



**STATE OF OREGON
POSITION DESCRIPTION**

Position Revised Date:
October 1, 2017
(only change if revisions are made)

Agency: Dept of Transportation

Division: Transportation Operations/Highway

This position description is for:

- A new position that is being established
- An existing position that is being revised
- No change – Annual review

**Service Type
of this position is:**
(Check one box only)

- Management Service (X):
- Supervisory (MMS)
 - Managerial (MMN)
 - Confidential (MMC)

- Unclassified:
- Executive Service (Z)

SECTION 1. POSITION INFORMATION

a. Classification Title:	<u>Principal Exec Mgr F</u>	b. Classification No:	<u>X7010</u>
c. Establish Date:	<u>May 31, 1970</u>	d. Position No:	<u>1151002</u>
e. Working Title:	<u>Contract Administ. Engineer</u>	f. Agency No:	<u>73000</u>
g. Section Title:	<u>Const/Contract Admin</u>	h. Budget Auth No:	<u>000437460</u>
i. Employee Name:	<u>VACANT</u>	j. Union Repr Code:	<u>N/A</u>

k. Work Location (City – County): Salem/Marion

l. Supervisor Name: Joe Squire

m. Position: check the one/s that apply

Permanent Seasonal Limited Duration Double Fill

n. Position: check only the one that applies

Full-Time Part-Time Intermittent Job Share

Academic Year

o. FLSA:	<input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt	If Exempt:	<input checked="" type="checkbox"/> Executive <input type="checkbox"/> Professional <input type="checkbox"/> Administrative	p. Eligible for Overtime:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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SECTION 2. PROGRAM AND POSITION INFORMATION

a. Describe the program in which this position exists. Include program purpose, who is affected, size, and scope. Include relationship to agency mission.

The Oregon Department of Transportation exercises leadership and vision in promoting, developing and managing a statewide network of transportation systems and facilities. These systems and facilities provide access to Oregon for the State's citizens and visitors, provides efficient movement of commerce, goods and services, ensures the safety of transportation systems users, and enhances Oregon's competitive position in national and international markets. ODOT is a geographically-spread organization of approximately 4500 FTE with a \$3.8 billion biennial budget.

Technical Services Branch (TSB) consists of approximately 320+/- employees in its 10 disciplines: Access Management, Bridge Engineering, Construction, Engineering Automation, Engineering Technology Advancement, Geo-Environmental, Geometronics, Major Projects, Right of Way and Traffic-Roadway. Through its delegated authority and influence roles, Highway Division's TSB is responsible for the overall management of the State's Transportation System and ensures the success of ODOT's transportation program by:

- 1) Managing highway-related state-owned assets (i.e.: bridges, roads, culverts, etc.);
- 2) Ensuring the technical skills and abilities of ODOT staff is sufficient to do assigned work;
- 3) Promoting continuous improvement efforts through the development and communication of clearly articulated, locatable and understandable policies and practices, and providing qualitative and performance measurement information and analysis, and,
- 4) Supporting Region project delivery in direct work for transportation infrastructure projects.

TSB ensures appropriate statewide consistency in technical policy, procedure, and practice; reduces Agency risk, ensures compliance through oversight of the technical aspects of project development and construction; researches and analyzes best practices, trends and research related to transportation solutions; maintains key strategic relationships with regulatory agencies and other business partners; conducts value engineering and other review activities; develops tools, techniques, analysis and performs specialized and as-requested direct work in support of Region project delivery; ensures systems entrusted to ODOT are understood, managed effectively and efficiently, and that the right jobs are done at the right time; and ensures that maintenance and systems improvements are performed in a timely manner.

The Construction Section consists of 98 +/- employees in its six units: Business Services, Contract Administration, Quality Assurance, Structural Services, Pavement Services, and Lab Services. The Construction Section's role in ODOT's Construction program is to lead and manage continuous improvement of overall construction program quality and statewide consistency by: establishing performance expectations for the statewide construction program, establishing, administering, and interpreting statewide construction policies, procedures and processes, and providing construction expertise and training programs.

The Contract Administration Unit is responsible to assure proper and uniform administration of all ODOT construction contracts and to promote efficient and expeditious administration of ODOT construction activities. This unit processes contract payments, project claim negotiations, contract change orders, as well as assists with document compliance and dispute resolution.

b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:

Ensure that all statewide highway construction projects comply with ODOT and Federal Highway Administration project requirements, and receive FHWA reimbursement and 2) manage overall ODOT construction contract administration and assures quality and statewide consistency.

ODOT receives approximately \$300M-\$500M in federal funds annually to build highway projects. The Federal Highway Administration has and will continue to give ODOT fiduciary responsibility for these funds so long as federal construction requirements are met. The CAE is the protector of this fiduciary responsibility for Construction Projects. The CAE must establish statewide contract administration policy, processes, and procedures and ensure compliance with those policies. The CAE has signature authority to release or withhold contract payments on all ODOT construction contracts.

The CAE has broad conflict resolution authority to resolve payment disputes. In this position the CAE exercises significant judgment to influence resolution of claims, enter into settlements, or pursue legal action on behalf of ODOT. ODOT's relationships with contractors are defined in large part by the approach the CAE uses to exercise his/her authority and responsibilities. The CAE has wide ranging influence on the work of the central Contract Administration Unit which he directs, and on the behavior and actions of all statewide project construction staff. The CAE interfaces regularly with all region personnel who deliver

construction projects throughout the state. This includes Region Managers, Area Managers, Project Managers, and their crews. The CAE is relied upon as a critical expert in the administration of construction contracts and is used widely as an expert not only regarding contract compliance and administration but also regarding contractor relationships, community relationships, and construction technical problems.

The CAE is directly responsible for Contract Administration Unit personnel who administer centralized contract payment processes, contract change orders, time extensions, periodic and final project reviews and acceptances. The CAE is ODOT’s spokesperson in settlement negotiation, court actions, and all ODOT contract claim appeals. The CAE leads ODOT in implementing state of the art contract administration approaches and bringing continuous improvement to the statewide Construction Contracts program.

SECTION 3. DESCRIPTION OF DUTIES

List the major duties of the position. State the percentage of time for each duty. Mark “N” for new duties, “R” for revised duties or “NC” for no change in duties. Indicate whether the duty is an “Essential” (E) or “Non-Essential” (NE) function – for ADA purposes.

The following are general requirements for performance of the duties listed below: maintains regular and punctual attendance; contributes to a positive and productive work environment; establishes and maintains professional and collaborative working relationships with all contacts.

Be a respectful member of a team, which includes communicating and working effectively and appropriately with a variety of individuals or groups with diverse cultural beliefs, values and behaviors.

Be responsible for achieving the Department’s Affirmative Action goals through recruitment, selection and retention of protected class individuals. Promote and support the value the Department places on Equal Employment Opportunity (EEO), Affirmative Action (AA), Diversity and Working Guidelines through individual actions and interactions with employees, applicants, stakeholders, community partners, and landowners.

% of Time	N/R/NC	E/NE	DUTIES
Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit “Enter”.			
30	NC	E	Lead the contract administration portion of the Construction Section for ODOT’s Construction Program (approximately \$300-\$500 million/year): <ul style="list-style-type: none"> • Provide statewide guidance, expertise, coaching, and mentoring to ODOT, Local Agency and Consultant, Project Managers, Region Area Managers, and other ODOT personal in Contract Administration issues, interpretation of Construction Program contract specifications, disputes resolution with Contractor's, and Contractor claim resolution. Review and approve or veto contract change orders proposed by Project Managers and Area Managers. • Provide training to ODOT, Local Agency, and Consultant, Project Managers, CPM's and Area Managers on Contract Administration issues. • Ongoing communication with FHWA to assure continued ODOT compliance with Federal Aid requirements. • Ongoing communications with Department of Justice concerning ODOT specifications, contractual requirements and dispute issues.

25	NC	E	<p>Provide final agency level Claim Review and Resolution for contractor claims and lawsuits.</p> <ul style="list-style-type: none"> • Act as ODOT's hearing officer for all construction contract claims unresolved at Region level or lower. This includes claims for additional compensation, disputed pay quantities, and Contract time. Provide final ODOT review and resolution of contractor claims, negotiate with contractors to reach resolution when appropriate. (15-25 claims/year, typically ranging from \$10,000 to \$8,000,000 each) • Represent ODOT's claim denial position in Third Party Neutral Claim Review Boards and Dispute Boards reviewing contractor claims. (5 to 10 hearings per year, typically ranging from \$25,000 to \$250,000 each, however occasionally exceeding \$1M) • Provide ODOT expertise and contact with Department of Justice in Contractor lawsuits against ODOT for Construction Claim issues. (ongoing 1-4 lawsuits, \$50,000 to \$10,000,000).
15	NC	E	<p>Manage statewide assurance documentation for ODOT's Construction Program (\$300-\$500 Million/yr.):</p> <ul style="list-style-type: none"> • Establish statewide policy and procedures for use in Project Manager's offices to acquire, assemble, and record contract documentation required to assure compliance with all construction contract requirements. • Establish and manage statewide processes to review final project documentation, manage the Region Assurance Specialists throughout the state in the timely accomplishment of these processes. • Review Area Manager's recommendations for acceptance of project documents, make final determination on acceptance of project documentation. Based on final acceptance, substantiate to FHWA that ODOT complied with Federal contract requirements for Federal Aid Projects, substantiate all Federal funds that ODOT receives for the ODOT Construction Program. Based on final acceptance, substantiate to ODOT internal auditors and to Secretary of State's auditors, that ODOT complied with state law and ODOT policies in making payments to contractors.
10	NC	E	<p>Manage statewide payments to contractors for ODOT's Construction Program (\$300-\$500 million/yr.):</p> <ul style="list-style-type: none"> • Responsible for ODOT Contractor Payment System software and coordination between approximately 40 PC's throughout the state and the Contract Administration Unit's mainframe system that processes payments to Contractors. • Review and approve all monthly estimated payments to Contractors requested by Project Managers, all Contract Final Payments to Contractors on all Commission Services Construction Projects throughout the state. (100-140 payments totaling \$20 to \$50 million per month.) • Review and approve Contractor Retainage reduction requests recommended by the Area Managers.(approximately \$1,000,000 per month) • Provide ODOT final approval for Contract Change Orders and Contract Time Extensions that are beyond the authority of Project Managers and Area Managers. (Area Managers are authorized to approve up to \$250,000, the Contract Administration Engineer has the authority to approve all amounts above Area Manager's authority.)

5	NC	E	Manage the Contract Administration Unit within the Construction Section. Unit is composed of 17 positions with diverse duties, located throughout the state. Recruit, select, supervise, mentor and coach. Set expectations, provide advice and guidance to and otherwise manage Unit employees.
5	NC	E	Manage and lead the RAS Team. Member of the Statewide Construction Leadership Team. Member of Construction Project Managers Team. Manager of the Contract Administration Unit Team. Participate on Statewide Project Managers Team, CPM Team and Statewide Area Managers Team. Provide input to other teams as requested.
5	N	E	Manage and head the Agency's Contractor Labor Compliance Program to assure Contractors are paying appropriate wages to their employees who work on ODOT Construction Projects.
5	NC	NE	Provide ODOT point of contact for AGC and contractor regarding contract administration issues and concerns, lead efforts for statewide consistency in our ODOT and Local Agencies administered construction contracts.
0	N	E	Demonstrate commitment to building and maintaining a respectful workplace and valuing diversity by communicating and working effectively and appropriately with individuals or groups with diverse beliefs, values and behaviors.

100%

SECTION 4. WORKING CONDITIONS

Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.

Work is normally in an office setting with some visits to project offices. Occasional travel required, including overnight travel and working outside normal 8:00AM to 5:00PM time frame. Occasional evenings and weekend work. Overnight travel is required for training staff, meeting with contractors, addressing construction disputes, among other travel.

Work is stressful much of the time due to the many complex decisions and financial impacts of those decisions some of which require immediate action. Meetings with contractors may be difficult, tense, and occasionally hostile.

SECTION 5. GUIDELINES

a. List any established guidelines used in this position, such as state or federal laws or regulations, policies, manuals, or desk procedures.

- Oregon Revised Statutes
- Oregon Administrative Rules
- Federal Laws and Regulations
- Standard Specifications for Highway Construction and project Special Provisions and plans.
- ODOT Construction Manual
- Collective Bargaining Agreements

b. How are these guidelines used?

Knowledge and proper application of the above laws and rules can minimize ODOT's liability in contractual disputes with contractors. Frequent reference to and review of these documents is essential in the proper and lawful administration of ODOT construction contracts. Decisions made and advice given by the Contract Administration Engineer MUST be in accord with all applicable laws, regulations, and contract provisions.

SECTION 6. WORK CONTACTS

With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?

Who Contacted	How	Purpose	How Often?
<i>Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".</i>			
Project Managers, CPM's, Local	Phone/in person	Provide advice on contract administration. Specification Interpretation, Issue Resolution	Daily
Area Managers	Phone/in person	Approve Contract Change Orders/Time Extensions beyond Area Manager's authority.	Weekly
Attorney General	Phone/in person	Seek legal advice, provide department expertise to DOJ on legal matters dealing with ODOT's construction program.	Weekly
Contractors/Attorneys	Phone/in person	Provide advice and status of contract, Issue Resolution	Weekly
Other Tech. Serv.Groups	Phone/in person	Discuss contract procedures, proposed project specifications.	Weekly
Contractor Groups	Phone/in person	Discuss contract procedures	Monthly
FHWA Area Engineers	Phone/in person	Discuss contract status, discuss Construction Program issues	Weekly
City/County/District Officials	Phone/in person	Provide advice on contract procedures, provide assistance resolving contract issues	Monthly
Region Engineers	Phone/in person	Provide advice on contract administration	Monthly
Legislative Committees	In person	Testimony	3/Session

SECTION 7. POSITION RELATED DECISION MAKING

a) Describe the typical decisions of this position.

- Hire and manage staff
- Approve monthly payments to contractors. Approximately \$20-50 million per month.
- Approve contractor retainage reduction. Approximately \$1 million per month.
- Negotiate/approve complex contractor claims for additional compensation. Approximately \$50,000-100,000 per month, however, occasionally exceeds \$1,000,000.
- Issue decisions on contract interpretation to Region Managers, Area Managers and/or Project Managers.
- Make final decisions on contractor requests for added contract time and reduction of liquidated damages. (Significant impact on the Construction Program.)
- Approve the resolution of irregularities in final contract quantity and quality documentation. (Some impact on the Construction Program.)

b) Explain the direct effect of these decisions.

The action and decisions made by this position affect the short and long-term quality, sustainability, durability and safety of roads and highways owned and/or maintained by ODOT. Misjudgments and poor decisions have an immediate and long-term effect on Oregon’s roadways, highway, short and long-term budgets and the safety of the traveling public.

SECTION 8. REVIEW OF WORK

Who reviews the work of the position?

Classification Title	Position No.	How	How Often	Purpose of Review
<i>Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".</i>				
PEM-G	1151001	In Person	Daily	Information Exchange, Evaluation of work
PEM-G	1151001	In person	Annually or as needed	Annual Job performance

SECTION 9. OVERSIGHT FUNCTIONS FOR MANAGEMENT SERVICE SUPERVISORY (MMS) POSITIONS ONLY

a. How many employees are directly supervised by this position? 17

How many employees are supervised through a subordinate supervisor? 0

b. Which of the following activities does this position do?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Plan work | <input checked="" type="checkbox"/> Coordinates schedules |
| <input checked="" type="checkbox"/> Assigns work | <input checked="" type="checkbox"/> Hires and discharges |
| <input checked="" type="checkbox"/> Approves work | <input checked="" type="checkbox"/> Recommends hiring |
| <input checked="" type="checkbox"/> Responds to grievances | <input checked="" type="checkbox"/> Gives input for performance evaluations |
| <input checked="" type="checkbox"/> Disciplines and rewards | <input checked="" type="checkbox"/> Prepares & signs performance evaluations |

SECTION 10. ADDITIONAL POSITION-RELATED INFORMATION

ADDITIONAL REQUIREMENTS: List any knowledge and skills needed at time of hire that are not already required in the classification specification:

- The position of Contract Administration Engineer is unique within ODOT. The person in this position is the statewide contract administration expert for the ODOT construction program. This person must know the principles of and be able to analyze issues relating to complex construction design, scheduling methods and contract law. This person must also know many Oregon laws, FHWA regulations, and Federal law and be able to apply these to real life circumstances that evolve from all ODOT highway construction contracts. Also must be able to perform good faith negotiations of contract disputes in a uniform and consistent manner
- Professional Engineering Registration is required for this position. In addition, Professional Land Surveyor registration is preferred.
- This position makes decisions and has responsibility for a biennial budget of approximately \$600M in the delivery of the ODOT Construction Program and management of the 17 person staff.

- Must maintain a valid driver's license and ability to drive.

Desired Attributes/Application Scoring Criteria for the Recruitment Announcement:

- Professional Land Surveyor (PLS) registration.
- Experience administering construction and consultant contracts.
- Experience leading and managing technical staff members.
- Demonstrated experience leading contract negotiations, mediation, arbitration, and litigation support.
- Demonstrated experience writing technical opinions and contract change orders.

BUDGET AUTHORITY: If this position has authority to commit agency operating money, indicate the following:

Operating Area <i>(Personal Services; Services & Supplies; Capital Outlay)</i>	Biennial Amount (\$00000.00)	Fund Type <i>(General; Other; Federal; Lottery)</i>
Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".		
	\$2,000,000.00	

DESIGNATION OF CRIMINAL BACKGROUND CHECK (CBC) REQUIREMENT:

Review the criteria below. Indicate if the position is assigned these duties or responsibilities. If one or more boxes is checked yes, a CBC is required prior to filling the position.

The employee in this position...

1. Provides information technology (IT) services and has control over access to Department information technology systems that could allow the individual to harm these systems or the information contained within the systems. This relates to having responsibilities that involve development, programming, installation, maintenance or other technical aspects related to Department hardware and software. It is not intended to include positions with responsibilities that only utilize IT systems, such as entering and retrieving data. Yes No
2. Has responsibility for receiving, receipting, or depositing money or negotiable instruments..... Yes No
3. Has responsibility for payroll functions..... Yes No
4. Has responsibility for purchasing or selling property, or has access to private property in the Department's custody (such as Right of Way and Facilities). It is not intended to include positions with responsibilities that may involve simply being on private property to perform certain duties..... Yes No
5. Has access to personal identification information about employees or members of the public, including Social Security numbers, date of birth, driver license numbers, medical information, personal financial information or criminal background information. Yes No

SECTION 11. ORGANIZATIONAL CHART

Attach a current organizational chart.

Be sure the following information is shown on the chart for each position: classification title, classification number, salary range, and employee name and position number.

SECTION 12. SIGNATURES

Employee Signature

Date

Supervisor Signature

Date

Appointing Authority Signature

Date

Printed Name of Appointing Authority