



## CHAPTER 40

# THIRD NOTIFICATION

As referenced in 00150.90(b), the Resident Engineer (RE) must issue Third Notification when all of the following items have been satisfactorily performed:

- All on-site construction and other Work required under the Contract is completed, including punch list Work;
- All construction Equipment is removed; and
- All required certifications, warranties, guarantees, bills, forms, and other documents are received from the Contractor.

For Design-Build projects, the Design-Builder is required to submit all required design documents in addition to the items listed above before Third Notification can be issued. [Refer to Section DB150.90(c) of the DB General Provisions.]

Do not withhold Third Notification for anticipated billings from Force Account Work or **because of outstanding claims** submitted under Sections 00180.60, 00195, or 00199.

The RE must record the date of Third Notification on the Notification of Commencement and Completion, form 734-3233 (and include the dates of First and Second Notifications) and distribute as indicated on the form.

**NOTE:** For A+B and A+C+D Projects, refer to Price Plus Guide Appendix I - A+B and Appendix II - A+C+D for additional information.

For CM/GC Projects, refer CM/GC Manual Chapter 22-1.

For Design-Build Projects, refer to Design-Build Contract Administration Manual.

The date of Third Notification is significant because the Agency must pay interest, at the rate specified by statute, starting 30 Calendar Days after the date of Third Notification, on any monies still owed the Contractor. Any such interest may not be eligible for Federal-Aid participation.

Once Third Notification is received by the Contract Administration Unit (CAU), final payment will be made to the Contractor.

After issuing Third Notification, if the RE determines that the Contractor still has unfinished or corrective Work to be completed, or still needs to furnish additional documentation, the RE may rescind Third Notification until the needed items are completed. The RE must promptly notify the Contractor that Third Notification is being rescinded, and of the items yet to be completed or submitted. Provide a copy of this information to the CAU. Reissue Third Notification when the needed items are completed.

**15120**

Contract No.



### Notification of Commencement and Completion Dates for Contract Projects

US26: MP99 - Kahneeta Junction Sec.

Project Name (Section)

Warm Springs Highway

Highway

Laduke Construction LLC

Contractor

Bill Martin

Project Manager

Jefferson

County

20853

Key No.

CON04171

EA No.

S053(037)

Federal Aid No.

15120

Contract No.

11/27/2018

Date of Award

Date

#### First Notification

1/21/2019

Date

Enter date on which the erection of a sign or plant, the development of aggregate sources, or the performance of a contract construction operation began.

#### Second Notification

Instructions: If applicable, list each completion date as listed in the Special Provisions under 00180.50(h). Use the Add Another button to add lines for additional completion dates. Issue a separate Second Note for each interim completion date and then issue a final Second Note once all of the work has been completed. If the completion date(s) have been modified by Contract Change Order, attach a copy of Page 1 of the CCO showing the modified date. If the completion date(s) are time counts or liquidated damages are being assessed to the project, attach a copy of the final Weekly Statement of Time Charges to the Second Note.

	Specified Completion from Section 00180.50(h)	Date Changed by CCO	CCO No.	Days Charged Beyond Specified Completion	Date(s) the Work Was Completed and the Time Charges Stopped	
1	April 26, 2019	<input checked="" type="checkbox"/>	01	15	May 11, 2019	X
2	October 3, 2019	<input checked="" type="checkbox"/>	03	0	October 3, 2019	X

All Claims for Additional Compensation Must Be Submitted By:  
(See subsection 00199.30 of the contract provisions for additional requirements)

November 17, 2019

Known items necessary to complete the requirements for "Third Notification" are:

#### Third Notification

3/17/2020

Date

Enter the date on which all contract work was completed including corrective work, equipment and plant removal, site cleanup, and Project Manager's receipt of all certifications, bills and other documents required under the contract.

For more information regarding time, refer to [Chapter 13, Contract Time of the Construction Manual](#).

#### Distribution

##### Hard Copy:

- ☐ Original to Construction  
☐ Prime Contractor

##### Electronic Copy:

- ☐ District Manager  
☐ Region Assurance Specialist  
☐ Region Survey Manager  
☐ Office of Civil Rights  
☐ Region Right of Way Manager  
☐ ODOT Contract Services

**NOTE:** In accordance with ORS 279C.335, a Findings of Fact for Exemption (FFE) post-construction evaluation report must be submitted to ODOT's director no later than 30 calendar days after project acceptance (Third Notification).

In accordance with FHWA's Special Exemption Project (SEP-14) Alternative Contracting requirements and FHWA's SEP-14 programmatic approval for ODOT's use of Price Plus Multi-Parameter "A+C+D" method, a SEP-14 post-construction evaluation report must be submitted to FHWA Oregon Division office after completion of the Project.

After issuance of Third Notification for Projects using alternative contracting methods, the RE will oversee the drafting and submittal of the following post-construction evaluation reports to Alternative Delivery Services (ADS):

- FFE Report: Price Plus Time (A+B), A+C+D, Construction Manager/General Contractor (CM/GC), Design-Build, and best value Indefinite Delivery/Indefinite Quantity (ID/IQ) methods
- SEP-14 Report: A+C+D method only

**NOTE:** For A+B and A+C+D Projects, refer to Price Plus Guide Appendix I - A+B and Appendix II - A+C+D for additional information.

For CM/GC Projects, refer CM/GC Manual Chapter 22-1.

For Design-Build Projects, refer to Design-Build Contract Administration Manual.

