenced properly and that the number in SiteManager, on the signed hard copies, and in the Construction Tracking System program all match.

If time is to be added by the Change Order, the Resident Engineer and the Contractor will need to negotiate a "New Completion Date" and fill out this field in the form. This date will become the actual adjusted completion date for the project. It will be necessary for the Resident Engineer to include within the "Necessity for Revision" an explanation as to how the date was reached. In addition, the Resident Engineer shall specify with a YES or NO designation whether a "Contract Extension" has been granted.

The format of the Change Order includes three fields that require the Resident Engineer to provide specific written information; "Revision", "Necessity for Revision", and "New Items Not in Contract". The narrative under each section should be written in a manner that allows a reader with only a basic understanding of the contract work involved to understand the reason why the Change Order is needed, a brief explanation of why the change is necessary, and a description of any new pay items that will be added to the contract. The following lists each section and general guidance to assist the Resident Engineer in drafting a Change Order:

#### **REVISION:**

**What is the change?** Describe the change that is being made in general terms. Are there items to be added or deleted? Include item numbers and item descriptions. If numerous items are being added or deleted, a general description may be used to reduce redundancy.

Are there quantities to be added or deleted? Include item numbers and item descriptions.

If there is time to be added or deleted to the contract, state the days that are being added or removed from the contract completion date (interim completion date).

Will contract language be modified, added, or deleted? Be sure to note this in this section so that it can be explained in detail in the "Necessity for Revision".

#### **NECESSITY FOR REVISION:**

**Why:** Explain the change. Provide enough detail so that someone unfamiliar with the project, but who understands engineering terms, can make sense of why the change is necessary. If applicable, reference contract plan sheets, revised design plans, other documents, and/or methods employed that support or help describe the nature of the change.

**Where:** If appropriate, explain where the change is located on the project (by Station, Feature [Wingwall #3], etc). Reference contract plan sheets, revised design plans, or other documents that may support or help describe the nature and/or location of the change.

**When:** Record the date of when the situation or realization for the need occurred.

**Who:** Include all parties involved in the decision and who recommended or recognized the necessity for the change. Is there a letter (from and date), e-mail (from and date), Written Order (#) that can be referenced that documents the decision to make or request the change? If applicable, also list if time will be added or removed from the contract completion date and or any other constraints on contract durations.

#### **NEW ITEMS NOT IN CONTRACT:**

**What:** Include item number, description, written unit price, and numerical unit price per unit with the unit value listed. If applicable, include terms of the item so that it is clear what is included in the item. If an item has been modified, include the modifications for the item.

If the Change Order is for a multi-project contract, all project names and numbers shall be listed at the top of the form. The project name and number that the Change Order applies to is to be listed at the top of the form in bold and also noted in the information table. If the change applies to more than one project under that contract, the applicable project names and numbers should be listed at the top of the form in bold. The items should then be listed under the corresponding project names and numbers, separately.

If the Change Order item is to be done by a Subcontractor, it is the Contractor's responsibility to mark the field labeled "Sub Item" next to the appropriate item(s). If the Subcontractor is not already working on the project, the Contractor must submit a complete request to sublet for the item. If the Subcontractor has already been approved to work on the project, then the prime Contractor must send a letter requesting that the item be added to the current Subcontract agreement. **In either case, the subcontract request must be approved prior to the Subcontractor performing work on the item, and under no circumstances shall payment for these items be made until the subcontract request is approved.** The Change Order amount does not count against the 50% limit on contract funds permitted to be sublet.

#### **5. Price Analysis for new items added to the contract**

The Resident Engineer is also responsible for completing, with assistance as needed, a Price Analysis for any new prices within the Change Order. For guidance on how to complete a Price Analysis refer to *Field Memo#1 – 2010 Independent Cost Analysis (Constuction Manual, Appendix B-20)*.

Once the Price Analysis has been completed, the Resident Engineer sends a copy of the Change Order draft and any applicable attachments, including the Price Analysis, to the Regional Technician and Regional Program Services Clerk, via e-mail, for review.

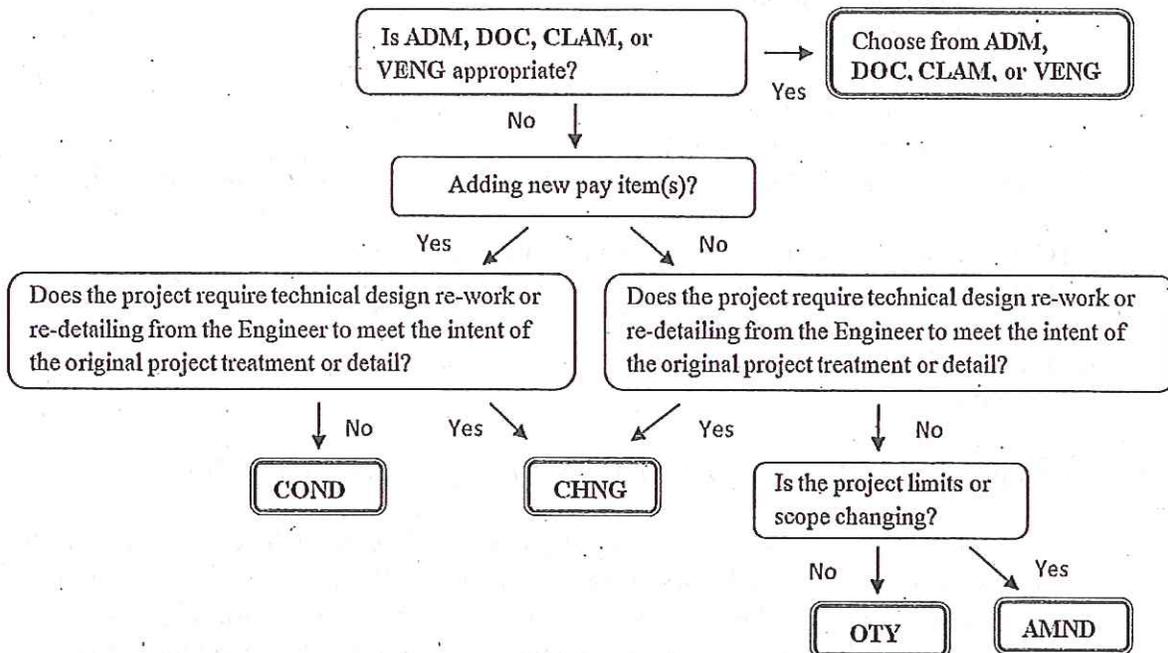
## 6. Reason Codes:

The Resident Engineer will select one Reason Code from the list that reflects the overall reason for the Change Order. This will be verified by the Regional Technician. A Reason Code should be selected for each item that more specifically addresses the reason for each item. If one Reason Code does not adequately apply to a majority of the items shown on the Change Order form, then multiple Change Orders should be prepared.

Reason Code categories were developed to quickly classify and illustrate the root causes of Change Order activity. With this Reason Code information, further evaluations of Change Order data are performed. The findings from these evaluations can help determine whether or not the root causes are avoidable or unavoidable by the Agency. This, in turn, leads to beneficial feedback that can be utilized by Agency management for future planning and budgeting. A thorough understanding of the individual Reason Codes, as well as consistency in their use during Change Order submittals, is critical to the overall success of this practice.

- **Administrative (ADM)** – Use this code to cover any accounting or funding changes or adjustments: like price adjustments, performance incentives, or agency funding modifications.
- **Contract Documents (DOC)** – Use this code when the actual Contract Document needs clarification due to ambiguous, incomplete, or conflicting information. Contract completion date modification is also included in this Reason Code.
- **Settlement of Claim (CLAM)** – Use this code to process payments or further actions required in the settlement of a Contract claim.
- **Value Engineering (VENG)** – Use this code to process payments related to Value Engineering proposals accepted by the Agency.
- **Design Quantity (QTY)** - Use this code when an existing pay item quantity is insufficient to compensate the Contractor for the actual scope of work depicted in the Contract.
- **Unforeseen Conditions (COND)** - Use this code when field conditions warrant the addition of new pay items to complete the work depicted in the Contract.

- **Construction Design Change (CHNG)** – Use this code when a project feature requires technical re-work or re-detailing from the Engineer. This may result in existing pay item changes or new pay item additions.
- **Amended Design (AMND)** – Use this code when the project limits or scope change.



## 7. Review of the draft Change Order (Regional Technician)

When the Regional Technician and Regional Program Services Clerk receive the draft Change Order, they will check the following:

- 1) Contract ID number
- 2) Project Name(s) and Number(s)
- 3) An Overall Reason Code has been selected from the drop down list
- 4) Appropriate Change Order/Force Account box is checked
- 5) Contractor's name
- 6) Revision: Item name(s), Item number(s), and readability (what is being done)
- 7) Necessity for Revision: content, accuracy, grammar, and readability (why is it being done, where is it being done, who wants it done, etc.), is the Contract completion date changing?
- 8) Check and make sure both the Project Manager's name and date of verbal approval are included, as well as FHWA name and date of verbal approval, if applicable.

- 9) New Items Not in Contract: Item number(s), Item name(s), unit price(s), unit(s). Ensure the proper units are used for the project Specification Year. If a modified item is being added, ensure the modification is clearly spelled out.
- 10) Table:
  - a. Item Specific Reason Codes have been selected
  - b. Contract Line No. for each item
  - c. Category No. for each item
  - d. Item Number
  - e. Item Description
  - f. Item Unit
  - g. Unit Price
  - h. Current Quantity
  - i. Change Order Quantity
- 11) Check calculations for Cost Prior to this, Change Order, Change in Cost, and Totals
- 12) Calculations for Additional Cost/Savings in Cost Column
- 13) Contract Extension Granted
- 14) New Completion Date (leave blank if no time granted)
- 15) Review all attachments including Price Analysis and or added specifications or agreements.

#### **8. Entering the draft Change Order into SiteManager (Regional Technician)**

After the Regional Technician and Regional Program Services Clerk check the draft Change Order, it will be entered into SiteManager by the Regional Technician. If any minor changes are necessary they will be corrected when the information is entered into SiteManager. At that time, the Regional Technician will run the Change Order process, and save a draft of the Change Order in PDF format in the following manner:

- 1) Go to Construction G: drive
- 2) Select the "Project Correspondence" folder
- 3) Select the year project folder for the year that the project was let (i.e. project let in 2007 select "2007PROJ")
- 4) Select the project folder as listed by CES number and Project Name and Number
- 5) Select the "Change Orders" folder
- 6) Save the file in a consistent format (i.e. CES number description DRAFT.doc, [02011802\_CO1\_StreetLighting\_DRAFT.doc])

If the "Change Orders" folder has not been established, create it, and save the Change Order as noted above.

##### **a. To enter the Change Order into SiteManager:**

HEADER

MAIN PANEL > Change Orders > Change Orders.MAINTENANCE > HEADER

Select Services and then Choose Keys to select the contract.

- 1) Enter in the Change-in Design/Supplementary Agreement in the Description field.

- 2) Enter in the date that FHWA approval was obtained in the Federal field, and enter in the date that the Project Manager gave verbal approval in the Project Manager field.
- 3) Select one applicable Reason Code off the drop down list. Definitions of the codes can be found under Section 6 of this document.
- 4) Select the appropriate choice for Change Order Type (Either "Change Order" or "Supplemental Agreement")
- 5) Check appropriate Functions.
- 6) Select Services, and then Change Order Items to add items to the Contract.
- 7) Enter in the item description in the Change Order Item Description field.
- 8) Enter in the item quantity in the Change Order field.
- 9) Go to the New Contract Item tab.
- 10) Select the Project Nbr and Category Nbr.
- 11) Enter in the Line Item Nbr, and the Proposal Line Nbr, starting with 9000 and incrementing by 5 with each new item. Make sure these two numbers match.
- 12) Fill in the Item Code by putting your arrow on the Item Code field and when the magnifying glass icon comes up; right click and choose search. A list of items will appear. Highlight the appropriate item and click OK. (NOTE: Select proper unit system and specification year).
- 13) Enter in the Unit Price.
- 14) Enter into the Supplemental Descriptions fields
  - a. If adding an item from the spec book with no modifications:
    - \* Leave the first field blank.
  - b. If adding a modified spec book item:
    - \* In the first field, enter the item number and description from the spec book that corresponds to the work being performed, and Mod. (i.e. "508.15 Shear Connectors – Mod").
  - c. If adding an item that doesn't specifically correspond with an item and unit in the spec book:
    - \* In the first field, enter the section number from the spec book that corresponds with the type of work begin performed and a description of the work being performed. (i.e. "629 Waterline and Sleeve")
- 15) Select Services, then Change Order Explanation.
  - a. From the drop down list choose "Revision". Cut and paste the revision statement off of the Change Order Word document.
  - b. From the drop down list choose "Necessity for Revision". Cut and paste the necessity for revision statement off of the Change Order Word document.
  - c. From the drop down list choose "New Items Not in Contract". Cut and paste the new items not in contract statement off of the Change Order Word document.
  - d. If there are other comments that are specific to a particular item, from the drop down list, select Explanations Applied to Specific Items, and enter text in the field at the bottom of the window.
  - e. If there are electronic documents or extensive amounts of information that need to be included with the Change Order, cut and paste the language into the "Attachments" option off the drop down list.

- 16) Click Save and close the window to get back to the Change Order Items window, then close that window to get back to the Header.
- 17) Select Service, then Change Order Time Adjustments
  - a. In the "Adjusted Completion Date" field, fill in the new completion date.
  - b. In the "Explanation" window, cut and paste the explanation from the necessity for revision statement provided by the Resident Engineer on the Change Order Word document.
- 18) Click Save and close the window to get back to the Change Order Header window.
- 19) Select Services, and then forward to:
  - a. Select the desired user from each group as indicated by approval levels and click "Add". Repeat until all review team members have been added.
  - b. Click OK to close the window and then click the Save button.

**b. To run the Change Order process and save and/or view the Change Order in PDF format:**

MAIN PANEL > Change Orders > PROCESS LIST

- 1) Double Click on the Change Order Report.
- 2) Sort the Cont Id field by clicking on the header once.
- 3) Select the Contract off the list by clicking on it, then click Submit
- 4) Wait for the system to process the request
  - a. Client Job Monitor – click OK
  - b. DPS Status Monitor – click OK
- 5) Select Services, then Process Status
- 6) Scroll to the bottom of the list, find the RCOCORPTC report
  - a. Note the date and time you ran the report to find the correct one
- 7) Double click the report, then double click the OUTPUT.PDF file
- 8) The Change Order will open in Adobe Reader
- 9) Select File, then Save a Copy (save as directed above)

**c. To view the Change Order Report in SiteManager:**

MAIN PANEL > Change Orders > REPORTS > Change Orders REPORT

To locate a contract, put your arrow/cursor on the Contract field. When the magnifying glass icon comes up, right click and choose search, select a contract by clicking on it. To select a Change Order number put your arrow on the Change Order field, when the magnifying glass icon comes up, right click and click search, select the Change Order by clicking on it. Verify the information on the report.

**d. To review specific information entered into SiteManager that is on the Change Order Report:**

MAIN PANEL > Change Orders > Change Orders MAINTENANCE > HEADER

- 1) Click the Open button and select the contract and Change Order.
  - Verify the information entered.
- 2) Select Services, then Change Order Items to open the items that have been added/changed.
  - Verify the information entered on the Change Order Item and New Contract Item tabs.
- 3) Select Services, then Change Order Explanation.
  - Verify the information entered.
- 4) Close all of the open windows until you get back to the Main Panel.

**9. Review of the draft Change Order by the Review Team:**

Once the Change Order has been entered into SiteManager, the Regional Technician will e-mail the draft PDF of the Change Order to the Review Team. The following is a list of the Review Team members, the areas of emphasis of their review, and who has the final decision making on review comments:

**Regional Construction Engineer:** The Regional Construction Engineer grants the final regional approval. It is their job to check sentence structure, that the information/data is correct, the adequate cost analysis has been performed, the supporting documentation is available/included, the necessity for revision is justifiable/understood, that the Change Order is warranted/reasonable, that the appropriate verbal approvals have been granted, the unit prices and new items are sensible, and, if the contract completion date is revised, that the period of time the Contractor has been given is legitimate. The Regional Construction Engineer has the authority for deciding which comments, if any, from the Review Team are incorporated at the Regional level.

**Regional Technician:** The Regional Technician, before the Change Order is entered into SiteManager, will provide the initial review of grammar, spelling, coherency, will ensure that the narrative pieces of the Change Order answer the questions who, what, where, why, when, and will verify a cost analysis has been completed.

**Regional Program Services Clerk:** The Program Services Clerk will review comments and suggestions, check grammar, readability, math, item name and numbers.

**Finals Engineer, Construction Services Engineer, and, when warranted, the Construction Engineer:** These members of Construction Headquarters will review comments and suggestions, general content and narrative, contract time extensions for justification, potential issues that could lead to additional costs or claims, that consistency with specification language is retained, and the possibility for precedent setting issues. The Construction Engineer has the ultimate authority for deciding which comments, if any, from the Review Team are incorporated.

**Construction Executive Assistant:** The Construction Executive Assistant should review comments and suggestions for content, highlight portions of the Change Order that are lacking in clarity, and check grammar, spelling, math.

**Resident Engineer:** As the author, the Resident Engineer should verify that the overall purpose of the Change Order is still the same upon review. The items, quantities, and dollar amounts should all be double checked.

**C&IA Supervisor:** The C&IA Supervisor should review for notice of additional items that may require certification and/or material testing.

**The Project Manager:** The Project Manager should be kept apprised of the Change Order status and review process for informational purposes only.

**Quality Assurance Engineer:** The Quality Assurance Engineer should review and verify the use of proper Reason Codes

The Review Team will also include the Director of Program Development and FHWA Engineer when approval levels are such that they will be signing the final document.

Any Change Orders that deal with claims shall be copied to the Assistant Attorney General.

All Review Team members should make it a point to review not only the verbiage in the email body, but should review the attachments of the email as well.

The email shall adhere to the following format:

- 1) The date that comments are due back to the Regional Technician.
- 2) When new unit prices are part of the Change Order, acknowledge that an independent cost analysis was completed to support the listed prices. (Additional guidance on the application of this requirement can be found under *Field Memos Tab – FM#1 2010.*)
- 3) Reason Code for the overall Change Order.
- 4) Revision.
- 5) Necessity for Revision.
- 6) Approval Dates.
- 7) New Items Not In Contract.
- 8) Cost Savings Amount / Additional Cost Amount
- 9) New Completion Date
- 10) Quantity Costs as per Plans/Revisions Table.

The last email in the chain shall be saved to the G:\Project Core\Change Order subfolder to capture the comments and price analysis review. Email shall be saved with similar naming convention like the Change Order (i.e. 02011802\_CO1\_StreetLighting-emailDRAFTforreview).

Once they have received the Change Order; the Review Team has a minimum of two (2) days and a maximum of five (5) days to review the draft Change Order. Review Team comments and suggested revisions can be entered into SiteManager under the Change Order Review/Approve. However, entering comments in this field will not be sufficient review procedure. **All comments shall be emailed back to the Regional Technician, with a cc: to the rest of the Review Team, within the specified time frame.**

#### **10. Addressing comments on Draft Change Orders (Regional Technician)**

If the Review Team's comments initiate minor rewrite and/or revisions such as capitalized letters, punctuation, grammatical corrections, etc., then the draft will be edited by the Regional Technician.

If the Review Team's comments suggest the need for a major rewrite and/or revisions such as changes in unit prices, expanded explanations, additional work to be included, etc. then the Resident Engineer will be provided the opportunity to author those changes. If major changes are made to the draft, the Resident Engineer will send a copy of the revised draft Change Order back to the Regional Technician, via e-mail, so that it can go through the review process again. The review period for the revised draft by the Review Team will follow the same process as stated above.

#### **11. Saving and distributing the final CO for approval (Regional Technician)**

If the Regional Technician hears from all Review Team members prior to the two (2) day minimum review time, then the Regional Technician can change the Change Order from "draft" to "pending" and set signature approval levels in SiteManager. Once the two (2) day minimum review time has elapsed, and the Regional Technician has heard from at least two (2) of the Review Team members, the Regional Technician can change the Change Order from "draft" to "pending" and set signature approval levels in SiteManager. If by the fourth day of the review period, the Regional Technician has not heard from at least two (2) of the Review Team members, a reminder e-mail will be sent out to the Review Team letting the Review Team know that there is only one more day to review the Change Order (for time sensitive, large dollar value, or claim Change Orders). Once the maximum five (5) day review time has elapsed, the Regional Technician can change the Change Order from "draft" to "pending" in SiteManager and set signature approval levels as defined below:

<u>Amount</u>	<u>Approval Levels</u>
\$0 - \$19,999.99	Resident Engineer, Regional Engineer
\$20,000 - \$49,999.99	Resident Engineer, Regional Engineer, Construction Engineer
\$50,000 +	Resident Engineer, Regional Engineer, Construction Engineer, Director of Program Development
Project has FHWA Oversight	Follow amount requirements detailed above Leave the Divisional Administrator, FHWA block open

- 1) For any Change Order that is over \$50,000, notifications shall be sent to the Construction Engineer and the Regional Engineer at least a day before the Change Order is to be sent to the Review Team.
- 2) Any Change Order that adds time must be signed by the Construction Engineer and Director of Program Development.
- 3) Any Change Order created by administrative staff to settle a claim must be signed by the Director of Program Development.
- 4) Any Change Order that adds Non-Participating utility work must include, in the Necessity for Revision statement, a reference to the specific Utility Relocation Agreement (URA) and, when applicable, the Supplemental Utility Relocation Agreement as well as the name of the authorizing individual from the Utility Company. In addition, a copy of the URA and the Supplemental URA shall be included with the Change Order.
- 5) When a Change Order is prepared for extra work done by Force Account, the Force Account Summation spreadsheet shall be included with the Change Order.
- 6) When there are local funds associated to the project, the Resident Engineer shall inform the local entity of the Non-Participating Items added by the Change Order.

**a. To set Change Order Approval Levels**

MAIN PANEL > Change Orders > Change Orders MAINTENANCE > HEADER.

Open and select the contract and Change Order:

- 1) Click the Open button and select the contract and Change Order.
- 2) Change the status to Pending, and click Save.
  - You should get a message box "Are you sure you want to change the status to Pending?" Click Yes to continue.
- 3) Select the Resident Engineer from the Contractor list, and click Add.
- 4) Select the Construction Regional Engineer group, then select the Regional Engineer and click Add.
- 5) If displayed, select the Construction Engineer group, then select the Construction Engineer and click Add.

If the required approval groups are different than the previous, then do the following:

- 1) Check the Override Approval Rules box.
- 2) Change the status to Pending, and click Save
  - a. You should get a message box "Are you sure you want to change the status to Pending?"
  - b. Click Yes to continue.
- 3) Click New to add a new line and select the appropriate group from the list.
- 4) Select the appropriate user from the user dropdown list
- 5) Repeat steps 3 through 5 until all approvers have been added and click OK.

## **12. Approval of the Change Order – Electronic approvals (VTrans and FHWA)**

Once all signature approval levels have been set, those individuals will be prompted via email to go into SiteManager and "sign" the Change Order:

**From:** oracle.aot@ [mailto:state.vt.usoracle.aot@state.vt.us]  
**Sent:** Monday, March 11, 2013 3:28 PM  
**To:** Judy.Gilmore@  
**Subject:** SiteManager CO approval required  
**Importance:** High

jgilmore

<b>Contract</b>	<b>CO Nbr</b>	<b>Description</b>
11031102	005	WINHALL STP CULV (22)

This message was automatically generated DO NOT REPLY

When the individual has received the Oracle email notification that the Change Order is awaiting approval, they will perform the following steps to approve the Change Order. This process shall be completed in a timely manner (two days or less) upon receipt of the email.

### **a. Approval of the Change Order**

MAIN PANEL > Change Orders > Change Orders MAINTENANCE > Change Orders REVIEW/APPROVE

- 1) Select the Contract and Change Order.
- 2) Click on a Recommendation (Approved or Denied)
- 3) Enter any remarks by clicking on the Remarks button.
- 4) Click on the Remarks button again to close the remarks window.
- 5) Click on Save, a window will come up asking to confirm the recommendation. Click Yes or No.

### **13. Approval of the Change Order – Contractor (Program Services Clerk)**

After the document is finalized, all relevant information is updated in SiteManager, and all Agency and FHWA signatures have been obtained, the Regional Program Services Clerk shall email the document to the Contractor as a protected PDF file, with a cc: to the Resident Engineer and to the Regional Technician. Instructions shall be included asking the Contractor to mark any items on the Change Order that are to be done by a Subcontractor, return one signed and dated original directly to the appropriate Regional Construction Office, and keep one signed and dated copy for their records.

When the Contractor has signed and returned the Change Order to the appropriate Regional Construction Office:

- 1) The Regional Program Services Clerk will check the contract to ensure that the Contractor's signor is authorized to do so. (This is usually contained in the minutes of the Contractor's Executive Meeting stapled just inside the front cover of the Contract. If there is not a copy of the minutes from the Contractor's Executive Meeting in the Regional Office's copy of the contract, then contact the Construction Executive Assistant or the Finals Engineer and they can provide a copy of the minutes from the Contractor's Executive Meeting from the original contract.)
- 2) The Regional Program Services Clerk will compare the Change Order against what was entered into SiteManager and verify that they match. If the Contractor has made any changes to the document, then a whole new document shall be drafted and the process of review and approvals starts over.
- 3) Once verified, the Regional Program Services Clerk will go into SiteManager and approve the Change Order at the Contractor level.
- 4) The Regional Program Services Clerk will then run the final, signed Change Order report in PDF format:

### **14. Saving and distributing the fully executed Change Order (Programs Services Clerk)**

Once the signed Change Order has been received from the Contractor and duly processed in SiteManager by the Program Services Clerk, the last step is to send a copy of the final Change Order to all necessary parties and to save a copy of the completed work in the project folder. Sending the final Change Order via email will allow personnel to finalize any procedures, documentation, and will allow work on the items in question to proceed.

#### **a. To run the Change Order process and save and/or view the Change Order in PDF format**

MAIN PANEL > Change Orders > PROCESS LIST

- 1) Double Click on the Change Order Report.
- 2) Sort the "Cont Id" field by clicking on the header once.
- 3) Select the Contract off the list by clicking on it, then click "Submit"

- 4) Wait for the system to process the request
  - a. Client Job Monitor – click “OK”
  - b. DPS Status Monitor – click “OK”.
- 5) Select Services, then Process Status
- 6) Scroll to the bottom of the list, find the RCOCORPTC report
  - a. Note the date and time you ran the report to find the correct one
- 7) Double click the report, then double click the OUTPUT.PDF file
- 8) The CO will open in Adobe Reader
- 9) Select File, then Save a Copy in the following manner:

**Filing in G: drive:** The Regional Program Services Clerk will save the final copy of the Change Order to the Construction G: drive in the following manner:

- 1) Go to Construction G: drive
- 2) Select the “Project Correspondence” folder
- 3) Select the folder for the year that the project was let (i.e. project let in 2007 select “2007PROJ”)
- 4) Select the project folder as listed by Letting Number, and Project Name and Number
- 5) Select the “COs” folder;
- 6) Save the file in a consistent format (for example: Letting number, CO number, description, Final Signed [02011802\_CO1\_StreetLighting\_FINALSigned.doc])

**Distributing the fully executed Change Order:** The Regional Program Services Clerk will distribute the approval letter, a copy of the Change Order and any attachments, via email, to the following:

Construction Project Files/Finals Engineer (Pink Mail the Contractor’s original signature)

Regional Project Files

Resident Engineer

FHWA (when they have oversight)

Quality Assurance Engineer

Financial Manager 1, Program Development Business Office

C&IA Unit Supervisor, Materials and Research Lab

Contract Specialist 1, Contract Administration

Program Manager/Project Manager of the Project

And, when applicable:

Civil Rights (when items are marked as to be done by a subcontractor)

Utility Company (if a Utility Relocation Agreement is involved)

Local Entity (if there are local funds associated with the project)

**Entries into CTS:** The Regional Program Services Clerk will go into the Construction Tracking System (CTS) and enter appropriate dates into the "Change-in-Design Date" and "Supplemental Agreement Date" fields. They will also fill in the "Signed" box for the individual with the highest level of approval and fill in the date corresponding with that signature.

If there is FHWA oversight, then dates will also be entered into the "To FHWA" and "From FHWA" boxes. The "Distributed" box should be populated with the date that they distributed the approval letter and copies of the Change Order as outlined above.

The ultimate approval date will be the date that the Contractor signs the Change Order (since not all Contractors date their Change Order, the date that the Program Services Clerk approves the Change Order is an acceptable alternative). The final approval date is the date indicated on the Bi-weekly Estimate when noted that item/quantity was approved.

**State of Vermont  
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**Materials Sampling Checklist Report**

The *Sampling Checklist Report* is included in the biweekly estimate packaged that is generated by the Regional Technician. The biweekly package is sent to the Resident Engineer and the Contractor with every estimate and details the material requirements, installed quantity, certified quantity and date certified.

The report is also used by the Materials and Research Section when writing the Materials Memo for the project.

The Sampling Checklist Report can be run by following the steps listed under Section 9-100.60 SiteManager Materials.

**Sample Report:**

RptID: RMMSPCL	Vermont Agency of Transportation Sampling Checklist Report	Date: 02/26/2013
Contract ID: 10041602	Description: BENNINGTON AC NH 019-1 (54)	County: BENNINGTON
Vendor ID: 11008644	Vendor Name: J. A. MCDONALD INC.	

Project	Line Item	Item Code	Item Description	Unit	Contract Qty	Qty Installed	Qty Tested	Sample Qty (Total)	Status
Material Code	Material Name						Represented Qty	Authorized Date	
	Sample ID		Sampled by	Mat CD	Smpl Type	Acpt Method	Test Method	Unit	
06B176	0325	203.31	SAND BORROW						
703.03			SAND BORROW AND CUSHION		aa	Test	AG-COMB07	CM	34,100.000
	jdomey124R100553		jdomey	703.03	bia	Test	AG-COMB07	CM	34,438.070
									0.000
703.03			SAND BORROW AND CUSHION		aa	Test	AG-COMP00		0.000
	jdomey124R100553		jdomey	703.03	bia	Test	AG-COMB07	CM	0.000
									0.000
06B176	0365	301.26	SUBBASE OF CRUSHED GRAVEL, FINE GRADED						
704.05			CRUSHED GRAVEL FOR SUBBASE		aa	Test	AG-COMB07		0.000
704.05			CRUSHED GRAVEL FOR SUBBASE		aa	Test	AG-COMP00		0.000
06B176	0370	301.35	SUBBASE OF DENSE GRADED CRUSHED STONE						
704.05			CRUSHED GRAVEL FOR SUBBASE		aa	Test	AG-COMP00	CM	51,184.000
704.06			DENSE GRADED CRUSHED STONE FOR SUBBASE		aa	Test	AG-COMB07		53,619.620
									0.000
06B176	0075	402.12	AGGREGATE SHOULDERS						
704.12			AGG. FOR SURFACE COURSE AND SHOULDERS		aa	Test	AG-COMB07	T	3,314.340
									1,477.970
									0.000
06B176	0080	404.65	EMULSIFIED ASPHALT						
702.04			Emulsified Asphalt		ecrt	CrtA	CT-TYPEA00	KG	11,589.000
	bearis12BT144714		rléma're	702.04	ecrt	CrtD	CT-TYPEA00	KG	42,577.500
	bearis12C3144335		rléma're	702.04	ecrt	CrtA	CT-TYPEA00	KG	93,758.260
	bearis1317120751		rléma're	702.04	ecrt	CrtA	CT-TYPEA00	KG	42,100.000
									84,200.000
									20121129
									ACPT
									20121203
									ACPT
									20130107
									ACPT

**State of Vermont  
Agency of Transportation  
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**Material Exceptions and Explanations - Guidance**

Materials incorporated into VTrans projects require appropriate documentation. When materials are not properly documented a "material exception" must be developed that justifies material quality. The materials quality may be defined by test results, specific forms of inspection or certifications. While it is recognized that exceptions will occur, it is the responsibility of VTrans to maintain project oversight including the decision making process associated with all material usage.

The explanations for justifying a material exception should include five fundamental elements:

1. Proper identification of the material, e.g., name and pay item
2. A description of the quantity of material affected and its location and placement conditions
3. An accurate description of the failure mechanism, e.g., sampling overlooked, quantitative statement of the noncompliance (excessive slump measured), Contractor placed material before sampling was achieved or other clear description of the nonconformance with VTrans plans and specifications.
4. The projected consequence and further elaboration on the magnitude of the consequence, e.g., excessive slump suggests excess water or admixture that can result in segregation of the concrete during or after placement. The slump exceedance by 3 inches or 50% raises significant concern for mix segregation, coring was conducted to confirm concrete quality. The results of the coring suggest...
5. Corrective action is required for all exceptions. The corrective action can be a further examination of the material (nondestructive evaluation), an action to prevent recurrence, retrospective testing (destructive evaluation) up to and including removal and replacement of the defective material.

These steps are very clearly listed in the construction manual.

There are several specific parameters that should be addressed when the explanations are written. Contract changes, timing of activities, mitigating circumstances (unforeseen bad weather and Acts of God) should be included in the explanation.

For nonconforming tests the basis of the decision should be recorded when it is made, so that any issues or clarifications needed from the Materials and Research Section is incorporated into your decision. The word minor is not an acceptable explanation unless the quantity is so small that testing will cost more than the product itself and there is no direct safety implication if the material is permanently incorporated into the project.

Inadequate lead time for materials sampling and testing, incomplete or errant communications on quantity or quality from the contractor, a statement "verified by the Engineer" are not acceptable explanations.

**State of Vermont  
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Construction Section**

**Contractor's Responsibility For Work – Guidance and Process**

*(The following directive was provided to staff by the Construction Engineer in an e-mail dated June 20, 2008. Minor updates and edits have been made and included below.)*

Construction Staff,

Statement of the Issue:

I am providing to you updated guidance on how to deal with damage that occurs to a project, when we should reimburse the contractor for such damage, and the process to do so.

The relevant section of the 2006/2011 Standard Specifications for Construction is Subsection 107.18 CONTRACTOR'S RESPONSIBILITY FOR WORK. Paragraph (a) General states the following:

*“Until acceptance of the project by the Engineer the Contractor shall be responsible therefore and shall take every precaution against injury or damage to any part thereof by the action of the elements or from any other cause, whether arising from the execution or from the non-execution of the work. The Contractor shall rebuild, repair, restore and make good all injuries or damages to any portion of the work before acceptance and shall bear the expense thereof except damage to the work due to unforeseeable causes beyond the control of and without the fault or negligence of the Contractor, including but not restricted to acts of God, of a public enemy, or governmental authorities. For purposes of this paragraph the term work shall exclude Contractor owned, rented, or leased materials, equipment and incidentals.”*

So, the quick interpretation is that if the damage is not in any way the fault of the contractor, the Agency will reimburse the contractor the cost to rebuild, repair, or restore the work. Key here are the phrases **“unforeseeable causes beyond the control of and without the fault or negligence of the Contractor.”** Whether this condition is met can only be determined on a case by case basis.

Also, the Agency will not reimburse the Contractor for **“Contractor owned, rented, or leased materials, equipment and incidentals.”** The contractors need to carry their own insurance on these items. So, under no circumstances will the Agency reimburse a contractor for rebuilding, repairing, or replacing such items.

### Guidance As Examples:

Therefore, a determination must be made in each instance if the damage is *“beyond the control of and without the fault or negligence of the Contractor”*. Use the following examples as guidance. All examples are during the construction of a project before the work is accepted.

#### Example 1.

A citizen turns onto new pavement from a side road, and containers of diesel fuel in the vehicle tip over and proceed to spill diesel fuel on the new pavement, causing damage. All necessary and proper traffic control features according to the Contract were in place, and the transition from the side road to the project was a properly prepared fillet providing a smooth transition. The damage requires that the pavement be removed and replaced. In this case the Agency would cover the cost to repair this work.

On the other hand, if the situation shows that the contractor is at fault – for example, if necessary and proper traffic control was not in place, resulting in the citizen becoming confused and driving in a location not intended for traffic or the transition from the side road to the project was not smooth – the Agency would most likely determine that it would not pay to remove and replace the damaged pavement.

#### Example 2.

Delineators are installed per the project plans. Some of the delineators are knocked over by mowing operations of the Agency or a third party not a subcontractor of the prime contractor. In this case the Agency would cover the cost to repair this work.

Again, if the contractor is at fault – for example, the damage was done by the subcontractor hired to perform the mowing – the Agency would likely determine that it would not pay for repair/replacement of the damaged delineators.

#### Example 3.

Guardrail and end sections are installed per the project plans. The project spans two seasons, and during the winter, when the project is inactive, terminal sections are destroyed and panels are damaged due to motor vehicle crashes and/or plow damage other than by the contractor. In this case the Agency would cover the cost to repair this work.

#### Example 4.

A section of road is being reclaimed. After normal work hours, a severe storm cause damage to the roadway, creating potholes and washouts. The contractor returns to the project the morning of the next business day and finds that a crash occurred damaging a signal pole. While the storm is an act of God, the contractor failed to return to the project during or immediately after the storm to inspect and maintain the project so it was safe and traversable. The Agency would not reimburse the contractor for repair/replacement of the signal pole.

#### Example 5.

On a day when severe storms are predicted, the contractor proceeds to commence installation of a large culvert. When a storm arrives, the contractor suspends operation and the storm proceeds to overpower the stream diversion, undermine the work, wash the culvert downstream and damage it. Again, while the storm is an act of God, the contractor chose to proceed despite the weather forecast. The contractor cannot be determined to be without fault and should not be reimbursed for repair/replacement/restoration of the damaged culvert.

#### Example 6

The location of a utility conduit is changed slightly because of interference with other utilities. The guard rail subcontractor drives guard rail posts through the conduit and damages the conduit and communication lines. The Agency would not reimburse the contractor for repair/replacement of the conduit (or the damaged communications lines). The prime contractor knew the new location and was responsible to complete the work without harm to the project or other property.

#### Example 7

A paver breaks a hydraulic hose and leaks hydraulic fluid. The Agency would not reimburse the contractor for repairs to the work or equipment.

#### The Process:

The process once damage is discovered is as follows:

1. Have the contractor immediately track down the responsible party(ies) and gather all possible information concerning the damage. This will include information such as police reports, eyewitness accounts, and inquiry of the Agency's Operations (Maintenance) staff and others.
2. Notify the contractor that no decision has been made as to who will be responsible for the cost of repair/replacement/restoration of the work and that the first step is to try to determine who did the damage and the circumstances that resulted in the damage.

The point is that until the Agency can determine whether is the damage was *"beyond the control of and without the fault or negligence of the Contractor,"* the contractor needs to protect its interests; that includes finding out as much information as possible regarding the circumstances of the event(s) that caused the damage.

3. Notify the contractor that its failure to adequately investigate and report information may result in a finding of fault or negligence on its part.

4. The Resident Engineer will discuss the situation and issues with the Regional Construction Engineer with the goal of determining whether the Agency should pay for the repair/replacement/restoration of the work.
5. If the Agency determines the damage was *"beyond the control of and without the fault or negligence of the Contractor,"* in addition to paying the cost to repair/replace/restore the work, the Resident Engineer will provide all information concerning the event to Risk Management.
6. If the Agency determines the damage was not *"beyond the control of and without the fault or negligence of the Contractor,"* the Resident Engineer will notify the contractor in writing of the Agency's decision. As always, the contractor has the right to file a claim if it so wishes.
7. The Resident Engineer shall contact Operations staff (Maintenance District or Area) to determine what, if anything Operations staff know concerning the event. The same is true for law enforcement and emergency personnel, both local or State. In an appropriate situation, doing so will also serve as a check on the thoroughness of the contractor's efforts to obtain the relevant information.
8. Also, people who do damage to State property – usually guard rail and light posts, but not limited to them – are sometimes pursued for the damage by Operations or Risk Management. If the Agency holds a contractor responsible for damage and is later reimbursed by the person responsible for the damage, we need to make sure the contractor is reimbursed to the extent the State is.

I hope this helps clarify Subsection 107.18 of the Standard Specifications for Construction. Each case must be looked at individually, as no two are alike. I will be providing a copy of this message to AGC so most of our contractors will be aware of the process.

If you have comments please discuss with your Regional Construction Engineer.

David J. Hoyne P.E.  
Construction Engineer  
Vermont Agency of Transportation

**State of Vermont**  
**Agency Of Transportation**  
**Construction Section**

Buy America Provisions – Guidance

**General**

The following provides the Resident Engineer and Regional Staff guidance on enforcing the Buy America Provisions.

**Contents**

1. A citation from 23 USC 313. Buy America
2. A link to FHWA's Buy America Q & A for Federal-aid Program
3. Sections 107.22 and 700.02(a) of the Standard Specifications for Construction

**1. 23 USC 313. Buy America**

(a) Notwithstanding any other provision of law, the Secretary of Transportation shall not obligate any funds authorized to be appropriated to carry out the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or this title and administered by the Department of Transportation, unless steel, iron, and manufactured products used in such project are produced in the United States.

(b) The provisions of subsection (a) of this section shall not apply where the Secretary finds-

- (1) that their application would be inconsistent with the public interest;
- (2) that such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
- (3) that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

(c) For purposes of this section, in calculating components' costs, labor costs involved in final assembly shall not be included in the calculation.

(d) The Secretary of Transportation shall not impose any limitation or condition on assistance provided under the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or this title that restricts any State from imposing more stringent requirements than this section on the use of articles, materials, and supplies mined, produced, or manufactured in foreign countries in projects carried out with such assistance or restricts any recipient of such assistance from complying with such State imposed requirements.

(e) Intentional Violations.-If it has been determined by a court or Federal agency that any person intentionally-

- (1) affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or

(2) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States; that person shall be ineligible to receive any contract or subcontract made with funds authorized under the Intermodal Surface Transportation Efficiency Act of 1991 pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

(f) **Limitation on Applicability of Waivers to Products Produced in Certain Foreign Countries.**-If the Secretary, in consultation with the United States Trade Representative, determines that-

(1) a foreign country is a party to an agreement with the United States and pursuant to that agreement the head of an agency of the United States has waived the requirements of this section, and

(2) the foreign country has violated the terms of the agreement by discriminating against products covered by this section that are produced in the United States and are covered by the agreement, the provisions of subsection (b) shall not apply to products produced in that foreign country.

(g) **Application to Highway Programs.**-The requirements under this section shall apply to all contracts eligible for assistance under this chapter for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this title.

## 2. FHWA's Buy America Q and A for Federal-aid Program

[http://www.fhwa.dot.gov/construction/contracts/buyam\\_qa.cfm](http://www.fhwa.dot.gov/construction/contracts/buyam_qa.cfm)

## 3. 2011 Standard Specifications for Construction

### 107.22 BUY AMERICA PROVISIONS.

(a) **General.** All steel products permanently incorporated into Federal-Aid projects shall be products that have been entirely manufactured within the United States. All manufacturing processes of the steel or iron material in a product (i.e., smelting and any subsequent process which alters the steel material's physical form or shape or changes its chemical composition) must occur within the United States to be considered of domestic origin. This includes processes such as rolling, extending, machining, bending, grinding, and drilling.

(b) **Use of Foreign Materials.** This requirement does not prevent a minimal use of foreign materials, provided the cost of foreign materials used does not exceed 0.1 percent of the total Contract price or \$2,500, whichever is greater. The cost of foreign steel or iron is defined as its value delivered

to the project. The Contractor shall notify the Engineer if it intends to use any foreign materials on the project.

(c) Coatings on Steel/Iron. In accordance with 23 CFR 635.410, iron has been added to the materials now subject to the Buy America requirements, and the action of applying a coating to a covered material (i.e., steel and iron) is now deemed a manufacturing process subject to Buy America. Coating includes epoxy coating, galvanizing, painting, and any other coating that protects or enhances the value of a material subject to requirements of Buy America. Buy America requirements of 23 CFR 635.410 are applicable to all Federal-Aid highway construction projects (NHS and non-NHS).

#### **SECTION 700 GENERAL -700.02 MATERIALS CERTIFICATIONS.**

(a) General. When these Specifications require a certification, the certification will be approved prior to the use of the material, unless otherwise directed by the Engineer. In all cases, certifications must be approved prior to payment.

All material used on the basis of a materials certification may be sampled and tested at any time. The fact that a material is used on the basis of a certification shall not relieve the Contractor of responsibility for incorporating material in the work which conforms to the requirements of the Contract and any such material not conforming to such requirements will be subject to rejection whether in place or not.

New materials, previously certified and purchased by the Contractor for use on an Agency contracted project, may be used on another Agency project provided that the Contractor submits a sworn statement identifying the past project which the materials were originally certified for, attests that the material certifications were previously furnished and accepted by the Agency for the past project, and certifies that the new materials were part of the original quantity purchased.

When Agency approval is given for Working Drawings under the requirements of Section 105 and the referenced drawings or project Special Provisions have identified a component of an item by a specific product name and/or number, the Engineer may waive all or part of any certification or testing requirements for that particular product.

The Agency reserves the right to refuse the use of materials where acceptance is based only on certification.

Within each Subsection, materials designated to conform to another Subsection shall require the certification type of the

referenced Subsection.

For steel and iron materials, the following requirements shall apply:

- (1) To comply with Buy America provisions, a manufacturer must certify that all manufacturing processes have occurred in the United States.
- (2) To identify a chain of custody documentation trail that the product meets the Buy America provisions, each supplier or fabricator involved in the manufacturing processes of a product will be required to include in its certification a statement that each process performed by them which alters the physical form or shape or changes its chemical composition was entirely performed in the United States.
- (3) All certifications shall be forwarded to the Vermont Agency of Transportation Materials and Research Section.