

Chapter 11 - Before On-Site Work Can Begin

Section 00180.40(b) specifies that the Contractor must have received or accomplished various tasks before on-site work can begin, including receiving Notice to Proceed and assembling needed materials, equipment, and labor.

In addition, Section 00195.12(a) requires that the Contractor submit in writing to the Project Manager (PM) the Pay Items selected for the steel escalation/de-escalation program within five days of the Pre-Construction Conference (Pre-Con).

Partnering Workshops are offered to the Contractor on all projects. The intent of a Partnering Workshop is to enhance working relationships, lines of communication, and processes to resolve project issues. Partnering Workshops should be encouraged and will be established at the Contractor's request. If the Contractor does not want to participate in a Workshop but the PM believes it is essential, the PM should contact the Contract Administration Engineer to facilitate the Contractor's participation.

If a Partnering Workshop is requested, the Construction Program Coordinator in the Construction Section will assist the PM in selecting a facilitator and date for the Partnering Workshop. The PM should contact the Construction Program Coordinator or the Contract Administration Engineer who will provide a copy of the Cooperative Arrangement Form (734-0338) to the PM. The Contractor will need to complete the form and return it to the Construction Program Coordinator before the Workshop can be scheduled.

If a Partnering Workshop is held, the Workshop should occur before work starts or at least very early in the project. As a reminder, any Cooperative Agreement developed during the Workshop does not change the terms of the Contract (unless a Contract Change Order is executed).

The following are discussed in greater detail below.

- Pre-Construction Conference
- Project Schedule
- Traffic Control Plan
- Erosion and Sediment Control Plan
- Pollution Control Plan

As required by the Contract the PM may request that the Contractor submit other information at or before the Pre-Con.

11-1 Pre-Construction Conference

The Contractor must meet with the PM for a Pre-Construction Conference (Pre-Con). The Pre-Con must occur within 30 calendar days of the Notice to Proceed unless otherwise approved by the PM. The Pre-Con must occur prior to the start of work on the project.

There are several objectives to be accomplished during the Pre-Con, including:

- Identifying key personnel and channels of communication
- Reviewing the project schedule
- Sharing the project schedule with utilities and receiving their information on utility relocations and potential conflicts with their facilities
- Assuring that the Contractor is aware of project work and responsibilities, including safety, quality control and documentation, Affirmative Action, surveying, environmental and permit regulations and requirements, etc.
- Informing the Contractor of procedures for consent to subcontracts, progress payments, change orders, and adjustments of contract time
- Identifying known problem areas, identifying procedures to resolve those problems, and establishing a process to resolve future problems in a timely fashion

The PM must assure that the Pre-Con is an effective meeting. It is often more effective to break down the Pre-Con into a series of meetings related to specific disciplines and/or subjects. For example, separate meetings may be held to discuss the following:

- Review of initial project schedule
- Utilities
- Quality control and quality documentation
- Contractor surveying
- Environmental and regulatory requirements
- Subcontracting, Affirmative Action (EEO, DBE, OJT), labor and payrolls, and reports

The above meetings would be in addition to the general topics at the Pre-Con. Additionally, some pre-work meetings may be required before starting critical phases of a project, such as major changes in traffic stages, HMAC paving, PCC paving, and steel fabrication, etc.

If the PM and the Contractor are familiar with ODOT requirements, the PM may agree to just exchange a memo which reminds the Contractor of some of the requirements rather than spending significant time on them at the meeting(s). Refer to example in **Exhibit 11A**, pages 1 through 3.

Persons who should attend a Pre-Con include:

- Key personnel from the Contractor and its subcontractors
- Representatives of involved or affected utilities
- PM, assistant, inspectors, QCCS, CAS or/and office personnel responsible for processing documentation and payment
- If a local government project, the ODOT liaison for local government projects as well as the PM's supervisor
- FHWA
- Affected utilities and railroads
- Permitting and regulatory agencies
- Engineer of Record and other design personnel
- Other appropriate personnel such as Maintenance, other local government representatives, etc.

The PM must record the meeting(s) on tape, as well as providing a written summary to the attendees of the meeting, pertinent points, agreements, and assignments given to personnel. Assure that the recording has good audio quality.

The PM must have an agenda (refer to example in **Exhibit 11B**, pages 1 through 4) for the Pre-Con and each smaller meeting, with a copy given to each attendee. Topics to be addressed at the Pre-Con or other meeting(s) include:

1. Identification of key personnel, channels of communications, and signature authority for Contract Change Orders.
2. Project schedule. Remember that the contract requires the Contractor to submit its project schedule to the PM for review 10 work days prior to the Pre-Con, dependent upon the type of schedule specified.
3. Utility involvement, relocation, and potential impacts, including the relation to the Contractor's schedule.
4. Safety. ODOT has a standard questionnaire which the PM may require the Contractor to complete and submit at or before the Pre-Con. Refer to Chapter 17 - Safety for examples.
5. Temporary Protection & Direction of Traffic. Remember that the Contractor must submit a Traffic Control Plan if different from that in the contract.
6. Erosion Control and Pollution Control Plan.
7. Tourist-oriented directional signs ("TODS").
8. Freight Mobility.

**OREGON DEPARTMENT OF TRANSPORTATION
CONSTRUCTION MANUAL**

9. Labor provisions, payrolls, Affirmative Action, DBE, OJT. Invite the Office of Civil Rights field representative to assist on this.
10. Quality control. Invite the ODOT Quality Assurance Coordinator. Identify material sources. Identify manufactured products that will need inspection and identify the inspection processes.
11. Material conformance documents (certifications, etc.). Make sure that the Contractor knows what documents are required or establish a process to provide that information to the Contractor before that work starts.
12. Process for submittal and review of working drawings and other submittals requiring review by the PM or Engineer.
13. Contractor surveying.
14. Progress payments, quantity measurements, and lump sum breakdowns.
15. Procedure for measuring mass and requirement that all loads must comply with legal restrictions on weight and speed.
16. Recording of contract time and Requests for Adjustment of Contract Time. Also address First, Second, and Third Notifications, especially if the Contractor (or a consultant or local agency on its project) is not familiar with them.
17. Pertinent Contract Special Provisions for the project.
18. Known problem areas. Need to define the process to resolve these issues as well as a process for working through future problems.
19. Disagreements, Disputes, and Claims. Need to discuss the required notice and establish a process for resolving disagreements, as well as establishing the escalation process for those issues that are not resolved at project level. Discuss the timelines specified in the contract.
20. The Contractor and PM should schedule a regular time to meet (preferably weekly). Items to be addressed at this meeting include:
 - Review past work progress, events, and impacts to the project schedule, upcoming work
 - Information or work needed to allow progress on the job
 - Outstanding issues
 - Lines of communication
 - Show appreciation for accomplishments by either party

Remember to make each meeting effective. Also remember to have pre-work meetings for critical construction processes, including aggregate production, paving, and bridge deck placement.

11-2 Project Schedule

The Contract requires the Contractor to prepare, submit, and update a project schedule. One of the three types of schedules described below will normally be specified. The three types are:

1. Type "A": This is a simple, time scaled bar chart. It only needs to be updated when the current schedule no longer represents the progress of project work or if significant work has been added to the project. Type "A" schedules would be specified on simple projects.
2. Type "B": This is also a time scaled bar chart, but it should reflect the critical path for work on the project. The Contractor must submit monthly updates for Type "B" schedules. Type "B" schedules are specified on more complex projects, but where the work is still fairly linear.
3. Type "C": A Type "C" schedule is a time-scaled critical path schedule, although the Contractor may submit a critical path method logic diagram with a time scaled bar chart instead. Type "C" schedules are specified on complex projects where several work paths have interdependent work, and it may be difficult to determine the actual critical path.

The project schedule needs to be prepared, submitted, reviewed, and updated as specified in Section 00180.41 of the Contract, including:

1. The project schedule submitted by the Contractor must be of the proper type. For example, do not accept only a bar chart if a Type "C" schedule is specified. The Contractor, however, may submit a Type "C" schedule instead of a bar chart.
2. The Contractor must submit the proper schedule to the PM before the Pre-Con as specified in Section 00180.41.
3. The PM must review the schedule to assure that the schedule shows that all work will be accomplished within the contract time requirements, that it does not violate any of the contract restrictions, and that it depicts realistic performance of the work. Also look for errors or oversights in the logic for the work. Address any concerns with the Contractor. The PM should not "accept" or "approve" the schedule, but merely indicate that the schedule appears to meet all of the contract requirements.
4. The Contractor must update the project schedule monthly for Type "B" and "C" schedules or as needed for Type "A" schedules. The Contractor must also update

its schedule when the schedule no longer represents the Contractor's plan for the work or when significant changes have impacted the schedule.

The Contractor needs to submit with each update a narrative describing changes to the schedule, any problems or issues that may affect the schedule, and the reasons why scheduled work is not being accomplished. The schedule should also portray impacts from events that may cause delays. This information is necessary in analyzing requests for adjustment of contract time and in analyzing claims for delay damages.

The PM needs to review each schedule update to be aware of changes to the schedule, potential delays, and upcoming work. This will assist the PM in determining if any action should be initiated.

If needed by the PM, the Contract Administration Engineer can provide training and assistance to the PM in understanding, reviewing, and analyzing the project schedule and changes or impacts to the project schedule.

5. If the Contractor fails to submit the schedule update as required, the PM should withhold the progress payment until the Contractor provides an acceptable schedule. If the initial schedule is not submitted, work should not start!

Remember that a project schedule is very important in helping the PM to, among other things:

- Plan the work of the Project office
- Assure that the Contractor understands the limitations on its work that are imposed by contract or local ordinances
- Assure that work is proceeding on schedule
- Communicate the Contractors schedule and planned completion to the local residents, businesses, and media through Region/BDU Public Information Coordinator
- Be able to analyze possible delays to the project work

The PM must address the issue of Project Schedule when completing the required Prime Contractor Performance Evaluation. Refer to **Chapter 34 - Contractor Performance Evaluation**.

11-3 Traffic Control Plan

Section 00225 discusses the required Traffic Control Plan (TCP).

Five days prior to the Pre-Con and in accordance with Section 00225.05 the Contractor must submit a written TCP showing all Traffic Control Measures (TCM) and quantities

of Traffic Control Devices (TCD) for approval. The PM must also consent to any proposed changes from the TCP included in the Contract.

The Contractor must also submit an acceptable plan to protect and maintain all Travel Information Council signs also referred to as tourist-oriented directional signs (TODS). If the Contractor does not protect and maintain each sign, the PM must assess liquidated damages as specified by the Contract (Section 00170.82) and notify the Travel Information Council.

If the TCP is not providing the desired results, the Contractor is responsible to propose changes to the TCP to adequately handle traffic. All changes must be submitted in writing and approved by the PM. Any revisions to the TCP will be subject to a Contract Change Order before implementation.

If the Contract requires a Traffic Control Supervisor (TCS), that person must complete and submit a daily report on TP & DT Daily Report, Form 734-2474 for each approved day. Refer to **Chapter 12-A - Daily Reports/Diaries**. Submit those reports with the final project documentation.

The PM must evaluate how well the Contractor complied with the TCP when completing the required Contractor Performance Evaluation. Refer to **Chapter 34 - Contractor Performance Evaluation**.

11-4 Erosion and Sediment Control Plan

Section 00280 discusses the required Erosion and Sediment Control Plan (ESCP).

No less than 10 calendar days prior to the Pre-Con, the Contractor must submit an ESCP, or proposed modifications to the ESCP shown in the plans, for review by the PM. The PM must approve the ESCP before the Contractor may commence work. Refer to the **Erosion and Sediment Control Manual**.

http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/docs/Erosion_Control_Manual_nav.pdf

If the ESCP is not providing the desired results, the Contractor is responsible to make needed changes to the ESCP to adequately control erosion and sedimentation.

If 1/2 inch or more of rainfall occurs, the PM and Contractor must inspect the project to assure that erosion control measures are working. Assure that an Erosion Control Monitoring, Form 734-2361, is completed within 24 hours if more than 1/2 inch of rainfall occurs within a 24 hour period, daily during stormy periods, or periods of snowmelt where runoff occurs daily, or at least every 7 calendar days at other times. Refer to **Chapter 12-A - Daily Reports/Diaries** for additional information. Submit Erosion Control reports with the final project documentation.

When completing the required Prime Contractor Performance Evaluation, the PM must address compliance with permit requirements. This would include elements of the ESCP. Refer to **Chapter 34 - Contractor Performance Evaluation**.

11-5 Pollution Control Plan

Section 00280 discusses the required Pollution Control Plan (PCP).

The Contractor must prepare and submit a PCP at or before the Pre-Con. It may prepare the PCP on the format supplied by the PM, or may prepare the PCP in its own format, as long as all required information is included. Refer to **PCP Packet, Exhibit 11C**.

The PM must review and approve the PCP before the Contractor may commence work.

If the PCP is not achieving the desired results, or it no longer relates to actual or planned situations at the project site, the Contractor must modify its PCP to adequately protect the actual or planned situations.

When completing the required Prime Contractor Performance Evaluation, the PM must address compliance with permit requirements. This would include elements of the PCP. Refer to **Chapter 34 - Contractor Performance Evaluation**.



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

Construction Section
800 Airport Road SE
Salem, OR 97301-4798
(503) 986-3000
FAX (503) 986-3096

Monday, June 17, 2002

PRIME CONSTRUCTION COMPANY
BUSINESS STREET
CENTERVILLE USA 99999

FILE CODE:

SL #1

RE: Here Road – There Drive
Main Highway
Contract #12000

In order to make the best use of time at the preconstruction meeting for the subject project, the following items will be addressed in this letter.

This is a Federal Aid project. The required contract provisions for federal aid construction contracts are included within the special provisions. Weekly certified payrolls must be submitted by the prime and their subcontractors. This will be one of the items tracked and estimates held if payrolls are delinquent.

The on-site work force requirements in Madison County for women are 6.9% and minorities are 2.9%. An evaluation of your compliance with specifications will be made throughout the project. The monthly "Employment Utilization Report" (Form 731-0394) and the annual "Federal Aid Highway Construction Contractor's EEO Report" (PR1391) will be required from you and your subcontractors with contracts of \$10,000 or more.

There are four on the job training positions required on this contract. The intent of the program is to train and upgrade minorities and females toward journey-level status in highway construction crafts. Training Programs must be submitted before work begins. Apprentice/Trainee Approval Requests need to be submitted in a timely manner as well. It is the intent that trainees are in place during as much time as possible that their craft is involved on the job. ODOT will monitor and document participation and activities of trainees for payment under the bid item. By the 10th of the month, an "Apprentice/Trainee Monthly Progress Record" for each person participating in the OJT Training Program must be completed and submitted to this office.

The assigned DBE goal for this project is 8%. Prime Construction has committed to a goal of 8.31%. It is your responsibility to assure that DBE subcontractors perform a commercially useful function. ODOT will be monitoring all operations throughout the on-site work.

11 Exhibit A(1)



The prime contractor's own organization shall perform not less than 30% of the contract work as awarded. Request for subcontract consent must be received and approved by the project manager prior to the beginning of work by the subcontractor.

All contract work is to be completed before November 15, 2004. A notice of any delay - regardless of cause or fault - that will delay project completion must be submitted within seven calendar days of when the delay is known. Upon receipt of such notice, ODOT will promptly review and investigate to determine measures available to mitigate the delay.

The specifications (Section 00180.80) provide for the adjustment of contract time under certain restrictive conditions. Please submit requests for an adjustment of contract time as soon as possible after a delay, but no later than 21 days after Second Notification. A "Contractor's Request for Adjustment of Contract Time" (734-3320), Consent of Surety (for requests over 30 days), and supporting information must be submitted explaining the cause of each delay and the amount of time adjustment requested.

The process for resolving disagreements and claims is contained within Section 00199. The process consists of three steps, each of which is mandatory in the sequence specified. Steps are:

- Discuss disagreements or disputes with the Project Manager and attempt to resolve them. If unresolved . . .
- Give notice of protest of the Project Manager's decisions before starting or continuing the work under dispute. Follow promptly by a detailed written notice of protest. The Project Manager will review and respond to all properly filed protests. If unresolved . . .
- A claim is filed. (See Section 199.30)

The intent is to resolve any disagreements early and at the lowest administrative level possible. For those disagreements that become claims, sufficient supporting data is required to enable a third party to fairly judge the merits of the claim.

Notify this office as soon as possible of all proposed material sources of supply, including steel or other fabricators. ODOT must verify that a source is qualified for use and assure inspection of fabricated items. Questions involving field-tested aggregates, concrete, and asphalt for this office should be directed to Rocky O'Dottle, Quality Control Compliance Specialist, at (503) 986-0005.

Certifications and Certificate of Material Origin forms are required prior to the incorporation of materials into the project. We are maintaining a program of strict compliance with the contract material requirements. The Non-field Tested Materials Acceptance Guide" may be used to help determine the quality documentation

requirements for materials not subject to field-testing. The Non-field Tested Materials Acceptance Guide" must be used in conjunction with the specific contract requirements for materials incorporated in the project. Please call O. Dottie, Quality/Quantity Coordinator at (503) 986-0006 if you have any questions.

The pay period for this project ends the last day of each month. Weekly certified payrolls for you and your subcontractors and updated monthly work schedules must be received in this office, or pay estimates will be held. Due to the number of projects we now have, estimates will no longer be faxed to contractors or their subcontractors. If a copy is desired, please notify the inspector and one will be mailed or provided to your project superintendent.

Material on hand requests will not be processed unless received by this office at least five calendar days before the pay period cut off date per Section 195.60(1). The requests must also include the necessary material documentation, certifications and Certificate of Material Origin form. Verification will also be requested of payment to suppliers within thirty days of the progress payment on which the advance was made. If proof is not provided, appropriate money will be deducted from the next progress estimate.

As required by 00180.41, the contractor will submit a project work schedule and erosion and sediment control implementation schedule. Also submit any proposed changes to the Erosion and Sediment Control Plan (Section 00280) and a pollution control plan and schedule not less than 10 working days prior to the preconstruction meeting. As required by 00225.05, the contractor will submit a Traffic Control Plan five days prior to the preconstruction meeting. I am including a packet of information to assist you in developing a pollution and erosion control plan.

The following is a list of items to be submitted at the preconstruction meeting:

- Attached safety questionnaire.
- Breakdown for all lump sum items.
- Training program (Form 731-0335).
- DBE work plan proposals, Form 3.
- List of material sources.

Rhoda Head
Project Manager

Attachments

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was intentionally
left blank.

PRECONSTRUCTION CONFERENCE

HERE ROAD - THERE DRIVE
CONTRACT 12000
MAIN HIGHWAY
April 12, 2001
This meeting is being recorded.

Agenda

I. Introductions

- A. Prime Contractor:
Prime Construction Company
Address correspondence to:

BUSINESS STREET
CENTERVILLE USA 99999

Project Superintendent: _____
Office phone: (503) 555-5555 FAX: (503) 555-5556
Cell phone: _____ Pager: _____

- B. Oregon Department of Transportation
Rhoda Head, Project Manager
2001 ODOT Way, Building A
Salem OR 99999-9999

Office phone: (503) 999-9900 FAX: (503) 999-9901

Key people assigned to this project:

	Phone	Cell	Pager
Rhoda Head, PM	986-0001	559-0001	375-0001
Rod Lenker, Asst. PM	986-0002	559-0002	375-0002
Phil Dirt, Inspector	986-0003	559-0003	375-0003
Dee Tour, Inspector	986-0004	559-0004	375-0004
Rocky O'Dottle Mat'ls Coord.	986-0005	559-0005	375-0005
O. Dottie, Quality/Quantity	986-0006		

II. Utilities

- A. Utility clauses 00150.50
- B. Contractor's schedule

III. Civil Rights

- A. DBE/EEO
 - 1. DBE Work plan proposals - have two of five in already.
 - 2. Three DBE subcontracts are in.
- B. Labor Compliance
 - 1. Davis-Bacon wages
 - 2. Condition for payment
- C. OJT
 - 1. Two positions
 - 2. Training program in for one position.
- D. Subcontracts - eight subcontracts are in.

IV. Safety

- A. Project Manager's role in monitoring the safety of the Contractor's operations
- B. Discussion of specific safety requirements
- C. Temporary protection and direction of traffic
 - 1. Traffic Control Plan

2. Lane restrictions Section 00220.40:
 - a. All lanes open MP 26.64 - 30.4, 3:30 pm - 6:00 pm Monday to Thursday in August
 - b. All lanes open 12:00 noon Fridays - 12:00 midnight on Sundays
 - c. All lanes open 12:00 noon on the day preceding legal holidays or holiday weekends to 12:00 midnight on legal holidays or the last day of holiday weekends
 - d. All lanes open 12:00 noon on Friday, July 9, 2001 to 12:00 midnight on Sunday, July 11, 2001 for Sports-person Holiday and Sugar Town Rodeo
 - e. All lanes open 12:00 noon on Thursday, August 5, 2001 to 12:00 midnight on Sunday, August 8, 2001 for 6th Annual Oregon Jamboree
 - f. Liquidated damages for above \$400/10 minutes
3. City street closure subject to City approval
4. Bikeways 00220.60(a-1) - Keep them clean and clear
5. On street parking - 21 day notice to City - 2 day notice to businesses

D. Safety Questionnaire

V. Quality Assurance

- A. **Certifications required prior to installation**
- B. Certificate of Materials Origin
- C. Quality/Quantity sheets - O. Dottie
- D. Lump sum breakdowns
- E. Field tested items to be coordinated with Rocky O'Dottle
- F. QC/QA Project

- G. QA Precon
- H. Certifications for all labs, equipment, technicians, nuke gauges (must be calibrated over Region's blocks)
- I. List of material sources

VI. Prosecution and Progress

- A. Section 00150.65 - Construction information group
- B. Downtown work restriction 44+973.85 - 46+660 - All work done at night 6:00 pm - 6:00 am.
- C. Project Work Schedule - condition for payment
 - 1. Completion dates
 - a. August 31, 2001 for all but AC wearing course, permanent signing and permanent traffic signals from STA 44+973.850 to STA 46+660 - LD's will be \$1000/day
 - b. September 30, 2001 for all work including traffic loops, but not permanent traffic signals - LD's will be \$1000/day
 - c. November 15, 2001 for all contract work - LD's will be \$1300/day
- D. Erosion Control Plan
- E. Pollution Control Plan
- F. Progress payments
 - 1. Cut-off date, last day of month
 - 2. MOH requests in by 25th of month
- G. Bid item review