



CHAPTER 1

ORGANIZATION

The Delivery and Operations Division Administrator Oregon Department of Transportation (“Agency”) is responsible for, among other duties, the construction, improvement, maintenance, and operation of the State Highway system.

The ODOT “Chief Engineer” is the “Engineer” referred to in the Standard Specifications and Contract.

Authorized representatives of the Chief Engineer, such as the Resident Engineer (RE), perform most responsibilities of the Engineer on construction Projects. The Delivery and Operations Division Administrator and Chief Engineer have delegated some duties to other parties within the Agency. [Refer to Chapter 3 - Delegation of Authority.]

Along with other tasks, the Construction Section performs staff-level functions related to the Construction program.

Through the Area Managers (AMs), REs, and ODOT Transportation Project Managers (TPMs), the Region Managers assure that construction Contract obligations are fulfilled.

The RE role can be filled by an Oregon Licensed Professional Engineer ODOT RE or a Consultant RE for state-administered Contracts in accordance with ODOT policy and the FHWA August 4, 2011 Responsible Charge Memorandum. The RE may assign some duties and responsibilities to persons under his/her control.

The TPM role can be filled by an ODOT TPM, or a Consultant TPM for Local Agency Contracts, in accordance with ODOT policy and the FHWA August 4, 2011 Responsible Charge Memorandum.

1-1 Construction Section

The Construction Section, under the direction and supervision of the State Construction and Materials Engineer (SC&ME), is a part of the ODOT's Statewide Projects Delivery Branch (SPDB). The Construction Section's role is to promote consistent, efficient, and expeditious administration of ODOT construction activities.

By Letter of Authority, the Chief Engineer has authorized the SC&ME to:

- Approve Construction Authorization overruns of up to an accumulative value of \$500,000 for Projects on the State Highway System; and
- Officially accept completed construction projects.

By Letter of Authority, the Chief Engineer has authorized the Contract Administration Engineer (CAE) to:

- Approve construction Authorization overruns of up to an accumulative value of \$500,000 for claim settlements.

The Chief Engineer, by Letter of Authority, has authorized the SC&ME and the CAE to approve progress and final payments on ODOT Construction Contracts, to approve all adjustments to Contract Time, and to approve all Contract Change Orders and claim settlements. [Refer to Chapter 3 - Delegation of Authority.] The SC&ME is authorized to act on behalf of the Chief Engineer in all matters of construction contract administration and to further delegate to such persons, as the SC&ME sees fit, those powers necessary to carry out that responsibility. That authority includes developing policies and procedures for quality control, inspection, and the acceptance and rejection of Materials.

The Construction Section, acting through the CAE, has the authority to accept quality and quantity documentation for each Project, which indicates that the documentation and Materials meet the Contract requirements and established policies and procedures. This includes authorizing non-standard adjustments for non-specification Material or approving acceptance of documentation that does not meet Contract or accepted Agency guidelines.

Units within the Construction Section specialize in various areas such as: Pavements, Structure Services, Quality Assurance, Contract Administration, and Materials. Region Managers, AMs, REs, TPMs and other Project personnel should consult with them for advice and direction on administering construction Contracts.

1-2 Region Manager

Each Region Manager is responsible to the Delivery and Operations Division Administrator for all work performed by ODOT employees in the Region. For construction Contract administration, the Region Manager is responsible to assure that construction Contract obligations are fulfilled and that Contract administration is performed according to established ODOT policies and procedures, including those described in this manual.

The responsibilities of the Region Manager, regarding construction Contracts, include:

- Assign the personnel necessary to assure proper Contract administration and construction engineering.
- Review and make recommendations to the Construction Section regarding overruns or increases in Project authorizations. Approve overruns for Projects on the State Highway System of up to \$500,000, if justified.
- Review and approve, if within authority, or make recommendations to the Construction Section regarding Contract Change Orders, adjustments to Contract Time, claim settlements, and other construction matters. [Refer to Chapter 3 - Delegation of Authority.]
- Assure that the Work performed on, and the Materials incorporated into each Project comply with Contract requirements and are documented in accordance with ODOT's established policies and procedures, including those described in this manual.
- Assure that all Contract requirements, including workforce and small business equity programs and others, are fulfilled on all affected Contracts.
- Arrange for needed Project reviews and inspections to assure that the Project is constructed according to Contract requirements and achieves its intended purpose;
- Provide public information about construction Projects to the media, interested citizens, property owners, and other governmental agencies.
- Assure that personnel assigned to the Region receive the training needed to accomplish their duties.

The Region Manager may assign one or more AMs to be responsible for the construction and Project delivery program in the Region.

The Region Manager may issue Letters of Authority, within limits established by the Delivery and Operations Division Administrator, granting Region Project Delivery Managers, AMs, and REs certain levels of approval pertaining to construction Contracts for overruns, changes, and time.

Please review the Letters of Authority that apply to your Contract. TPMs do not have delegated authority.

1-3 Area Manager (AM)

The AM manages and provides guidance, assistance, and advice to the RE and TPM. Through Project visits and other information, the AM assures that the RE fulfills the duties regarding administration of construction Contracts.

The AM also must assure that:

- The RE has adequate staff.
- The Project is adequately funded to complete the Work.
- Good public relations exist at the Project level.

1-4 Resident Engineer (RE)

The RE is the Agency's representative in relationships with the construction Contractor, the public, and others. The role of the RE may be assigned to an Oregon Licensed Professional Engineer who is an ODOT employee or Consultant. In each of these cases, the responsibilities of the RE will be the same, however the delegated authorities will differ. [Refer to Chapter 2 – Project Funding/Contract Administration Responsibility.]

The RE is specifically responsible for the performance of construction Contract administration and may have other Project delivery activities, under the direction of the Region.

The RE's duties regarding construction Contracts include:

- Develop and supervise an efficient and effective organization, including the RE's staff and all other members of the Project team as needed, to help ensure that each Project is constructed in accordance with Project Plans and Specifications.
- Assure that Contract administration is performed according to established ODOT policies and procedures, including those described in this manual.
- Assure that Work, Materials used on the Project (whether produced on the Project or delivered from an outside source), and Project documentation conform to Contract requirements and established ODOT policies and practices. The RE must obtain the approval of the Construction Section for all price adjustments or for documentation that does not meet the Contract requirements or accepted ODOT guidelines; and

- Assure that Contract requirements are fulfilled on assigned construction Contracts including, but not limited to, the following:
 - Contract requirements are achieved.
 - Projects will be completed in a timely manner and within approved Project funding.
 - Disagreements are addressed with a sense of urgency and resolved at the lowest possible administrative level.
 - Field records and other documentation are correct and current.
 - Change Orders are processed within established timelines.
 - Workforce and small business equity programs and other Contract requirements are fulfilled.

The RE has limited authority to change Plans and Specifications. If changes are needed, the RE must obtain approval, including involvement of the Construction Section, the Agency's Technical Resource List, and the Professional of Record (POR) when necessary.

On occasion an ODOT RE may fulfill other roles such as TPM.

1-5 Project Management by Consultants or Local Agencies

A. Consultant Oversight by Agency RE

The Agency may engage the services of a Consultant to perform the RE role in administering a construction Contract. In this case, the Agency will assign an ODOT RE to administer the Consultant's contract with the Agency and to provide oversight of the Consultant's RE. The RE assigned to this role will report to the AM.

The Consultant's RE for the Project has the same responsibilities as an ODOT RE in administering the construction Contract. However, there are certain authorities that have not been delegated to a Consultant's RE. The authorities to adjust Contract Time, approve Contract changes, and approve payments remain with the Agency. [Refer to Chapter 2 - Project Funding/Contract Administration Responsibility.]

If the Consultant's RE does not administer the construction Contract according to the provisions of this manual, the construction Contract Specifications, and other requirements, Federal-Aid participation on those items may be withheld.

B. ODOT Transportation Project Manager (TPM)

For Projects with matching local funds, the Agency may engage the services of a Consultant or Local Agency to provide a Local Agency Project Manager (LAPM) to administer the construction Contract. The TPM is the liaison between the Agency and the assigned LAPM on projects that have city, county or other local funding associated with the Project. The assigned LAPM may be a Local Agency employee or a Consultant hired by the Local Agency to administer the construction Contract.

The assigned Consultant or LAPM for the Project has the same responsibilities as an ODOT RE. However, there are certain authorities of Project administration that have not been delegated to a Local Agency or a Consultant's RE. Authorities to adjust Contract time, approve Contract changes, and approve payments remain with the Agency. [Refer to Chapter 2 - Project Funding/Contract Administration Responsibility.]

The Agency will assign a TPM to provide oversight and assistance in administration of the Project. The Agency has the responsibility for ensuring that the Project is administered in conformance with approved Plans and Specifications and that processes conform to required standards and guidelines.

If the Local Agency or the Consultant does not administer the construction Contract according to the provisions of this manual, the construction Contract Specifications, and other requirements, Federal-Aid participation on those items may be withheld.