

Questions and Answers from ODOT Construction Section

The following are the questions and answers that were captured during two teleconferences held on March 23. The first call, at 1 p.m., consisted largely of contractors. The second call, at 2 p.m., consisted largely of ODOT Area Managers, Resident Engineers, Resident Engineers- Consultant Projects, Construction Section unit managers and CA/CE&I engineering firm staff.

General Information

- **Status of ODOT State Transportation Improvement Projects (STIP) Construction**

The department's STIP projects will continue as specified in the project's contract along with the guidance provided by [Governor Brown's Executive Order 20-12](#) and [ODOT's March 20 memo](#) regarding A&E and construction contracts. This status may change with COVID-19 updates.

- **COVID-19 Precautions**

All involved in ODOT projects need to follow and adhere to the guidance provided by the [Oregon Health Authority](#) (OHA), [Center for Disease Control](#) (CDC), and [Governor Brown's Executive Order](#).

ODOT staff is in the process of identifying a COVID-19 officer or employees that will enforce social distancing as described in Item 10 of the Governor's Executive Order 20-12. We encourage all to do the same.

It is allergy season in Oregon. Be aware, allergies may mimic or mask COVID-19 symptoms.

- **Communication**

The primary project point of contact is the Resident Engineer (RE) and contractor's project manager. Sub-contractors and suppliers need to route communication to ODOT through their prime contractor.

ODOT or contractor staff need to have full, complete, and open communication. We need to share COVID-19 issues with each other quickly. Verbal communication is the first step followed by email or Doc Express notes is preferred. The Construction Section recommends a primary point of contact and a secondary point of contact for effective communication recognizing the immediacy of COVID-19 protocols.

- **Supplier Issues**

ODOT has received some information about supplier issues. To date, this has been limited to one MSE wall panel supplier. If a supplier has a COVID-19 issue, the contractor shall immediately notify the ODOT project RE of the situation along with optional alternatives, if any.

The RE will work directly with [Chris Bucher P.E.](#) or [Gene Wilborn P.E.](#) of ODOT's Contract Admin Unit in order for ODOT to have a consistent statewide approach to supplier related COVID-19 issues. ODOT may assess other contracts that may be similarly impacted.

- **Material Lab Access**

The Central Materials Lab has restricted access at this time. Sample deliveries will be taken at the rear (southern) doors and bay as is typical. We ask that your delivery staff members do not linger, respect social distancing, and have all paperwork ready to go upon delivery. We will not allow delivery staff entry beyond the delivery bay any reason.

- **Crew Issues (ODOT, Contractors, Consultants, & Suppliers)**

We encourage all to self-monitor and self-report. In the event any employee (ODOT or non-ODOT) is being tested for potential COVID-19, let's agree to mutually share with those who may have had contact with or proximity to that tested employee. Let's also agree to share COVID-19 test results to the extent possible.

The RE will work directly with Chris Bucher P.E. or Gene Wilborn P.E. of ODOT's Contract Admin Unit so that ODOT has a consistent state-wide approach to staff related COVID Issues and that on a statewide basis ODOT may assess other Contracts that may be similarly impacted.

- **Opening up work times**

Several requests have been made asking to open up work times. These requests need to be made through Chris Bucher PE (first point of contact) or Gene Wilborn PE (second point of contact) or Joe Squire PE (third point of contact). The point of contact will serve to filter those requests that may require Mobility (Motor Carrier) approvals.

Requests that **DO NOT involve mobility** will be approved, modified or denied within one business day of the request. It is assumed the request is complete with the information needed for a rapid decision.

Requests that **involve mobility** will be approved, modified or denied within few business day of the request. It is assumed the request is complete with the information needed for a rapid decision. The Contract Admin Unit will coordinate with Motor Carrier to expedite the request, if possible.

Daytime work time modifications to major paving projects on I-5, I-205, I-405, I-84 or similar will be denied. ODOT will consider allowing some added limited work time on a case-by-case basis. For example, if the start time is 8 p.m. to 4 a.m. Sunday evening through Friday morning, ODOT may consider expanding work times to 7 p.m. to 6 a.m. seven days per week. **This is an example, each request will be evaluated on a case-by-case basis.**

Further, if the project experiences excessive traffic back-ups, ODOT will revert to the original immediately. ODOT asks for prudent creativeness and understanding that if traffic patterns change then adjustments may be made rapidly.

Questions and Answers

The following are combined teleconferences questions and answers captured by ODOT and the sli.do application. Questions or comments are provided in bold text, answers immediately follow the question.

Q 1. Regarding a safety plan as pertains to COVID-19? None from general to sub-contractor – looking for compliance with CDC, keeping crew size under 10? Hand sanitizer and portable toilets being stolen?

ODOT is aware Washington Department of Transportation is asking for a project specific safety plan. ODOT is not currently requesting the same.

Post-teleconference, ODOT requests contractor's follow the guidance by the [Governor's EO 20-12](#), [OHA](#), and the [CDC](#) guidance. Each contractor should assess how this guidance fits into their company's health and safety plan.

John Rakowitz of AGC commented that the [AGC COVID-19 website](#) went to all AGC members, guidance and best practices for contractors are provided in [English](#) and [Spanish](#). John also added AGC is working on next stage to keep job sites safe. ODOT Construction encourages all to visit the AGC COVID-19 website.

It is important that everyone do their part, take responsibility, and be vigilant to keep our construction projects safe and being built.

Q 2. Your judgement on flow of bid advertisements going forward?

Bidding and bid times remain the same. Bid results may not be posted within the typical 20 minutes. Bid results may be a delayed up to a couple of hours due to teleworking staff or other yet to be identified issues.

No information on OregonBuys ([ORPIN](#)) bid projects at this time. ODOT Construction will follow up on OregonBuys bidding.

Q 3. With respect to social distancing enforcement, is the expectation that any potential issues will be handled pursuant to the typical safety protocols?

Pre-bid, pre-construction, weekly construction site and similar meetings must be held, if possible by teleconference or ensuring crews are following social distancing. Daily project site safety and/or tailboard meetings at start of day or new operations must be in area that adhere to and respect social distancing protocol.

Q 4. If there is any sort of stimulus, is ODOT preparing to use the funding for ready-to-go pavement preservation or maintenance projects?

ODOT Construction Section has no information at this time on any stimulus packages. ODOT suggest monitoring Federal and State level legislation. ODOT Construction Section will forward to senior management the desire to develop shovel-ready or shelf projects, if possible.

Q 5. What about TERO renewals?

ODOT Office of Civil Rights has contacted the tribes regarding this question. Two of the three TERO tribes do not have staff in their TERO offices at this time. ODOT is attempting alternative contacts to those tribes. A third tribe has not responded at this time. Further contact attempts will be made.

Q 6. What happens in a total shut-down?

As stated in ODOT [March 20 Memo](#), “Our partnership will be immensely important to ensure the delivery of projects and keep Oregon’s economy moving.” ODOT hopes to avoid construction shut-downs and with everyone’s efforts and diligence to avoid COVID-19, we can succeed.

If a project is shut-down due to COVID-19, ODOT will work with the contractor to assess payment estimates for bid items installed, in-progress, and MOH (not intended to be an all-inclusive list). Recognize payment estimates may be adjusted before contract close-out for both under and over payment.

Q 7. What about contract documentation?

ODOT anticipates it may be abnormally difficult to obtain or transmit all required project documentation. It is critical that the RE staff and contractor remain diligent in providing and posting required contract documentation. Good document house-keeping will facilitate quicker contract payments and final payment.

Q 8. Is there an allowance for timelines and extensions, some exceptions?

Please see the ODOT [March 20 Memo](#), paragraph 4, 2nd sentence. Also see ODOT Standard Specification 00180.60, Notice of Delay. Also see Standard Specification 00180.50(e) which references “Acts of God or Nature”. In the event of a timeline delay, the contractor needs to notify and work through the project RE. ODOT’s Construction Section is requesting any such contractor/RE request be vetted immediately by the Contract Administration Unit so we have statewide consistency for COVID-19 construction issues.

For REs, these requests need to be made through Chris Bucher PE (first point of contact) or Gene Wilborn PE (second point of contact).

Q 9. Is there an allowance for timelines and extensions for projects with cities and counties?

If the city or county projects *is administered* by an ODOT contract, then the response to this question is the same as Question 8.

If the city or county projects *is not administered* by an ODOT contract, then contractor must approach the city’s or county’s project manager. ODOT has no role in projects not administered by another entities contract.

Q 10. Will ODOT provide opportunities for small business and other organizations?

ODOT has programs for many types and sizes of business. ODOT directs you to the [Office of Civil Rights website](#) for more information.

ODOT Construction Section will forward this comment and question to the ODOT Director's Office. We recommend contractors and suppliers monitor Federal and State laws.

Q 11. Will this memo be sent to all partners (cities and counties) as a template?

ODOT Construction Section will send this document to our local program staff and post on our Construction Section Website. Though ODOT does controls only ODOT contracts. We hope entities show similar reasonableness.

Q 12. Is it possible to get training online?

ODOT estimates it would take 6 to 12 months to prepare online training. However we are assessing some online training. The nature of ODOT work requires in-person evaluation (technician). ODOT will extend existing certification expiration dates. For new certifications – contact [Larry Ilg PE, Quality Assurance Engineer](#) for assistance.

Q 13. Will the state be funding technical assistance? Do ODOT's projects offer help (loans, grants, additional?) to support firms?

ODOT Construction Section is not aware of technical assistance or similar at the State level, at this time. ODOT Construction Section will make the ODOT Director's Office aware of this question.

Q 14. If there is potential down the road for tighter standards, can essential contracts include construction materials as essential?

ODOT Construction Section will make the ODOT Director's Office aware of this question. ODOT Construction Section considers materials as essential to ODOT's ability to deliver Oregon's construction program.

Q 15. Is a drug testing firm for industry requested to be considered an essential business with ODOT?

ODOT will not make the determination of what industries or businesses will be deemed essential. If requested, ODOT will provide advice to our legislative leaders and Governor. Construction Section suggests that industry and businesses monitor both Federal and State legislative efforts.

Q 16. Can ODOT Inspectors take ODOT vehicles home?

This is being addressed at a statewide level for multiple agencies. Construction Section and region management is monitoring and will notify ODOT staff once we receive a determination.

Q 17. Is ODOT considering any rapid mainline paving similar to the [American Recovery and Reinvestment Act \(ARRA\) of 2009](#)?

ODOT Construction Section is not aware of legislative actions similar to ARRA. Construction Section suggests that all interested parties monitor both Federal and State legislative efforts.

Q 18. Is there any HB2017 schedule relief?

ODOT Construction Section is tracking all projects through Resident Engineering offices. Currently, there are no HB2017 projects that are in delay or indicated as a potential delay.

Q 19. Can the Oregon Transportation Commission (OTC) meet remotely to work through budgeting issue, scope changes, amendments, etc.?

The OTC website provides the following statement for the April 2 OTC meeting:

To slow the spread of COVID-19 and reduce the risk of exposure to our communities, we postponed the March 20 meeting to April 2. The meeting will be by teleconference rather than in person. The meeting will be streamed at <https://www.YouTube.com/user/oregondot/live>. It will take place at ODOT Headquarters, 355 Capitol Street NE, Salem OR 97301. **Members of the Oregon Transportation Commission will not be physically present.** We strongly encourage you to consider tuning into the OTC meeting via livestream in order to reduce the risk of COVID-19 exposure and spread.

Due to the changes in timing and format of the OTC meeting and to ensure access for anyone who would like to provide public testimony on the Rose Quarter Improvement Project or other agenda items, we opened a public comment period and it continues up to the day of the meeting. There are options for providing public testimony.

We kindly ask that you submit testimony at least two business days in advance of the initial day of the meeting so the Commission has the opportunity to review and consider your comments.

Q 20. Design and Engineering will have a similar teleconference as this construction oriented teleconference.

No date and time has been scheduled as of March 24. ODOT asks design engineers to monitor their email for an announcement.