Contract Administration WebEx

House Keeping Rules

- Please log on to the WebEx at least 10 minutes prior to the start of the seminar.
- Select the option for the computer to call you for audio connection.
- Please disable your video option to limit bandwidth usage.
- All participants will be muted upon entry into the WebEx.
- Submit all questions via the Q&A box. Please do not send any questions to a single individual as it might be missed.
- Once on the WebEx, please close your Chat box.
- We will pause our presentation from time to time to answer submitted questions. If we do not get to your question during the seminar, we will make sure your questions are answered offline.
Contract Administration
Paperwork
Standardization
Brought to you by:

TxDOT & AGC Task Force
Purpose

- Implement standardized paperwork requirements for construction & maintenance contracts based on Federal/State Regulation and/or Department Policy as applicable to each project phase:
  - Preworl
  - During Construction
  - DBE/SBE Commitment
  - Final Completion
  - Contractor’s Assurance page
  - Bulletin Board
  - Materials
Pre-Work

Pre-work Spreadsheet Discussion

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Pre-Work - Overview

- Pre-Con Agenda
- Contractor’s designated contacts
- EEO Compliance
- Traffic Control
- Construction Schedules
- SW3P Environmental
- Subcontracts
- E-Verify
New Form:
- Form 2796 updated.
- Includes safety meeting agenda section.

Changes:
- Removes redundant questions and information.
- Updated ACTUAL required documents.

Link: http://txform/lc/apps/ws/index.html#
Pre-Work: 2796 – Pre-Construction Conference Agenda

Note: Refer to Forms section for actual form.
**Pre-Construction Conference - Agenda**

<table>
<thead>
<tr>
<th>Area Office:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Control:</td>
<td>Highway:</td>
</tr>
<tr>
<td>Project:</td>
<td>County:</td>
</tr>
</tbody>
</table>

**I. Welcome, introduction of all present and identify project (location, limits, etc.)**
Prime Contractor: __________

**II. Escalation Ladder - Attachment A. Identify Role of TxDOT Project Staff and Prime Contractor Staff**

**III. Purpose of meeting - This meeting is in accordance with department policy in order for personnel of TxDOT, the Contractor, Utility Companies, Law Enforcement Agencies, etc., to discuss the schedule and methods of operation, and acquaint all concerned with lines of authority and communication while promoting greater safety.**

**IV. Partnering/Project Pledge (reading is optional) & Sign (required-attachment B) - 2014 Standard Specifications, Item 4, Article 3, POLICY MEMO partnering program 7/30/2010.**

**V. Project Issues (use this section for project specific discussion items)**
Pre-Work - Contractor Contacts Form 2795

New Form:

- Form 2795 includes required contact information.
- Includes an assurance statement that all required trainings have been accomplished.
- Form to be submitted at pre-con unless otherwise agreed.

Changes:

- Associated certifications are not required to be submitted but are to be available upon request. *This does not mean to request all up front.*
- Required contacts reduced.
- The EEO officer name and contact information is to be posted on the bulletin board, not required to be turned in.

Pre-Work: 2795 - Contractor Staff Designees Submission

<table>
<thead>
<tr>
<th>County:</th>
<th>Highway:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Number:</td>
<td>CSL</td>
<td>Control No.</td>
</tr>
</tbody>
</table>

This submission is required at the preconstruction meeting unless otherwise agreed. Please reference the 23 ID standard specifications unless otherwise indicated.

The following designates are submitted:

- **Superintendent:**
  - Phone Number: |
  - Email: |

- **Contractor Safety Point of Contact:**
  - Phone Number: |
  - Email: |

- **DCC Liaison Officer:**
  - Phone Number: |
  - Email: |

- **SBE Liaison Officer:**
  - (Only if State Funded Only - Reference SBE Special Provision Section 2.1.2.8)
  - Phone Number: |
  - Email: |

- **Payroll Officer:**
  - Phone Number: |
  - Email: |

- **Contractor Responsible Person for Traffic Control (CRP):**
  - Phone Number: |
  - Email: |

- **CRP Alternate:**
  - (Reference Section 2.1.2.1)
  - Phone Number: |
  - Email: |

- **Flagger Instructor:**
  - (Reference Section 2.1.2.2 and Section 7.8.6.6)
  - Phone Number: |
  - Email: |

- **Project Scheduler:**
  - (Reference Section 6.4.1)
  - Phone Number: |
  - Email: |

- **Contractor Responsible Person for Environmental (CRPE):**
  - Phone Number: |
  - Email: |

- **CRPE Alternate:**
  - (Reference 2100, Section 2.3)
  - Phone Number: |
  - Email: |

**Contractor Authorized Representative**

By signing this submission, the contractor certifies that required training is complete in accordance with contract specifications (flaggers, driver, construction site personnel, existing structures, etc.).

**Name & Title:**

**Signed:**

**Date:**

---

**Note:** Refer to Forms section for actual form.
## Contractor Staff Designee Submission

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td></td>
</tr>
<tr>
<td>Highway</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Project Number</td>
<td></td>
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<tr>
<td>CSJ</td>
<td></td>
</tr>
<tr>
<td>Control No.</td>
<td></td>
</tr>
<tr>
<td>Company Name</td>
<td></td>
</tr>
</tbody>
</table>

This submission is required at the preconstruction meeting unless otherwise agreed. Please reference the 2014 standard specifications unless otherwise indicated.

The following designates are submitted:

### Superintendent
- **Reference Section 9.5**
- **Phone Number:**
- **Email:**

### Contractor Safety Point of Contact
- **Reference Section 7.2.1**
- **Phone Number:**
- **Email:**

### DBE Liaison Officer
- **Federal Aid Only - Reference DBE Special Provision Section 2.3.1**
- **Phone Number:**
- **Email:**

### SBE Liaison Officer
- **Wholly State Funded Only - Reference SBE Special Provision Section 2.1.2.6**
- **Phone Number:**
- **Email:**

### Payroll Officer
- **To provide a point of contact for questions/issues regarding payroll.**
- **Phone Number:**
- **Email:**

### Contractor Responsible Person for Traffic Control (CRP)
- **Phone Number:**
- **Email:**
<table>
<thead>
<tr>
<th>Role</th>
<th>Phone Number</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRP Alternate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Reference Section 7.2.6.1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flagger Instructor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Reference Section 7.2.6.2. and Section 7.2.6.5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project Scheduler</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Reference Section 8.5.1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractor Responsible Person for Environmental (CRPE):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CRPE Alternate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Reference Item 506, Section 3.3)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Contractor Authorized Representative**

*By signing this submission, the contractor certifies that required training is complete in accordance with contract specifications (flaggers, environmental, other work zone personnel, law enforcement, etc.).*

**Name & Title:**

**Signed:**

**Date:**
Clarification:

- EEO Policy; FHWA 1273; Section II.1.b:

  ✓ Prime’s statement is to be posted on the bulletin board.

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."
Clarification:

- EEO Policy; FHWA 1273; Section II.9.a & b:
  - The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under the contract.
  - The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.
  - Subcontractors have the option to post statement on bulletin board adopting Prime’s policy or Prime keeps statement in contractor’s project files to be made available upon request.

- EEO Meetings; FHWA 1273; Section II.3.a:
  - Meetings are to be held per requirements.
  - Form 2498 is available for Contractors’ use.

Notes:

Submittal of EEO Policy and Meeting minutes was removed many years ago by memo. The EEO policy is only required to be posted on the bulletin board. The meeting minutes only need to be available upon request. EEO requirements are audited by CIV.
Pre-Work - Traffic Control

Changes:

- Std Spec Article 7.2.6.1 is having a SP added.
- SP to Item 7 (in development):

  2.6.2. **Flaggers**: Designate in writing, a flagger instructor who will serve as a flagging supervisor and is responsible for training and assuring that all flaggers are qualified to perform flagging duties. **Make available upon request** a list of flaggers certified to perform flagging duties. Certify to the Engineer that all flaggers will be trained and include these requirements, by reference or attachment, in all subcontracts.

- CRP contact information is included in Form 2795.
- Certification documents are to be **available upon request**. *(doesn’t mean request all up front)*

Note: Refer to Special Provisions section for details.
Pre-Work - Traffic Control (cont’d)

Changes:

Other Work zone Personnel Training, including Contractor Developed Training:

- Standard Specifications and Special Provision to Item 7, Section 2.6.5.

- Using Form 2795, contractors certify to the Engineer that work zone personnel have been trained in accordance with these requirements.

- Contractors to maintain, and make available upon request, the certifications of completion for employees that have completed training that includes the following:
  - name of provider and course title,
  - name of participant,
  - date of completion, and
  - date of expiration.
Changes:

Contractor Developed-Training

✓ To meet the requirements for Other Work Zone Personnel, contractors use Form 2795 to certify to the Engineer that other work zone personnel have been trained. Contractors are to maintain a log, documenting employees that have completed training, that includes the following:

- printed name and signature of participant,
- name and title of trainer, and
- date of training.

Note: Contractor Developed-Training must still be submitted and approved by the Department. The log is to be made available upon request.
Pre-Work - Schedules

No Changes:

Std Spec Article 8.5.1: Project Scheduler. Designate an individual who will develop and maintain the progress schedule.

- Progress Scheduler contact info shown on Form 2795.

Reminder: Item 8 sections regarding schedule submissions:

- **5.5.1. Bar Chart.** Seven calendar days before the preconstruction meeting, prepare and submit a hard copy of the prepared schedule using the bar chart method.

- **5.5.2.1. Preliminary Schedule.** Seven calendar days before the preconstruction meeting, submit both the plotted and electronic copies of the project schedule showing activities beginning with the authorization date to begin work and including activities to be performed within the first 90 calendar days from the work start date.
Stays the same:

- Construction Site Notice (CSN) – posted on bulletin board or separately within project limits.
- Notice of Intent (NOI) – Copies of Contractor’s and TxDOT’s placed in SW3P binder. CGP no longer requires posting of the NOI.
- The contractor will use the same regulated entity number (RN) as TxDOT, and verify this information before submitting their NOI.

Changes:

- CRPE & Alt. CRPE – contact info and contractor’s certification of training completion provided on Form 2795 at precon.
- Training for all other Contractor and subcontractor employees involved in soil disturbing activities:
  - Std Spec and SP to Article 506.3.1: The CRPE will maintain a list, signed by the CRPE, of all applicable Contractor and subcontractor employees who have completed the training. Include the employee’s name, the training course name, and date the employee completed the training. The CRPE will provide the list to TxDOT upon request.
  - The contractor will certify to the Engineer on Form 2795 that applicable personnel have been trained in accordance with this Item.

CSN, NOI, & Training Certificates/Lists are to be AO audit items.

Note: Refer to Special Provisions section for details.
Question & Answer

Time

(Submit through Q&A only to all)
Pre-Work - Subcontracts

Changes:

- Subcontractor Request for Approval

  ✓ We require approval of subcontractors for three reasons:
    - To verify that they are not debarred.
    - To verify the total amount subcontracted does not exceed 70%.
    - To verify they are E-Verify compliant.

  ✓ Applies to all tiers

  ✓ New form 2802 available on E-forms– SiteManager will have total subcontract amount entered by checking the supplier/hauler box and inputting the total amount.
Pre-Work: 2802 - Subcontract Request for Approval

Note: Refer to Forms section for actual form.
Pre-Work 2802 – Subcontractor Request for Approval

Prime Contractor's Authorized Representative

Name & Title: ___________________________ Date: __________

Signed: ________________________________

TxDOT Approval

☐ 30% Check

Debarred: ☐ Yes ☐ No E-Verify: ☐ Yes ☐ No

Approved: ☐ Yes ☐ No

Name & Title: ___________________________ Date: __________

Signed: ________________________________

Return the signed copy to the contractor.

1. Only the initial contract & subcontract amounts and item quantities are considered for the 30%-with-own-forces requirement. Added work through change orders and overruns are not to be further evaluated to meet the 30% requirement.

2. See definition of subcontractor under Item 1 and special provisions to Item 1. Submit individual forms for each subcontractor.

3. Requires TxDOT to perform a CUF review.

4. General description of the work to be performed by the subcontractor. No other detail needed.

5. See Item 8 for definition of Specialty Item.

Contact / Help
Pre-Work - Subcontracts (cont’d)

- **Subcontract (DBE):**
  - For all DBE subcontracts including all tiered DBE subcontracts, contractor submits a copy of the executed subcontract agreement with required attachments before the subcontractor starts work on the project. This submittal does not have to be included with the subcontract approval request form.

- **Subcontract (Non-DBE):**
  - For federally funded contracts, upon request, one non-DBE subcontract may be required to be submitted to the AE. If there are any findings, additional non-DBE subcontracts may be requested.
E-Verify

Clarification:

- SP 002-011 adds Article 2.2.15 which requires subcontractor compliance with E-Verify.

- Subcontractor compliance verified by TxDOT when subcontractor approval forms received at pre-con or during construction.

- A submission is needed only in the case that a subcontractor is not found registered in the E-Verify website.

- The MOU must be submitted to, and approved by, CST prior to a subcontractor working on the project.
Question & Answer

Time

(Submit through Q&A only to all)
During Construction Spreadsheet Discussion
During Construction

- **Form 1295**
- **Material-on-Hand**
- **Payrolls**
- **SW3P**
- **Progress Schedules**
Clarification:

- Special Provision 000-384

  - At contract execution for contracts awarded by the District Engineer with an award amount of $1,000,000 or more;
  
  - At any time an existing contract awarded by the District Engineer increases in value to $1,000,000 or more due to changes in the contract;
  
  - At any time there is an increase of $1,000,000 or more to an existing contract (change orders, extensions, and renewals); or
  
  - At any time there is a change to the information in Form 1295, when the form was filed for an existing contract.
During Construction - Law Enforcement

- Reference Standard Specification Item 7.2.6.3 and 7.2.6.5 and Special Provision 007-001
  - ✓ TxDOT Form 318 – No changes

- Submittal of Required Law Enforcement Training Certificate
  - ✓ Not Required – Form 318 includes checkbox for law enforcement personnel to certify they have completed the training

- Contractor to make available upon request the law enforcement training certificates *(doesn’t mean request all up front).*

  Law Enforcement Officer certifies that they have successfully completed the National Highway Institute online course “Safe and Effective Use of Law Enforcement Personnel in Work Zones.” Certification of training has been provided and is valid for three years from the date of completion per SP 007-001.
During Construction - Material On Hand

- Standard Specification Articles 9.5 & 9.6 will have a Special Provision.

  ✓ Invoices are not required with MOH form submittal. Approved fabricator confirmation to be determined from shipping documents and markings on delivered material.

  ✓ Unless otherwise agreed, the cut off date will be two calendar days prior to estimate cut off period established by the Contractor and Area Office during the preconstruction conference. Estimate cut off date will be no earlier than the 25th of the month.

  ✓ $1,000 invoice cost being clarified regarding single item cost verses divisible components for single item.

Note: Contractor equivalent form allowed if approved by TxDOT

Note: Refer to Special Provisions section for details.
Changes:

- Paid Invoices or Cancelled Checks (verification of payment for material on MOH)

  Audit one material item per quarter that has reached the 60-day threshold. Materials for which the Contractor does not have a paid invoice within 60 days (2nd estimate cycle after initial payment) will not be eligible for payment and will be removed from the estimate.
During Construction - Payrolls

- Submitted electronically each week through LCPtracker. No changes.

Clarification:

- 10% of paper or electronic payrolls for each contract are to be reviewed by TxDOT
  - The system flags insufficient hourly wages; what else does TxDOT look for?
    - Proper worker classifications
    - Correct number of hours reported – as related to requirements of the Contract Work Hours and Safety Standards Act (29 CFR Part 5)
    - Workers being correctly reported in case of multiple projects - in regards to minimum wage requirements for classifications in different zones.
    - Submitted payrolls apply to correct project
    - Cross-reference against DWRs that identify subcontractors on a project during a specific period of time.
  - In conjunction with employee interviews
Prompt Payment Certification - Form 2177. No changes.

- Prompt Payment Certification due (current requirements):
  - each month payment received (example: Work performed in January. Contractor paid in February. Contractor must submit certification no later than the end of March).
  - the month following the month when final acceptance occurred (example: Final acceptance occurs in January. Contractor must submit the final certification no later than the end of February).
Question & Answer

Time

(Submit through Q&A only to all)
During Construction - SW3P Environmental

Changes:

- Reference Standard Specification Item 506.3 and related special provisions

- Contractor Daily Monitoring Reports

  ✓ Contractor Responsible Person Environmental (CRPE) – Will monitor the project site daily and produce daily monitoring reports as long as there are BMPs in place or soil disturbing activities are evident to ensure compliance with the SWP3 and TPDES General Permit TXR150000

  ✓ Coordinate with TxDOT for approval of form utilized. Form 2801 has been created for the contractors’ use if desired.

  ✓ Contractor to maintain these records at the project site or at an approved location for periodic review by TxDOT and provide upon request.

Note:

1) Daily submittal of reports is not required. TxDOT will periodically review daily reports as part of weekly SWP3 inspections and Construction Stage Gate Checklist reviews. TxDOT may also request the reports if persistent stormwater issues are noted, and the contractor must be prepared to submit them upon request.

2) These changes do not affect the weekly 2118 inspections. Weekly 2118 inspections will occur until the Notice of Termination (NOT) is filed.
# Contractor Daily Environmental Monitoring Log

### Highway:  
### Project CSJ:  
### Contractor:  

**Date for week of review:**

<table>
<thead>
<tr>
<th></th>
<th>SUN</th>
<th>MON</th>
<th>TUE</th>
<th>WED</th>
<th>THU</th>
<th>FRI</th>
<th>SAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Did work or rain occur today? If Yes, please answer the following questions.</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>2. Are all applicable items (Construction Site Notice, etc.) posted on bulletin board?</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Y</td>
</tr>
<tr>
<td>3. Are all Storm Water and Erosion Control BMP’s functioning as intended?</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Y</td>
</tr>
<tr>
<td>4. Are any BMP’s in need of repair or maintenance?</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Y</td>
</tr>
<tr>
<td>5. Any additional BMP’s required?</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Y</td>
</tr>
</tbody>
</table>

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Note: Refer to Forms section for actual form.
Additional Comments:

Contractor Responsible Person: 

Title: 

Signature: 

Date: 

Contact/Help
Changes:

- Training – All Contractor and subcontractor employees involved in soil disturbing activities, small or large structures, storm water control measures, and seeding activities must complete training as prescribed by the Department.

  - Contractor certifies that all required personnel have met training requirements through submittal of Form 2795 as discussed in the Pre-Work sections of this workshop.

  - Contractor to submit training certificates upon request

Note: Submittal of training certificates up front is not required. TxDOT will periodically review training certificates as part of weekly SWP3 inspections and Construction Stage Gate Checklist reviews. TxDOT may also request the training certificates if persistent stormwater issues are noted, and the contractor must be prepared to submit them upon request.
Clarification:

- Standard Specification Item 9.7, Form 316 or approved equivalent

- The submission needs to occur at least once a month. The contractor may use Form 316 to submit the request for payment, however, the department is ultimately responsible for verification of the payment amount.
Instructions For Preparing Form 316 (Rev. 3-07),

Use Form 316 to record work quantities for extra work performed on a “Force Account” basis. In accordance with Article 9.5.H of the Standard Specifications, request the Contractor to submit a certified correct invoice for extra work less than $10,000. Payment by invoice is not recommended when it is practical to monitor the extra work and the estimated total cost exceeds $10,000.

Use these procedures for handling payments for extra work performed on a “Force Account” basis:

1. Execute a change order (CO) to establish labor and equipment rates and material costs to determine an estimated cost for the proposed work. Maintain daily records of extra work completed on the force account basis. Use Form 316 when the force account work begins and the CO has been approved. Ensure that all sections of the form are completed.

2. Include only equipment and corresponding unit prices outlined on the CO. Payment for equipment will be made for the actual hours used in the work. Use an approved Supplemental Change Order if different or additional equipment or labor is required.

3. List only job titles and corresponding wage rates identified on the CO. Do not exceed the actual labor rate shown on the Contractor's payroll regardless of the labor rate included on the CO (i.e., the CO shows a welder wage rate of $15 per hr. and the Contractor's payroll shows the actual rate of $11 per hr. Use the $11 rate, as identified by the Davis-Bacon Act wage rate.)
During Construction - Force Account Work (cont’d)

4. Attach invoice(s) for materials used. Compensation will be made for materials associated with the work based on actual delivered invoice costs, less any discount. An additional 25 percent of this sum will be paid as compensation for overhead and profit.

5. The completed form is signed by the Area Engineer, the Inspector, and the Contractor’s representative each day the work is performed.

6. File completed Form 316 in a folder labeled for the corresponding change order. Maintain date order and attach material invoices. Include a “Statement of Contingencies and Force Account Items” to sum the total of equipment, labor and materials, add-on compensation for labor, materials and equipment, and Contractor’s bond on the extra work.

Additional compensation will be made for extra work performed by subcontractors under Article 4.2, “Changes in the Work,” on the force account basis or based on actual invoice costs. An additional five percent compensation will be paid on subcontracted work for administrative cost and profit.
No changes – All documentation is submitted through DMS.

Questions concerning OJT contact:

Civil Rights Division
LaShaundra Shaw
lashaundra.shaw@txdot.gov
512- 416-4700
During Construction - Progress Schedules

No Changes:

- Specification articles 8.5.5.2.2 & 8.5.5.2.2.1 describe the requirement for submission and review of the baseline schedule.

- Specification Articles 8.5.5.2.3 (Progress Schedule) & 8.5.5.2.3.1 (PSSR) require submission of the schedule updates monthly no later than the 20\textsuperscript{th} calendar day of the following month, when changes occur, or when requested.

- A potential future special provision will waive the monthly submittal on specific short duration projects.

Remains the same:

- Contractor to submit a Notice of Potential Time Impact when a contract time extension or adjustment of milestone dates may be justified or when directed.

- Contractor to submit a Time Impact Analysis when directed.
Contractor’s Assurance Page:

- Only required in Federal-Assisted proposals
- Clarifying what needs to be attached in the subcontracts and what only needs to be referenced.

No Change:

- 000-003 Certification of Nondiscrimination in Employment: Include in subcontracts greater than $10k.
- 000-004 Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246): Include in subcontracts greater than $10k.
Changes (additions):

- **000-002 Nondiscrimination**: Include provisions 3.1 - 3.6 of the SP in all subcontracts and agreements for materials.

- **000-241 Cargo Preference Act Requirements in Federal-Aid Contracts**: Include in all subcontracts.

- **000-394 Disadvantaged Business Enterprise in Federal-Aid Contracts**: Include requirements of SP in all subcontracts.
Bulletin Board:

☑ Reviewed checklist requirements and no changes needed

The link where most of the posters can be found is on the FHWA website (this link is in the CCAM, Chapter 17, section 2):

https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm
Question & Answer

Time

(Submit through Q&A only to all)
MTD Presentation

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For the purpose of material source verification, the contractor will be required to submit documentation that includes at minimum the following:

- Description of product
- Identification of manufacturer
- Quantity

Examples of this material source verification documentation will vary according to what is most appropriate for any given material as long as it meets the listed criteria, e.g. commercial invoices, bills of lading, shipping manifests, delivery tickets, product label, etc. Invoices are not required to show prices unless otherwise stated in the specifications (MOH, Force Account).
Proposed Special Provision to Item 6

Some exclusions will apply...

The following materials do **not** require material traceability:

- Conduit
- Ground Boxes
- Electrical Conductors
- Tray Cable
- Duct Cable

Verify that the manufacturer (as identified on the product itself) is listed on the Material Producer List for “Roadway Illumination and Electrical Supplies.”
Proposed Special Provision to Item 6

Ideally, for finished products an invoice or Bill of Lading will contain the 3 requirements.
Proposed Special Provision to Item 6

For bulk materials such as cement or lime a delivery ticket is most appropriate.

What’s missing? Prices! If an invoice is submitted with redacted prices for the purpose of material source verification it’s OKAY!
POP QUIZ!

Does this document satisfy all three requirements to the SP?

It is a trick question. The answer is YES!

Even if the manufacturer is not specifically listed, it can still be identified by the Type and Model of the product.
FHWA’s 1997 Memo states:
“...steel components of a predominately steel product must be of domestic manufacture unless the value of the components is less than De Minimis threshold* for the total project. Per conversations with the FHWA Office of Programs, we interpret the words steel components to include the miscellaneous steel components. This means that all the steel components, including miscellaneous steel of a final manufactured product that is predominantly composed of steel are required to comply with Buy America requirements.

*De Minimis threshold is defined as the cost of materials, including delivery, not to exceed 0.1% of the total Contract cost or $2,500, whichever is greater.
Buy America Documentation

- Item 6, “Control of Materials,” Section 6.1.1, “Buy America,” requires steel and iron materials (permanently installed) to be manufactured in the United States.

- Section 6.1.1 also requires a furnished Form 1818 (D-9-USA-1), “Material Statement,” notarized and with proper attachments, for verification of Buy America compliance.

- “Proper attachments” include Mill Test Reports (MTRs) and Material Certifications. These can have many names, for an example of a complete Buy America documentation Packet, see Appendix B.
Buy America Documentation

- **TxTRST** Test Method – Structural obtains the documentation and is the office of record.

- **TxTRSTQM** Test Method – District/Area Office obtains the documentation and is the office of record. (Form 1818 is not required for reinforcing steel, MTRs and Certifications only.)

- **Project Sample Sent to MTD** - District/Area Office obtains the documentation and submits with each sample.

- **AE Inspected** – District/Area Office obtains the documentation and is the office of record. This requirement applies if the material is tracked in SiteManager or not.

Use the *Project Records Checklist – Test Documents and Sourcing* spreadsheet for a more comprehensive list of steel materials.
Material Categories

- Project Test Local
- AE Inspect
- MTD Inspect
- Project Test MTD
- QM
Project Tests on Materials by Local Lab

Flex base, Aggregate, Complete Mix, Backfill, Rip-Rap Curing Compound (% solids), Embankment Material, Mineral Filler, Split Samples, Referee Testing, Ride Quality

- A material source verification document for all of the materials received.
- Local lab (either Area Office or District) conducts required testing per the Guide Schedule and Test Methods and enters sample into SiteManager.
- Enters mix designs if applicable.
Materials Management, Sampling and Testing module. Local or District Lab will enter data and complete the appropriate template in SiteManager.
Project Tests on Materials by MTD

- Mechanical Couplers, Multiple-Piece Tie Bars, Steel Strand / Rope, Complete Mix,
  Surface treatments, Lime, Asphalt, Asphalt Rubber, Backfill, Epoxy, Fly Ash, Concrete Repair Material
  Glass Beads, Paint, Pavement Markers

- A material source verification document for all of the materials received. Buy America if steel.
- District sends project samples to MTD per Guide Schedule and Test Methods.
- MTD enters testing data into LIMS.
- Testing is uploaded to SiteManager. Look for testing using tools found in Appendix A.
QM Materials

Adhesive - Pavement Marker Adhesive, Traffic Marker Adhesive
Asphalt Cement, Asphalt Cement PG, Asphalt Cut-back, Asphalt Emulsion, Miscellaneous Asphalt Material
Aggregate: Bituminous HMAC Course, Lightweight, Surface Treatment, Microsurfacing, Concrete - Course and Fine

Precast Concrete Products: Manholes, Inlets, Junction Boxes, RC Pipe, Box Culverts, Concrete Railing, Traffic Barriers, Concrete Piling

Cementitious material: Portland, ground granulated BF Slag

Delineators & Object Markers: Barrier Reflectors, Delineator Units, Flexible Delineator Posts, Traffic Buttons, Raised Pavement Markers

Luminaires: LED and Standard

MBGF Components: Composite Blocks, Terminal Anchor Posts, Timber Blocks, Timber Posts, Rail Element

Reflective Pavement Markings: Glass beads, Prefabbed, Thermal, Traffic Paint

Reinforcing Steel: Rebar (Coated and Uncoated), Steel Wire Fabric

Concrete Surface Finish: Stain, Silane, Silicone Resin Emulsion Paint

♦ Fly Ash ♦ Treated timber ♦ Curing compound

Joint seals ♦ Anti-Graffiti Coating
QM Materials

- A material source verification document for all of the materials received. “Proof”
- Check that supplier is on the appropriate Material Producer List (MPL).
- Attach SiteManager QM test report.
- Check for fabricator test stamp for precast.

How do I attach a SiteManager QM test report?

*See Appendix A!*
MTD Inspected Materials

- **Precast Products:**
  Retaining Walls, Prestressed Concrete Girders, Precast Deck Panels

- **Steel Products:**
  Bridge Steel, Rail Mounted Sign Supports, Railing, Overhead Sign Supports, Sign Walkways, Large Roadside Sign Supports, Traffic Signal Poles, Roadway Illumination Poles, High Mast Poles & Rings, MBGF Retrofit Transition Assemblies

- **Miscellaneous Products:**
  Bearing Pads, Bearing Assemblies
MTD Inspected Materials

- Check for approved test stamp.
- Visually inspect for shipping damage.
- A material source verification document for all materials received.
- Test report from MTD-PSTR.

How do I check for a test report?

*Use these tools described in Appendix A:*

- XiteReport
- Sampling Checklist
- 26 Report
- Xite Manager
MTD Inspected Materials

Takeoff Process (review plans and identify inspection requirements)

- Activate Project
- Generate S&T
- Email Sourcing Letter to: MTD_StructuralCorrespondence

Inspection requests from fabricator/Inspect and test report

- Material placed on project
- Generate reports to check testing
- Associate QM samples
- Pay MOH / Work placed

If there are discrepancies between placed and tested quantities, send e-mail to MTD_StructuralDeficiencies with any relevant information and documentation (invoices, shipping tickets, BOL). One CSJ per email, include CSJ, County, and material in the subject line.

Deficiency Process
Deficiency Processes (resolving testing deficiencies):

If there are deficiencies between placed and tested quantities (yellow for Structural):

- Send e-mail to MTD_StructuralDeficiencies
- Include CSJ, County, and material in the subject line: 0008-13-221 Tarrant Poles
  One CSJ and one material code per email.
- Attach appropriate documentation, including any or all of the following:
  - invoices,
  - shipping tickets,
  - bill of lading,
  - Explanation such as “material was provided by City of Austin” or “Material came from TxDOT stock” or “there was no stamp on this material.”
AE Inspected Materials

- Products with SiteManager requirements:
  Signs, Precast SET, Pipe Runners, Structural Paint, Precast Headwalls & Wingwalls

- Products not in SiteManager:
  Anchor bolts, MBGF Steel Posts, Armor Joints, Bridge Mounted Clearance Sign Brackets, SEJs, Steel Piling, Terminal Anchor Beams, T-Bases, Compost Ornamental Fence, Seed, Fertilizer, Untreated Timber
AE Inspected Materials

- Required documentation for all of the materials received.
- Project inspector inspects material and verifies receipt of documentation and enters sample into SiteManager (e.g. Signs, Precast SETs, Pipe Runners).
- Some materials are inspected but no testing requirement exists in SiteManager. For those materials, just make sure the documentation is on file in the Project Records (e.g. Armor joints, anchor bolts, ornamental fence).
AE Inspected Materials

Signs:

The Contractor must provide the following documentation, per Item 636, with each shipment of furnished signs (electronic copies are acceptable):

- A copy of the project specific notarized Signing Material Statement (Form 2273) completed by the sign fabricator, with the attached copies of material certifications for verification of compliance, and

- A copy of the notarized certification completed by the sign fabricator stating that the completed signs were fabricated in accordance with the plans and specifications.

**NOTE:** The fabricator name on Form 2273 must match the fabricator name on the certification.
Testing and materials documentation requirements are as varied and complex as the materials themselves. In an effort to consolidate all the material documentation, sourcing, and testing requirements for any given bid item into one resource, MTD previewed an interactive tool to help keep Districts up to date on what to do for any given material.

To be used in conjunction with the Material Inspection Guide and the Guide Schedule, this spreadsheet connects with SiteManager to pull the bid items for a CSJ and list the requirements for each component material for that bid item.

The checklist will be published on MTD’s web page under “Materials Guidance Documents” and https://www.txdot.gov/inside-txdot/division/materials-and-tests.html
The Master tab and Non-Pay tab are reference tabs for all bid item categories. Information includes Buy America, MPL information, and SiteManager testing. A guide tab defines terms and details expectations.
Appendix C – Project Records Checklist

Excerpt from the Material Inspection Guide:

SECTION 35 - GROUND BOXES

35.1 Reference

Refer to the Standard Specifications for information on Item 624, “Ground Boxes.”

35.2 Functions of the Project Engineer

The Project Engineer:

- verifies that furnished precast polymer concrete ground boxes are from manufacturers listed on the Material Producer List entitled “Roadway Illumination and Electrical Supplies,” maintained by the Traffic Operations Division (TRF), and
- advises MTD or TRF when questionable material is received at the job site.

35.3 Functions of MTD

MTD performs testing on ground boxes received from TRF or the job site.

35.4 Sampling and Testing

Sampling at the project site for testing is not required but may be performed if the quality of the material is questionable. If sampling is desired, contact MTD for instructions.
Appendix C – Project Records Checklist

Excerpt from the Material Inspection Guide (Signs):

The Project Engineer:

- inspects signs for the following:
  - proper completion of the sign identification decals required on the back side lower left hand corner of each sign (See Item 643, “Sign Identification Decals.”)
  - shipping or handling damage (See Section 636.3.2, “Storage and Handling” of the Standard Specifications for sign damage criteria.)
  - proper storage (See Section 636.3.2, “Storage and Handling” of the Standard Specifications for proper sign storage.)
  - uniform color, appearance, and retroreflectivity of sign legend, symbols, borders, and background when viewed both day and night
  - proper assembly

NOTE: See the “Sign Inspection Guidance Document” under “Sign Inspection Updates” on the TRF Policy and Standards Branch website. This document provides more information on sign inspection and documentation mentioned above.

- advises MTD of questionable signs received at the job site,

- obtains the following documentation for all furnished signs on a project:
  - a copy of completed Form 2273, “Signing Material Statement,” from the fabricator with proper attachments (sign component material certifications, etc.)
  - copy of notarized certification from the fabricator stating that the signs were fabricated per the plans and specifications.
The Project Documentation tab will list only the items in the given CSJ. Note that if an item is REMOVE or RELOCATE, the spreadsheet is not smart enough to recognize that no new materials are required and will list documentation requirements anyway. Just ignore those!!!
Appendix C – Project Records Checklist

The Project Engineer:

- verifies that furnished Metal Beam Guard Fence material is from a Department-approved source on the current Material Producer Lists entitled:
  - “Timber Treating Plants and Suppliers” for timber blocks and posts,
  - “Composite Material Blocks and Posts for Metal Beam Guard Fence” for composite material blocks and posts,
  - “Metal Beam Guard Fence Rail Element Manufacturers” for rail elements.

NOTE: Each approved manufacturer’s rail element brand description is shown on the Material Producer List.

- visually inspects timber posts and blocks. (See SECTION 76 – TREATED TIMBER PRODUCTS.)
- receives Form 2148, “Certification of Compliance (Treated Timber Products),” for each shipment of timber blocks and posts. (See Section 492.2.2, “Identification” in the Standard Specifications.)
- visually inspects galvanized coating on steel items for bare spots, peeling, flaking, or handling damage. (See SECTION 32 – GALVANIZED COATINGS.)
- attaches SiteManager QM test report for timber blocks and posts, composite material blocks and posts, and rail elements.
- obtains a completed Form 1818 (D-9-USA-1), “Material Statement,” with mill test reports (MTRs), certifications, and galvanizing reports for all steel components of metal beam guard fence (see SECTION 16 – BUY AMERICA DOCUMENTATION PROGRAM), and
- advises MTD of any unacceptable material received at the job site.
Appendix D - Resources

- SiteManager Website: http://crossroads/org/cst/cmisd/sitemgr.asp
- Inspector Development Program Website: https://tntoday.dot.state.tx.us/cst/Pages/IDP.aspx
Appendix D - Resources

SiteManager Questions:

- SiteManager Help Desk – 512-416-2553
  CST_Sitemanager@txdot.gov

- Cullen Pfeiffer – 512-416-2541
  Cullen.Pfeiffer@txdot.gov

- Aaron Lenz – 512-416-2462
  Aaron.Lenz@txdot.gov
Appendix D - Resources

Coatings & Traffic Materials - Kristina Santos, Raymond Merritt

Flexible Pavements - Travis Patton, Enad Mahmoud

Rigid Pavements & Concrete Materials - Rachel Cano

Soils & Aggregates - Michael Dawidczik

Prefabricated Structural Materials - Jana Buck (512)506-5920, Jennifer Warnick (254) 867-2766, Miranda Unruh (512)506-5929

Quality Assurance - Thomas Smith

Materials and contacts listed by functional category:

http://crossroads/org/cst/docs/OrgInfo/FunctionalDir.pdf

We are here to help you!
There are no silly questions. If we cannot answer your question, we will find someone who can and get an answer back to you.

Thank you for your time!
Final Completion Spreadsheet Discussion
Final Completion

- Final Prompt Pay
- Final NOT
- Final Payrolls
- Final Contractor Evaluation
Form 2177

- Contractors’ request a Semi-final estimate be run with final quantities so an accurate, and truly final, prompt pay report can be submitted.

➤ Suggested change:

- The final form is due within a month after final quantities are determined and paid (semifinal progress estimate).
No Changes

**Article 506.1.4**: Notice of Termination (NOT). Upon concurrence of the Engineer, submit an NOT, if applicable, to the TCEQ within 30 days of the engineer’s approval that 70% of native background vegetative cover is met or equivalent permanent stabilization have been employed in accordance with the TPDES GP TXR 150000. Provide a signed copy of the NOT to the Engineer and any other MS4 operators at the time of submittal.
No Changes
Not a contractor’s submission. The AE is responsible to schedule and complete with the contractor.

The DE must sign the final evaluation.

- District is responsible for Site Manager entry of final score.

- Final Estimate cannot be generated without Final Contractor Evaluation entry in Site Manager.

- The hard copy of the Final Contractor Evaluation must be delivered to Construction Division in confidential envelope. The hard copy evaluation will be returned to the district following review. No electronic copies allowed.

- CST monitors scores and notifies contractors by letter for those that need improvement.
Contract Audits:

- AO 30, 60, 90%?

- DCO 45, 75%, Final? 50% & Final?

*It is better to audit and collect outstanding paperwork during the course of project construction rather than waiting till the end.*
## Anytime is AUDIT time

- Weekly with contractor
- Monthly after estimate

### Line No. | DAV Date | Item Description | UOM |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>3605</td>
<td>01/04/2020</td>
<td>1 WHD PDI DETERIORATION CONTROL UNIVERSAL JU</td>
<td>EA</td>
</tr>
<tr>
<td>3606</td>
<td>01/04/2020</td>
<td>2 WHD PDI DETERIORATION CONTROL UNIVERSAL JU</td>
<td>EA</td>
</tr>
<tr>
<td>3710</td>
<td>01/04/2020</td>
<td>31800 HEDGER TYPE EXPANSION JOINT</td>
<td>LF</td>
</tr>
<tr>
<td>3801</td>
<td>01/04/2020</td>
<td>180 HEDGER TYPE EXPANSION JOINT</td>
<td>LF</td>
</tr>
<tr>
<td>4345</td>
<td>01/04/2020</td>
<td>190 HEDGER TYPE EXPANSION JOINT</td>
<td>LF</td>
</tr>
<tr>
<td>4345</td>
<td>01/04/2020</td>
<td>20117 COMPOST MATERIAL TOPSOIL</td>
<td>YS</td>
</tr>
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<td>4345</td>
<td>01/04/2020</td>
<td>20117 COMPOST MATERIAL TOPSOIL</td>
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<td>01/04/2020</td>
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<td>CSY</td>
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<td>21180 PILL SEEDING PAM C (URBAN)</td>
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<td>CSY</td>
</tr>
<tr>
<td>4375</td>
<td>01/04/2020</td>
<td>21180 PILL SEEDING PAM C (URBAN)</td>
<td>CSY</td>
</tr>
<tr>
<td>4500</td>
<td>01/04/2020</td>
<td>34.000 VEGETATIVE INVERTING</td>
<td>MG</td>
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<td>4505</td>
<td>01/04/2020</td>
<td>21117 FALLvro DETENTION BARRIERS (2, 1)</td>
<td>YS</td>
</tr>
<tr>
<td>4505</td>
<td>01/04/2020</td>
<td>21117 FALLvro DETENTION BARRIERS (2, 1)</td>
<td>YS</td>
</tr>
<tr>
<td>4500</td>
<td>01/04/2020</td>
<td>21117 FALLvro DETENTION BARRIERS (2, 1)</td>
<td>YS</td>
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<tr>
<td>4500</td>
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<tr>
<td>4500</td>
<td>01/04/2020</td>
<td>21117 FALLvro DETENTION BARRIERS (2, 1)</td>
<td>YS</td>
</tr>
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### Materials and Quantities

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<thead>
<tr>
<th>Total Bld Quantity</th>
<th>QTY Paid To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>142,225.00</td>
<td>26,981.75</td>
</tr>
</tbody>
</table>
Question & Answer

Time

(Submit through Q&A only to all)
Remember
Thank you
<table>
<thead>
<tr>
<th>Category - General</th>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design-Build (D-B):</td>
<td>All of the forms and processes being discussed are required for any type of TxDOT project including Design-Build, correct? Are the newest forms required for a project that is ongoing from 2010 (we are on our 3rd change order to the original project).</td>
<td>D-B projects have different processes, but where the processes are the same or similar, the desire is to follow these processes as for Design-Bid-Build (D-B-B) projects. These processes &amp; forms take effect with the May 2020 letting. If the AE and contractor agree, these processes can be used for existing ongoing projects.</td>
</tr>
<tr>
<td>General:</td>
<td>Why can’t all these changes wait until the new Fiscal Year?</td>
<td>There are several jobs coming up and lessening the contract paperwork as soon as possible will help all involved.</td>
</tr>
<tr>
<td></td>
<td>When can we start using these new forms?</td>
<td>Mandatory use beginning with May let projects but you can start immediately IF the contractor and District/AO agree.</td>
</tr>
<tr>
<td></td>
<td>I assume everything discussed today apply to LGPP projects.</td>
<td>LGPP is working on implementing guidelines following this same criteria.</td>
</tr>
<tr>
<td></td>
<td>Do all of these changes pertain to Maintenance contracts as well?</td>
<td>Maintenance stated they would be following the same standards. Most of these requirements are related to federally funded projects.</td>
</tr>
<tr>
<td></td>
<td>Where are these forms located?</td>
<td>Contractor personnel forms are available <a href="https://www.txdot.gov/business/resources/doing-business.html">https://www.txdot.gov/business/resources/doing-business.html</a> or Eforms for TxDOT personnel.</td>
</tr>
<tr>
<td></td>
<td>Do we still perform Prompt Payment Certification Audits?</td>
<td>Prompt Payment Quarterly audits are still a requirement and has not changed.</td>
</tr>
<tr>
<td></td>
<td>Can the &quot;installed/unpaid&quot; report be made available for Contractors to access again?</td>
<td>Will look into adding back.</td>
</tr>
<tr>
<td></td>
<td>Are the AE’s being told not to ask for blanket requests (all the forms up front)?</td>
<td>Yes, items should be audited through random audits throughout the job and not asked for all at one time.</td>
</tr>
<tr>
<td>CATEGORY - Prework</td>
<td>QUESTION</td>
<td>RESPONSE</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Construction Schedules</td>
<td><strong>What recourse do we have in the event that schedules are not presented seven days prior to the preconstruction meeting?</strong></td>
<td>The Engineer should enforce the Spec and if continuous problems occur, do not set the pre-con date until seven days after receipt.</td>
</tr>
<tr>
<td>Designated Contacts</td>
<td><strong>Do we need to ask for updated lists if Contractor personnel has changed; i.e., superintendent?</strong></td>
<td>No, an email is sufficient.</td>
</tr>
<tr>
<td></td>
<td><strong>Will Form 2795 be filed in the EMS book or in an EEO file?</strong></td>
<td>The form should be filed in the project records as part of the Pre-Construction Conference Agenda.</td>
</tr>
<tr>
<td>E-verify</td>
<td><strong>I didn’t see these e-verify slides in the supporting documents listed above - will they be available later?</strong></td>
<td>Yes, the e-verify will be provided later.</td>
</tr>
<tr>
<td></td>
<td><strong>If company does not display on e-Verify site, but is on the TxDOT list - The TxDOT list is not adequate?</strong></td>
<td>No, TxDOT’s list is adequate and a copy of the MOU can be provided by <a href="mailto:CST_Everify@txdot.gov">CST_Everify@txdot.gov</a>.</td>
</tr>
<tr>
<td></td>
<td><strong>Does the E-verify apply to Local Let projects?</strong></td>
<td>Yes, this is a Federal mandate.</td>
</tr>
<tr>
<td></td>
<td><strong>Does e-verify apply to suppliers of materials and service providers?</strong></td>
<td>Applies only if the entity in question qualifies as a subcontractor. Material Suppliers do not qualify but service providers and haulers may qualify as a subcontractor.</td>
</tr>
<tr>
<td></td>
<td><strong>Do we only use E-verify list from TxDOT website or do we need to use the Federal list?</strong></td>
<td>Both lists are to be used as verification.</td>
</tr>
<tr>
<td>Subcontractors</td>
<td><strong>Under the description of work does all the items the contractor can perform have to be listed? Ex if we listed striping as the type of work and later wanted to add rumble strips would a new form need to be completed and signed?</strong></td>
<td>A new form would not be needed. The additional scope would be identified in the associated change order.</td>
</tr>
<tr>
<td></td>
<td><strong>How will we know what items of work the subcontractor is doing?</strong></td>
<td>The type of work will be known by the subcontract approval. The specific items of work are no longer linked to the subcontractors in SiteManager.</td>
</tr>
<tr>
<td>CATEGORICAL - Prework</td>
<td>QUESTION</td>
<td>RESPONSE</td>
</tr>
<tr>
<td>-----------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Are sub request required for material suppliers and haulers?</td>
<td>Material Suppliers are not subcontractors so no, a subcontract approval form is not required. Haulers could be classified as a subcontractor depending on the type of hauling they are performing.</td>
</tr>
<tr>
<td></td>
<td>Are the approvals still going through the District Office?</td>
<td>Yes, unless district policy delegates differently.</td>
</tr>
<tr>
<td></td>
<td>So to get a sub contactor approved, the only requirements are the Form 2802, E-Verify and debarred information?</td>
<td>A completed Form 2802.</td>
</tr>
<tr>
<td></td>
<td>Can the AE designate someone else to approve subcontractors?</td>
<td>No, the AE is no longer able to delegate. The AE is responsible for final approval and signature on the subcontractor approval form. The district is still responsible for review and approval in SiteManager.</td>
</tr>
<tr>
<td></td>
<td>Do all executed DBE subcontracts and only one non-DBE subcontract have to be received?</td>
<td>Yes, all executed DBE subcontracts need to be received for all federally funded projects. One executed non-DBE subcontract needs to be received and reviewed.</td>
</tr>
<tr>
<td>Inputting Subcontractors</td>
<td>Do we click supplier/hauler box even if just a regular subcontractor?</td>
<td>The supplier/hauler box will be utilized for all subcontractors (including tiered) until further notice.</td>
</tr>
<tr>
<td></td>
<td>Without the item code breakdown, how will the items be properly entered under the subcontractor in SiteManager.</td>
<td>Specific items will no longer be entered under the subcontractor section in SiteManager.</td>
</tr>
<tr>
<td></td>
<td>How will the pay items be associated to the subcontractor?</td>
<td>Pay items will be associated to the Prime only but labor and equipment can still be associated with Subcontractors.</td>
</tr>
<tr>
<td></td>
<td>Does SiteManager allow a lump sum amount now?</td>
<td>Yes, when supplier/hauler box is checked, a lump sum amount can be entered into the grey subcontract amount section.</td>
</tr>
<tr>
<td>CATEGORY - Prework</td>
<td>QUESTION</td>
<td>RESPONSE</td>
</tr>
<tr>
<td>--------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tier 2 - just add</td>
<td>just add the comment, parent is no longer added in SiteManager?</td>
<td>Correct, until further notice. The feature does not work when a parent subcontractor is added under supplier/hauler. Add the tiered subcontractor with zero dollars, include tiered amount in remarks bubble only.</td>
</tr>
<tr>
<td>Regarding subcontract Form 2802, how will monitoring of prompt pay, DBE activity, and payrolls be monitored to satisfy requirements?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specialty Items</td>
<td>I do not understand what a specialty item is for reduction. What type of item's would be classified in this?</td>
<td>See Spec book Item 8 Article 2.1 “Specialty items will be shown on the plans or as determined by the Engineer. Bid cost of specialty items performed by subcontractors will be deducted from the total original Contract cost before computing the required amount of work to be performed by the Contractor’s own organization.”</td>
</tr>
<tr>
<td>Subcontract Agreement (DBE)</td>
<td>What if subcontract agreement for the DBE is not turned in before the DBE goes to work?</td>
<td>If request is not being responded to in a proper amount of time, the issue should be escalated. Subcontractors are not approved based on receipt of a subcontract agreement.</td>
</tr>
<tr>
<td>Subcontract Agreement (Non-DBE)</td>
<td>Is it correct that the one required non-DBE subcontract must be submitted before that sub can begin work; all other non-DBE subcontracts are available only through an audit?</td>
<td>No, only one non-DBE subcontract should be reviewed during an audit through the life of the project.</td>
</tr>
<tr>
<td>CATEGORY - During Construction</td>
<td>QUESTION</td>
<td>RESPONSE</td>
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<tr>
<td>Bulletin Board:</td>
<td><strong>Can the bulletin board inspection checklist be made available to contractors? I did not see a copy of that at the link provided. We typically get multiple versions across multiple area offices. It would help to have a copy of the actual form used.</strong></td>
<td>Will provide; however, the websites should be checked to maintain compliance. The checklist can be found at <a href="https://www.txdot.gov/business/resources/doing-business.html">https://www.txdot.gov/business/resources/doing-business.html</a></td>
</tr>
<tr>
<td></td>
<td><strong>Is there a required time line to check the bulletin Board. Should it be with every Year or 6 months?</strong></td>
<td>No written guidance as of yet. However, it should be checked after setup and annually at a minimum.</td>
</tr>
<tr>
<td></td>
<td><strong>Changes with the bulletin board documents change frequently is there a reason why? And when searching the TXDOT website is there a reason why all bulletin board forms aren’t all in one spot instead of searching for these documents?</strong></td>
<td>The forms are required by several different agencies such as US Department of Labor, OSHA, FHWA, Department of Health and Human Services, etc.</td>
</tr>
<tr>
<td>Force Account:</td>
<td><strong>On force account, do we use the wage rate in the proposal for employee rate or the actual amount paid in LCP Tracker?</strong></td>
<td>The actual amount paid to the employee should be what is reimbursed to the Contractor for force account work performed.</td>
</tr>
<tr>
<td></td>
<td><strong>How do we proceed if TxDOT doesn’t have an employees onsite to verify the force account work, or lack the paperwork?</strong></td>
<td>Per Force Account guidelines, TxDOT responsible persons must be on site. Contact Engineer to be worked out if not.</td>
</tr>
<tr>
<td></td>
<td><strong>What is required for force account for Electric services charges and RR Work.</strong></td>
<td>CST – Electric service depends on type of job – see 628 Article 5.1. RR work - Project specific, refer to Article 5.8.2</td>
</tr>
<tr>
<td>Form 318:</td>
<td><strong>The warehouse is still sending out the obsolete version of Form 318, without that checkbox.</strong></td>
<td>The updated form can be pulled from e-forms and copies provided if your warehouse is unable to obtain the proper forms.</td>
</tr>
<tr>
<td>MOH:</td>
<td><strong>So if an item is put on MOH and taken off of MOH within 60 days, no paid invoice or canceled check will be required correct?</strong></td>
<td>Correct, but verification of manufacturer/fabricator is still required</td>
</tr>
<tr>
<td></td>
<td><strong>MOH cannot be submitted before the 25th day of the month?</strong></td>
<td>The estimate cannot be cutoff any earlier than the 25th of the month. The MOH cannot be due no earlier than two days before the estimate cutoff date.</td>
</tr>
<tr>
<td>CATEGORV - During Construction</td>
<td>QUESTION</td>
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<tr>
<td></td>
<td>Why not make MOH due on 25th as well?</td>
<td>District discretion to accept the MOH the same day as the estimate cutoff.</td>
</tr>
<tr>
<td></td>
<td>MOH required 2 days before estimate cut off -- so work done those last two days will not come off the estimate for the month?</td>
<td>District discretion to account for the two days.</td>
</tr>
<tr>
<td></td>
<td>Should the MOH submittal timeline of 2 days prior to estimate cutoff be for projects let before May 2020 as well?</td>
<td>District discretion. These processes take effect with the May 2020 letting and are not retroactive.</td>
</tr>
<tr>
<td></td>
<td>For ongoing projects are we applying the MOH pymt audits? Or will this go into effect in May?</td>
<td>MOH payment audits has been a requirement, the quarterly review is now written guidance for how often is should be conducted.</td>
</tr>
<tr>
<td></td>
<td>How will we ensure MOH items are tested and approved before paying on MOH if we don’t know the source of the material?</td>
<td>Form 1914 is used to certify the contract requirements, form 1915 states material discription and location, inspector should still review material to be used on the jobsite as applicable.</td>
</tr>
<tr>
<td></td>
<td>How are we supposed to verify the unit cost if invoices are no longer received?</td>
<td>Unit cost is on form 1915 and can be reviewed during a quarterly audit.</td>
</tr>
<tr>
<td></td>
<td>What is acceptable form of proof of paid invoices for MOH? Some contractors submit an invoice that is stamped paid with a signature and a date on it, is this acceptable?</td>
<td>Yes, that is acceptable or a copy of canceled check (signed and cleared bank).</td>
</tr>
<tr>
<td>CATEGORY - During Construction</td>
<td>QUESTION</td>
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<tr>
<td>Payroll:</td>
<td>You mentioned cross referencing payrolls against DWR's to identify subcontractors. Are you removing the box in SM DWR diary where you select the contractor?</td>
<td>No, the box with the dropdown menu will still be there and utilized for all tabs except the Work Items</td>
</tr>
<tr>
<td></td>
<td><strong>If a contractor payroll says the contractor was on the job but DWR does not reflect this, what steps need to be taken?</strong></td>
<td>Contact the inspector on the job to double check the accuracy of the payroll.</td>
</tr>
<tr>
<td></td>
<td><strong>Do we still accept weekly payrolls in LCP Tracker when submitted by contractors?</strong></td>
<td>LCPTracker – There were no changes made to this section. Weekly payrolls are submitted in LCPTracker like normal, they are still required to be reviewed and marked as accepted.</td>
</tr>
<tr>
<td>Training Certificates:</td>
<td><strong>What action can be taken if requested training cert can’t be provided from the contractor?</strong></td>
<td>Escalate issue</td>
</tr>
<tr>
<td></td>
<td><strong>Can we provide proof that the contractor has enrolled for classes because classes are limited?</strong></td>
<td>Required Training – completion of training is the requirement, not proof of enrollment. Coordinate with the AE.</td>
</tr>
<tr>
<td>CATEGORY - Environmental</td>
<td>QUESTION</td>
<td>RESPONSE</td>
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<tr>
<td>NOI:</td>
<td>Can TxDOT publish a standardized SWP/EMS Binder?</td>
<td>TxDOT is in the process of developing a standardized SWP/EMS binder template, along with associated guidance and training materials. The template, guidance, and training materials will be released in early 2021.</td>
</tr>
<tr>
<td>SWP/EMS Binder:</td>
<td>Will TxDOT continue to be a secondary operator on the permit?</td>
<td>&quot;TxDOT is not a secondary operator on the permit. Both TxDOT and the Contractor are primary operators as co-permittees. TxDOT is the Primary Operator with Control Over Construction Plans and Specifications. The Contractor is the Primary Operator with Day-to-Day Operational Control. In some situations TxDOT may be a secondary operator for on-system projects sponsored by a Local Government or on Design-Build projects. These situations are handled on a project by project basis and the District office should be consulted for direction.&quot;</td>
</tr>
<tr>
<td>Secondary Permit:</td>
<td>When can the contractor discontinue submitting the daily logs?</td>
<td>The contractor is still required to keep daily logs in accordance with Item 506. Contractors can utilize Form 2801: Contractor Daily Environmental Monitoring Log, or another similar form to document their daily inspections. These forms must be provided to TxDOT upon request.</td>
</tr>
<tr>
<td>CATEGORY - Final Completion</td>
<td>QUESTION</td>
<td>RESPONSE</td>
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<tr>
<td>Contractor Evaluation:</td>
<td><em>Can the contractor evaluation be completed by phone?</em></td>
<td>If the contractor is unavailable to meet in person, a phone conversation can be done as long as it is followed by an email confirming the phone conversation (no scores or details are to be emailed). No electronic copies of the evaluation are allowed.</td>
</tr>
<tr>
<td></td>
<td><em>We send EVERY contractor eval to CST after completed? I thought it was only if requested.</em></td>
<td>Only Final Evaluations are sent to CST. They will be returned to the applicable District/Area Office.</td>
</tr>
<tr>
<td></td>
<td>Who can sign the evaluation?</td>
<td>The annual is signed by the Area Engineer and the Final is signed by the District Engineer.</td>
</tr>
<tr>
<td></td>
<td>Name or specific construction section to address the envelope</td>
<td>Gina Gallegos, Duane Milligan or Carlos Rodriguez</td>
</tr>
<tr>
<td></td>
<td>Hard copies of evaluations kept at district office or area office?</td>
<td>Up to the District and must be kept in separate files and retained for the proper retention period.</td>
</tr>
<tr>
<td>CATEGORY - Materials</td>
<td>QUESTION</td>
<td>RESPONSE</td>
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<tr>
<td>Forms:</td>
<td>The form 2273, where are those supposed to be sent? I've been a bookkeeper in an area office for 7 yrs. &amp; I've never heard of this form.</td>
<td>Maintain in project documents and refer to section 70 in the material inspection guide.</td>
</tr>
<tr>
<td>Invoices:</td>
<td>We are required to supply material invoices daily/weekly on projects where material source/items have been previously approved (measured in place items). Is it a requirement that we supply invoices for each delivery of material?</td>
<td>See Project Records Checklist for required documentation. Proof of source documentation (manufacturer/fabricator) should be with each delivery.</td>
</tr>
<tr>
<td></td>
<td>No other documentation required for those items, including Buy America say for RM conduit?</td>
<td>See Project Records Checklist for required documentation. RM conduit specifically is to be field verified. No other documentation required.</td>
</tr>
<tr>
<td></td>
<td>Do we need the quantity in order to verify against the MPL?</td>
<td>You do not need the quantity to verify against the MPL, but you do need the quantity to ensure the documentation is representative of the entire amount for the project.</td>
</tr>
<tr>
<td>Material Sourcing:</td>
<td>Will we still require the material sourcing letter as well as this evidence?</td>
<td>Yes, the Material Sourcing Letter notifies of intent, where the Material Source Verification document serves as evidence.</td>
</tr>
<tr>
<td></td>
<td>Will evidence of a lab number be required since a BOL usually doesn't include lab numbers for items such as asphalt.</td>
<td>A QM lab number is required, and Districts should check to make sure any material used has a valid lab number. The QM lab number is usually on the BOL and Districts input that number in SiteManager when they log in asphalt samples.</td>
</tr>
<tr>
<td>CATEGORY - Materials</td>
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</tr>
<tr>
<td></td>
<td>Who is responsible for submitting the Buy America documentation?</td>
<td>Manufacturer of product completes the documentation but Contractor (or Fabricator for MTD inspected items) submits to TxDOT.</td>
</tr>
<tr>
<td>Sampling &amp; Testing:</td>
<td>Is there a program that will calculate the sampling and testing requirements for a specific project?</td>
<td>Area Office can pull testing requirements for each CSJ from the SiteManager Report “Contract Sampling and Testing Requirements”</td>
</tr>
<tr>
<td>Maintenance:</td>
<td>Does the Material Management Processes apply to Maintenance Material Contracts.</td>
<td>Materials will be built into SiteManager for those bid items, but testing frequencies will be set to 0 to make it optional. MTD Inspect materials will be populated and tested. A memo is pending.</td>
</tr>
<tr>
<td>CATEGORGY</td>
<td>QUESTION</td>
<td>RESPONSE</td>
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</tr>
<tr>
<td>DBE:</td>
<td>How do we verify if the DBE is doing all of the work if we are not listing it by line item?</td>
<td>CST original response: By the subcontract agreement. CIV Response: Utilize the commitment agreement form, utilization plan detailed attachment, and the executed subcontract agreement containing signatures of both the prime and the subcontractor. The committed items must be the same as in the executed subcontract agreement. The subcontracted quantities cannot be less than the committed quantities. For new work a subcontract modification will be required.</td>
</tr>
<tr>
<td></td>
<td>If we do not have a breakdown of work items, how will you know if the DBE sub is performing a CUF?</td>
<td>CST original response: Item breakdown will be on the actual subcontract agreement for DBE’s and the completion of the CUF form determines CUF compliance. CIV response: At the time the CUF review is initiated, you must have on file a copy of the executed subcontract agreement.</td>
</tr>
<tr>
<td></td>
<td>Is CUF form needed for a non-DBE subcontractor?</td>
<td>CST original response: No CIV response: No</td>
</tr>
</tbody>
</table>