



# 2020 CONTRACT MANAGEMENT CONFERENCE

BRAD DAAVETTILA  
CONSTRUCTION FIELD SERVICES DIVISION



# FHWA COMPLIANCE ASSESSMENT PROGRAM (CAP)

- 2019 CAP Review – 63 Projects Reviewed
  - “focused primarily on the contract administration aspects of projects”
- Form 1273: Required Contract Provisions Federal-Aid Construction Contracts
  - For 12 of the projects, the supporting documentation did not show conclusively the subcontractor was provided form 1273.
  - There were also some projects where the 1273 provided was not the most current version.
- MDOT Form 1302 FED
- MDOT Form 1302 STATE

Subcontract Check Sheet
Clear Form

Michigan Department  
of Transportation  
1302-FED (10/19)

**SUBCONTRACT**  
**For use on all**  
**Federal Highway Funded Projects**

CONTRACT ID
FEDERAL PROJECT NO. (if applicable)

Complete and return a copy of pages 1 and 3 to the Adminstrating Engineer. Page 1 of 18

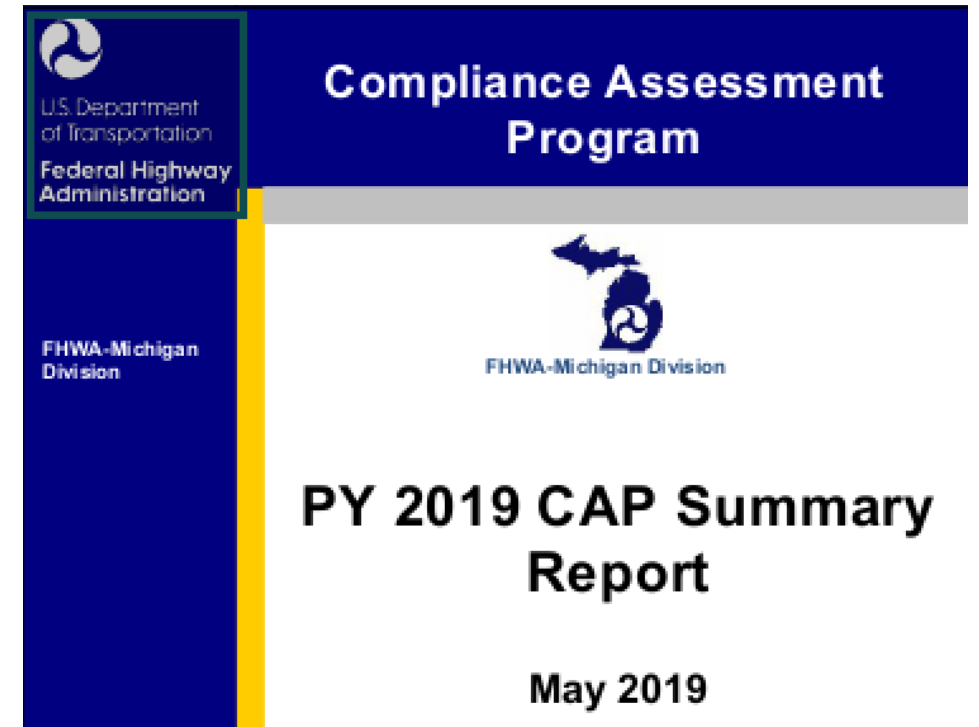
VENDOR NUMBER	PRIME CONTRACTOR
VENDOR NUMBER	SUBCONTRACTOR
VENDOR NUMBER	SUB-SUBCONTRACTOR

<p><b>TOTAL DOLLAR VALUE OF SUBCONTRACT</b></p> <p>\$ _____</p>	<p><b>*TOTAL DOLLAR VALUE OF SAME BID ITEMS IN CONTRACTOR'S PROPOSAL</b> <small>(This amount is used to calculate the 60% contract maximum allowable to subcontract)</small></p> <p>\$ _____</p> <p style="font-size: x-small;">*In case of a "Partial Item of Work" or "Lump Sum", only include that portion to be performed by the subcontractor.</p>
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*MDOT Form 1302 FED*

# FHWA COMPLIANCE ASSESSMENT REVIEW FINDINGS

- **Were Quantities Determined Accurately?**
  - 2018: 5 of the 62 (8%) projects
  - 2019: 8 of the 63 (13%) projects
    - “documentation issues”
    - “lack of supporting documentation”
    - “could result in an improper payment”
- **Calculation Reporting**
  - Lead to Improper Payment – Audit Concerns
  - Involved Highest Levels of the Department



*2019 CAP Report – FHWA Michigan Division*

# CALCULATION ERRORS MITIGATION

- Inspector Calculation Responsibility
- Office Tech Check Responsibility
- Rounding Convention in Place
- CFS Working on Construction Manual Language for Area Calculations
- Agency Views for AASHTOWare – built in templates for calculating quantities; “attached” to the Daily Work Report

# FHWA COMPLIANCE ASSESSMENT REVIEW FINDINGS

## Moving Forward:

Use of GPS Rovers – Working on procedures, guidance, FHWA concurrence

- Area Calcs (Flat - not more than 7%) – 2D
- Area Calcs (Steeper Slopes ) – 3D
- Volume Calculations – 3D

## Phase III UAS Research – Future Applications

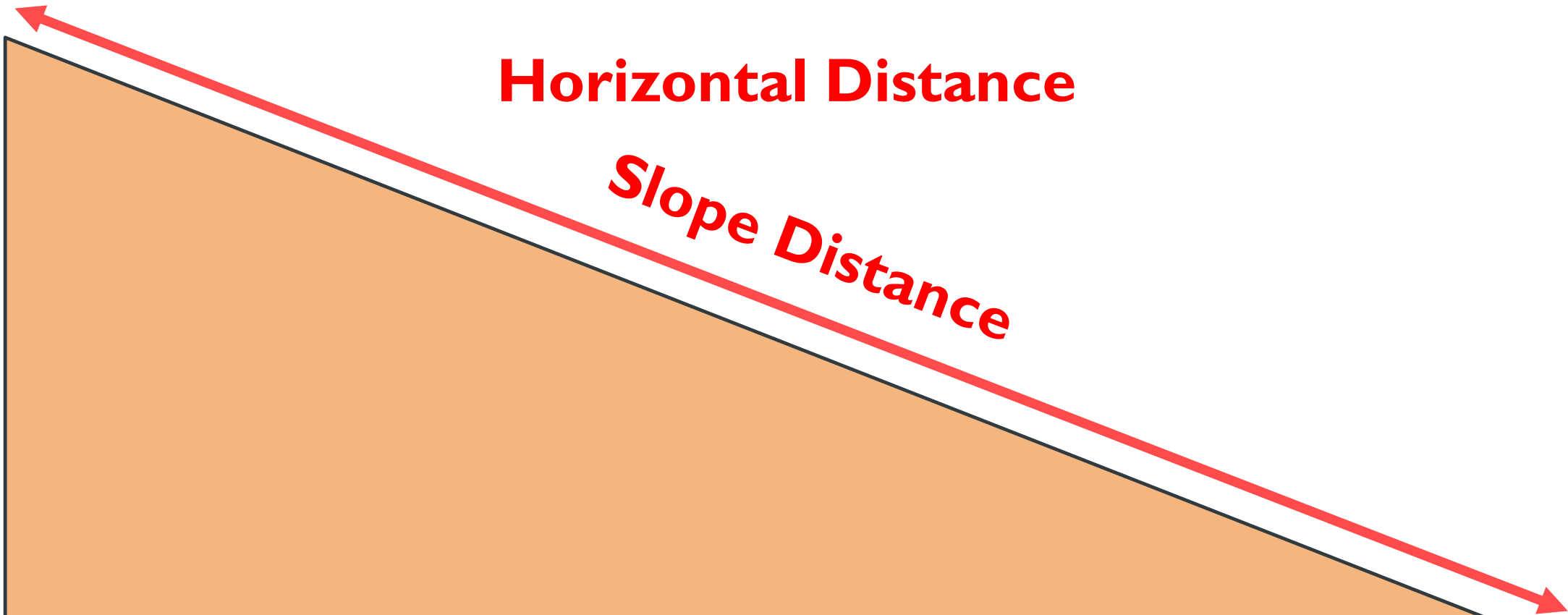
- Traffic Operations
- Bridge Inspection Assessment
- Construction QA Inspection
- Design Surveys Using Lidar



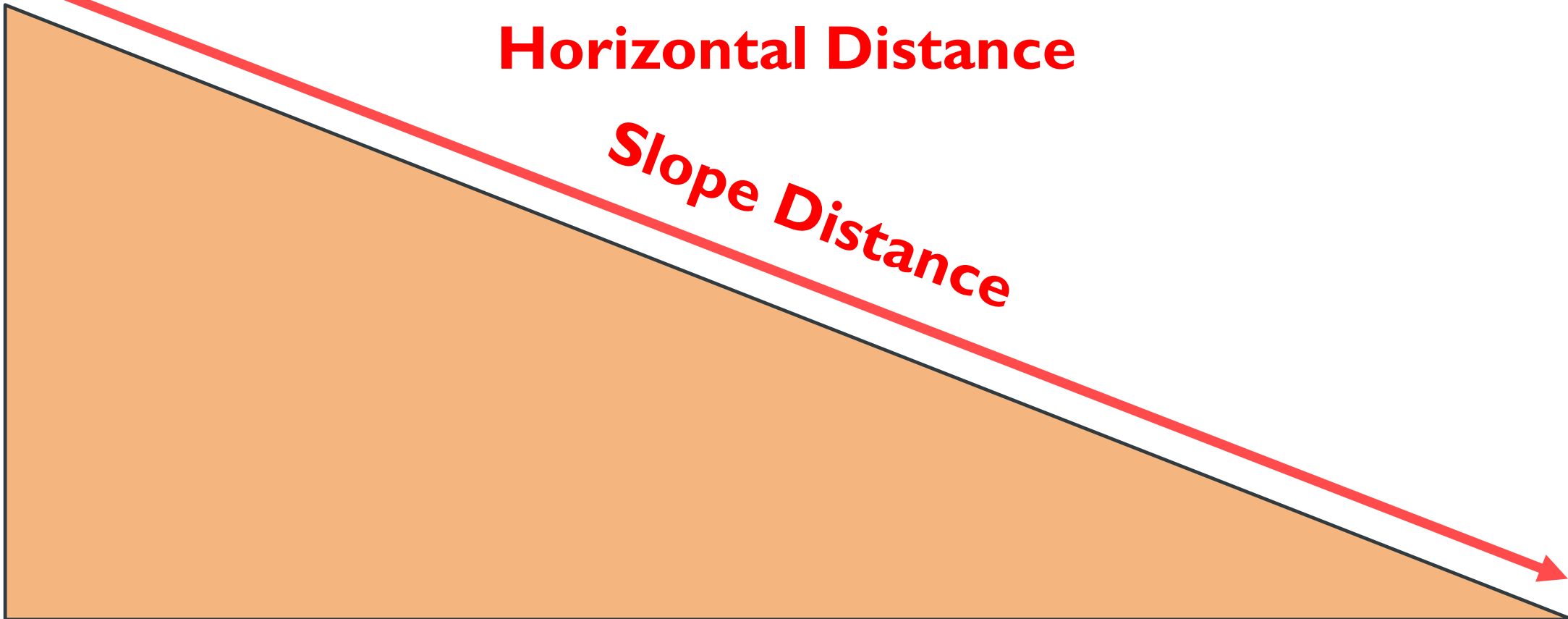
*M-20 Over the Tittabawassee River*



**Horizontal Distance**



**Slope Distance**



# PAYMENT FOR CONTRACT REVISIONS

- Existing Contract Unit Prices (109.05.B)
- Negotiated Prices (109.05.C)
  - Engineer may request estimate of labor, equipment, and materials.
- Force Account (109.05.D)
  - Use if Contractor's price cannot be justified
  - Use if scope cannot be reasonably determined

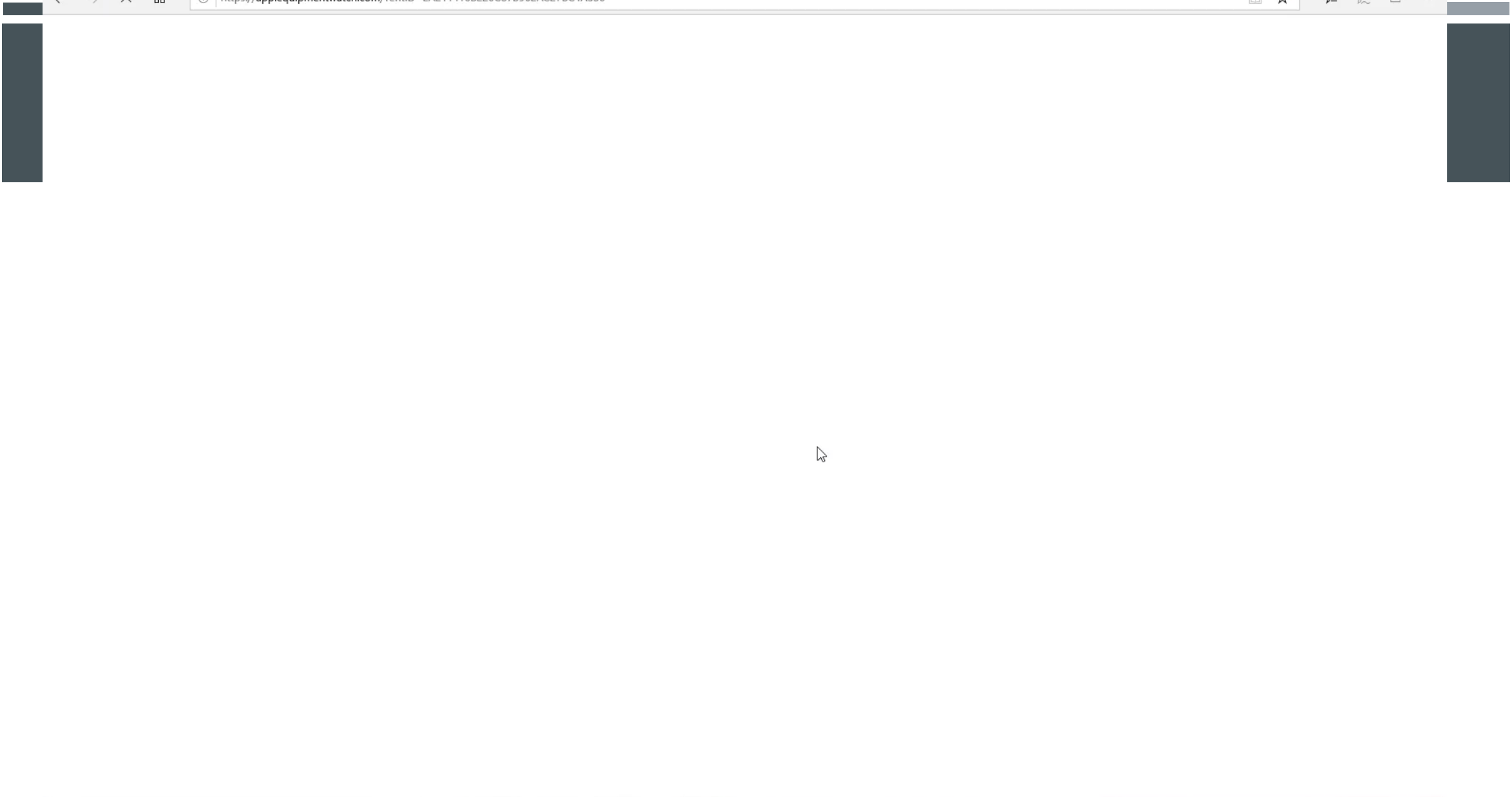
# FORCE ACCOUNT

- Time and Materials, “Force Account-Like Records,” and Modified Force Account are not supported.
- Region Construction Engineer approval.
- Work plan must be developed.



# FORCE ACCOUNT

- The Engineer and Contractor must compare records at the end of each work day.
- The Engineer will analyze Contractor statement against work plan, daily records, IDR's, certified payrolls, Bluebook, invoices, etc.



# SIGNIFICANT CHANGES IN CHARACTER OF WORK

- Specifically when there is a decrease of a major pay item below 75 percent of the original quantity.
- Contractor is entitled to an adjustment.
- The adjustment is to be determined using 109.05.

# SIGNIFICANT CHANGES IN CHARACTER OF WORK

- Engineer has authority to request breakdown of costs as required by 109.05.C.
- Past unit prices for similar quantities is good justification.
- Amount of adjustment plus payment for work is capped at 75%.

# PRECONSTRUCTION MEETING MINUTES

- Boilerplate Preconstruction Meeting Minutes updated in the Construction Manual.

[http://mdotwiki.state.mi.us/construction/index.php/Preconstruction Meeting](http://mdotwiki.state.mi.us/construction/index.php/Preconstruction_Meeting)

- 2020 Version will include safety information from the Work Zone Safety Task Force.

# BOILERPLATE PROGRESS CLAUSE

- Boilerplate Progress Clause recently updated in the Construction Manual.

[http://mdotwiki.state.mi.us/construction/index.php/102.02\\_Contents\\_of\\_Proposal\\_-\\_Progress\\_Clause#Boilerplate\\_Progress\\_Clause](http://mdotwiki.state.mi.us/construction/index.php/102.02_Contents_of_Proposal_-_Progress_Clause#Boilerplate_Progress_Clause)

- Local Agency Boilerplate found on LAP Website

# E-TICKETING PROGRESS

- Maturity & Monitoring
- AASHTO Committee on Construction
- Request for Information – 14 responses
- Vendor Spotlight
- Permissive Specification Development
- Coordination with FHWA & MITA
- Pilots in 2020?



*Paving on I-75 in Bay Region*

# SPECIAL PROVISIONS

- Hand Digging Sign Post (12RC810-A690-02)

12RC810-A690-02

- Temporary and Permanent Sign Applications
- Risk Based Approach
- Limited Use for Limited Locations

MICHIGAN  
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION  
FOR  
HAND DIGGING SIGN POST

CFS:MRB

1 of 1

APPR:AU:NAL:11-12-19

- Vertical Exploratory Investigation for Relocation (12SP-204B-04)

12SP-204B-03

- Under Review
- Wider Application

MICHIGAN  
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION  
FOR  
VERTICAL EXPLORATORY INVESTIGATION

SIG:EMS

1 of 2

APPR:DMG:NL:06-27-17  
FHWA:APPR:07-11-17

**Draft**



# 2020 REMINDERS

- AASHTOWare Pilots to Resume 2020
- LCPtracker for Local Agencies 2020
- Materials Quality Assurance Procedures (MQAP) Manual
  - Tested Stock Program Discontinued
  - Materials Source List (MSL) Form 501 Streamline
    - Discussing Qualified Products List (QPL) Materials
    - Still under review, forthcoming 2020
- Contractor Performance Evaluation (CPE)
  - 2019 Focus Group Discussion
  - 2020 Facilitated Process Improvement
  - Reduce Subjectivity
  - Increase Performance Based Measures

Materials Source List Form 501

Michigan Department  
Of Transportation  
0501 (07/13)

**MATERIALS SOURCE LIST** Additional Page Page \_\_\_ of \_\_\_

File 300

**INSTRUCTIONS:** Use the "[Materials Source Guide](#)" for material name and specification number. Enter "SP" for MDOT SPEC # for materials specified by special provision. To avoid delays, submit as soon as possible. No testing of materials will be conducted until forms are received. Submit to Construction/Project Engineer. Construction/Project Engineer to forward to Region Materials Supervisor. (Please Print or Type all Fields)

<b>CONSTRUCTION/PROJECT ENGINEER</b>				<b>CONTRACTOR</b>				<b>JOB NUMBER</b>					
<b>PROJECT LOCATION</b>										<small>FOR OFFICE USE ONLY (Owner Agency)</small>			
MDOT SPEC #	MDOT MATERIAL/PRODUCT NAME	TYPE/SIZE or CLASS	APPX. QTY.	SOURCE OF MATERIAL (NAME, ADDRESS, LOCATION, P# #)	BASIS OF ACCEPTANCE					REMARKS/OTHER			
					TEST	T.S.	V.L.	QPL	CERTS				

# REBUILDING MICHIGAN

“Rebuilding Michigan” adds \$3.5 Billion in state funds to the MDOT Five Year Program. This almost doubles the existing Five Year Program with an increase from the current \$3.8 Billion to a new total of \$7.3 Billion.

- Public MDOT Webpage:

[https://www.michigan.gov/mdot/0,4616,7-151-9621\\_14807\\_14810\\_59639---,00.html](https://www.michigan.gov/mdot/0,4616,7-151-9621_14807_14810_59639---,00.html)

- Internal MDOT Sharepoint:

<https://stateofmichigan.sharepoint.com/sites/mdot/groups-projects/rebuildmi>

# LETTING OF TRUNKLINE PROJECTS

- Past practice was to let **the majority** of projects from October through March – 6 months
- Recent direction is now to change that to August through December – 5 months
- Change will affect other timetables- FUSPs, Spec Changes, Design Schedules, etc

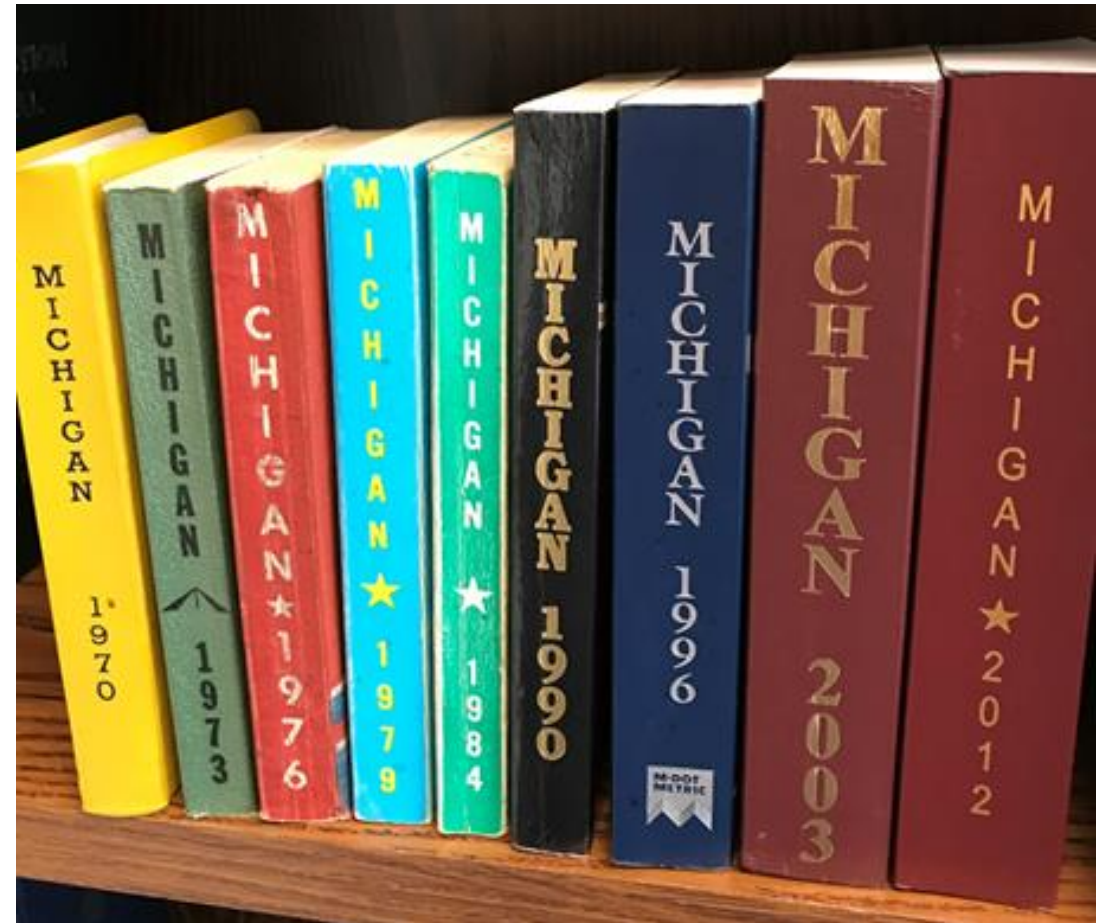
3rd Quarter			4th Quarter			1st Quarter		
Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar

**New Letting Window**

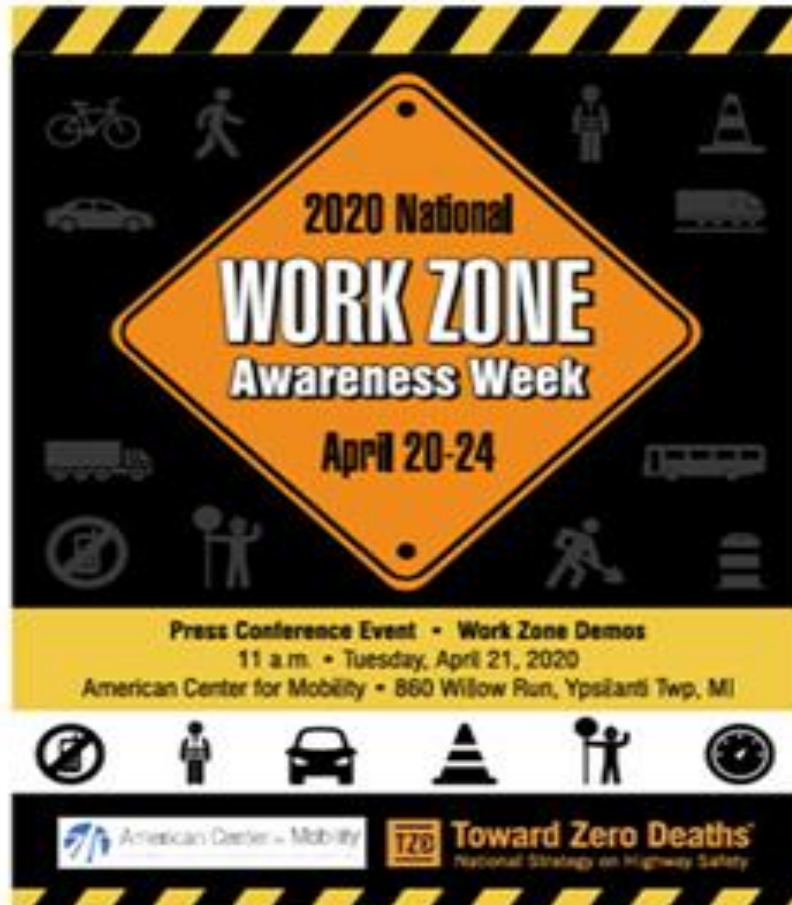
**Past letting Window**

# 2020 SPEC BOOK

- Final Review through March 2020
- Electronic publication April 2020
- Printed Release Mid-2020
- Effective October 2020 Letting for 2021 construction season



# 2020 NATIONAL WORK ZONE AWARENESS WEEK



*April 20-24*



*Safe Work Zones for All*

# QUESTIONS?

