



**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**

Request for Proposal (RFP) → Pre-Construction Meeting → Construction Contract Award → Construction Start

Figure 3-1: Pre-Construction & Construction Flow Chart (continued)

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**

Request for Proposal (RFP) → Pre-Construction Meeting → Construction Contract Award → Construction Start

Figure 3-1: Pre-Construction & Construction Flow Chart (continued)

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**PRE-CONSTRUCTION PROCEDURES**

**RESPONSIBLE CHARGE**

- The Local Government (LG) must designate a Project Supervisor and an Official who will be responsible for the administration of the project, including, but not limited to: requesting authorization of funds, requesting award of contract, supervision of the CEI, authority to approve changes, and accountability for contract compliance (23 CFR 635.105) as outlined in Chapter 3: Getting Started.
- The LG will act on the behalf of the Tennessee Department of Transportation (TDOT) for the administration of construction projects and that in accordance with federal regulations, funds may be withheld for non-compliance of federal rules and regulations (23 CFR 1.36):
 

**"If the Administrator determines that a Local Agency has violated or failed to comply with the Federal laws or the regulations in this part with respect to a project, he may withhold payment to the Local Agency of Federal funds on account of such project, withhold approval of further projects by the Local Agency, and take such other action that he deems appropriate under the circumstances, until compliance or remedial action has been accomplished by the Local Agency to the satisfaction of the Administrator."**

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**



**FHWA “Big Five”**

- DBE Requirements
- Buy America Provision
- ADA Requirements
- Environmental Commitments
- Pay Item Documentation (Original Contract items or Change Orders)

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**



- Refer to Section 1.6 for information regarding selection of a consultant for the CEI portion of the project.
- A project shall be advertised one time at least 21 calendar days prior to the public bid opening (23 CFR 635.112). The advertisement shall describe the type of work to be performed and where, when, and by what time the sealed bids shall be received. The TDOT provided Bid Advertisement Template (Form 8-3) is available for the LG to use.
- The advertisement must be submitted to the LPDO to be placed on TDOT's website for publication. The advertisement must be submitted by clicking on the 'Local Programs Ad Submittal Form' link on the bottom of this webpage: <http://www.tn.gov/tdot/topic/local-programs-current-projects>.
- The Local Programs Ad Submittal Form, along with the bid advertisement (Form 8-3), must be submitted on the same email as an attachment and sent to [LocalPrograms@tn.gov](mailto:LocalPrograms@tn.gov) at a minimum of 24 days prior to the bid opening date.
- **The use of Electronic Bidding Documents or software will need prior approval. This includes the distribution of documents electronically.**

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**



- For all projects, bidding opportunities on a nondiscriminatory basis shall be afforded to all qualified bidders regardless of state boundaries, race, sex, color, or national origin. The LG shall comply with the standard USDOT Title VI Assurances by inclusion of the following language in the solicitations for bids:

**The (Local Government) in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.”**

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**



### Who Can Bid?

- All contractors must be on TDOT's pre-qualified list
- Contractors must use and only use the name as shown on pre-qualification records
- Bid book and bid form must be marked VOID if sold to non-prequalified contractors or those pending qualification
- Contractors who are not prequalified with TDOT in the appropriate work classification(s) should not be authorized to bid (i.e., guardrail contractor would not be authorized to bid resurfacing project)
- All subcontractors must be on TDOT's pre-qualified list before beginning any work

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**



- Please be aware that TDOT requires all PRIME contractors (except mowing and litter removal contractors) to be licensed with the Tennessee Department of Commerce and Insurance, Board for Licensing Contractors.
- For Federally Funded Contracts, the Contractors will not be required to have a license to bid. However, prior to recommending award of the Contract, the Local Government will confirm that the lowest responsible bidder is licensed. The Contractor will be considered for award for twenty-one (21) days after the letting date (bid submittal). If the contractor does not have a license, on or before the 21 days, the contractor will be considered non-responsive, and the next lowest responsible bidder will be considered for award.
- For more information on obtaining a Contractor's License please visit the Board for Licensing Contractors website at the following:  
<https://www.tn.gov/commerce/regboards/contractors.html>

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**



- Title 48 of Tenn. Code Ann. requires all contractors and subcontractors that are domestic or foreign Corporations, Limited Liability Companies, Limited Partnerships, or Limited Liability Partnerships to be in good standing with the Secretary of State. This includes being duly incorporated, authorized to transact business, and/or in compliance with other requirements as detailed by the Secretary of State. Please contact the Secretary of State should you have any questions at (615) 741-2286 or visit <https://sos.tn.gov/business-services>.
- TDOT will not execute any contracts or approve subcontracts with contractors that are domestic or foreign Corporations, Limited Liability Companies, Limited Partnerships, or Limited Liability Partnerships, who are not in good standing with the Secretary of State (i.e. have a valid Certificate of Existence/Authorization).

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**



- Prior to opening bids, the Local Government shall review the Contractors to determine their prequalification and licensure status (non-federally funded only).
  - Please note that the contractors have a 90 day grace period for renewal (for bidding purposes).
- If a bidder is not currently prequalified or properly licensed (non-federally funded), the bid should remain sealed.
- All bids are to be opened publicly and read aloud either item-by-item, or by total amount.
- If a bid is not read, the bidder is to be identified and the reason for not reading the bid announced (23 CFR 635.113).

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**



- A bid may only be awarded to the lowest responsive bidder (23 CFR 635.114). The "Construction Advertising and Award Checklist" (Form 8-4) shall be completed, signed, and submitted with the Local Government's letter indicating its intent to award to the low bidder.
- The Local Government shall review the apparent lowest responsive bidder's proposal to ensure the bid is responsive and all applicable signatures and bonds are included. Bids shall be reviewed in accordance with the TDOE Policy No. 355-02 Awards of Construction Contracts. Additional FHWA guidance for reviewing bids can be found at: <http://www.fhwa.dot.gov/programadmin/contracts/index.cfm>

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES**

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**REASONS FOR NOT AWARDING A BID** 

- Failure to sign the bid by a authorized representative (proposal form, proposal certificate, proposal bond, Power of Attorney)
- Failure to furnish the required bid bond and Power of Attorney, with the same dates
- Omissions, alterations of form, additions, or conditions not called for
- Unauthorized bids or irregularities
- Failure to include a unit bid price for each item (must be an amount of zero or greater)
- Units prices are mathematically unbalanced
- Failure to submit a non-collusion affidavit
- Failure to utilize the required forms approved by TDOT (Form 8-1 Federal or Form 8-1 State)
- Failure to submit a bid within the original bound bid book or **electronic bid information**
- Failure of bidder to acknowledge all addenda
- Bidder not prequalified or not in good standing the day of the letting

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES** 

- Reasons for not awarding a bid include the bid being unresponsive, often called an irregular bid, or if the bidder is determined to be "not responsible". The difference between a responsive bid and responsible bidder is that:
  - A responsive bid is one that meets all the requirements of the advertisement and proposal, while
  - A responsible bidder is one who is physically organized and equipped with the financial wherewithal to undertake and complete the contract.

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**PRE-CONSTRUCTION AND CONSTRUCTION PROCEDURES** 

- The LG shall provide a **list of ALL bidding companies/entities and their bid price**, a bid tabulation of at least the three (3) lowest bidders (or all bids if fewer than three (3) are submitted), line-item by line-item, including the engineers estimate that matches the schedule of values for reviewing bids. When more than three bids are received, the total amount of all but the three lowest bids must be submitted. All bids shall be reviewed to determine if they are unbalanced, which is defined as:
  - A mathematically unbalanced bid is a bid that contains lump sum or unit bid items that do not reasonably reflect the actual costs (plus reasonable profit, overhead costs, and other indirect costs) to construct the item;
  - A materially unbalanced bid is a bid that generates reasonable doubt that award to that bidder would result in the lowest ultimate cost to the government.
- **FYI, the final engineer's estimate can change, based on valid reasons, even after the project is advertised provided that it is revised prior to the receipt of bids and submitted to LPDO.**

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**MATERIALS AND TESTS CHARGES FOR LOCAL GOVERNMENT PROJECTS**

- The Tennessee Department of Transportation's Material and Tests Division requires payment for any materials testing done on construction projects. As stated in the Local Government's contract with TDOT, materials charges/departement oversight charges are the responsibility of the Local Governments. Therefore, when a Local Government utilizes the TDOT laboratory or certified personnel as a third party for Acceptance Testing, Independent Assurance Testing, Verification Testing, or Mix Design Approval, an invoice will be sent to the Local Governments for payment for such testing/approval at the end of each month or upon completion of a project. The Local Government representative will be asked at the pre-construction meeting to complete an information sheet to ensure proper distribution for the respective testing invoices. **This is a reimbursable cost.**

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**MATERIALS AND TESTS CHARGES FOR LOCAL GOVERNMENT PROJECTS**



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**MATERIALS AND TESTS BILLING**



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## BILLING PROCEDURES



- Invoices must be sent by email as an attachment to [lpd.invoices@tn.gov](mailto:lpd.invoices@tn.gov) in PDF form
- Includes all invoices for Local Programs, Transportation Alternative, and Safe Routes to School Projects
- **TDOT Local Government invoice cover sheet from <https://www.tn.gov/tdot/program-development-and-administration-home/local-programs/reimbursement.html> must accompany all reimbursement requests**
- All invoices without the correct TDOT invoice cover sheet will be returned
- **Reimbursement requests should be submitted in eGrants when applicable.**

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## SAMPLE: TDOT CONSTRUCTION INVOICE COVER SHEET

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## SAMPLE: AUTHORIZED SIGNATURE FORM




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**BILLING PROCEDURES**



Invoice shall be submitted no more often than monthly, but at least quarterly, per project per phase to [LPD.Invoices@tn.gov](mailto:LPD.Invoices@tn.gov) as a single PDF file, if possible. Emails must contain the PIN in the subject of the email as well as the attachment. **Invoices for projects initiated through TDOT eGrants must be submitted in the eGrants system.**

**C.4 Payment Methodology:**

In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

a) The Agency shall submit invoices, in a form outlined in the Local Government Guidelines with all necessary supporting documentation, prior to any reimbursement of allowable costs. Such invoices shall be submitted no more often than monthly but at least quarterly and indicate, at a minimum, the amount charged by allowable cost line-item for the period invoiced, the amount charged by line-item to date, the total amount charged for the period invoiced, and the total amount charged under this agreement to date. Each invoice shall be accompanied by proof of payment in the form of a canceled check or other means acceptable to the Department.

**Will not issue Notice to Proceed for Construction Phase if not in compliance**

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**BILLING PROCEDURES**



- Invoices will be returned for correction of errors
- Each request must include:
  - copies of paid invoices
  - copies of **canceled checks**, or
  - other acceptable proof of payment
  - personal private information (PPI) removed from backup documentation
  - approved submittal signature

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**CONSTRUCTION PROCEDURES**



- **AWARD OF THE CONTRACT**



- The Local Government shall request TDOT concurrence in its intent to award the contract to the lowest responsive bidder. This request shall be sent to the Manager of the Local Program Development Office by electronic means (email at [Local.Programs@tn.gov](mailto:Local.Programs@tn.gov)) who will forward it to the TDOT Construction. Until this concurrence is received, the Local Government may not enter into contract with the contractor nor may it issue a work order. Failure to follow these procedures could result in a loss of funding for the Construction Phase of project development.

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**CONSTRUCTION PROCEDURES**

- Once the TDOT Construction Office and TDOT Estimating and Bid Analysis Office concurs in the intent to award, the LG can proceed with the execution of the contract with the responsive low bidder. The LG will issue the contractor a copy of the Proposal Contract for signature. The contractor shall return the signed copy to the LG with a fully executed Payment and Performance Bond equal to one hundred (100) percent of the contract amount. The signed proposal contract and bond shall be returned within ten (10) days or the contract may be canceled and the Proposal Bond/Guarantee forfeited. Any necessary railroad insurance must also be submitted in accordance with the railroad agreements prior to the final execution of the contract (twenty (20) calendar days are allowed for this). **The signed contracts shall be distributed such the Contractor, the Surety, and the LG all receive signed copies. The LPDO will only accept an electronic/PDF version.**

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**CONSTRUCTION PROCEDURES**

**AWARD OF THE CONTRACT (CONT'D)**

- At least seven days prior to the pre-construction conference, the LG shall send, by electronic means, a set of plans, a copy of the bid book and final cost estimate to the TDOT District Operations Engineer/Manager and the TDOT Regional Materials and Tests Supervisor. A copy of this email shall be sent to [Local.Programs@tn.gov](mailto:Local.Programs@tn.gov). **The preconstruction meeting may be held virtually if all requirements are met.**
- Once all the required signatures, bonds, and insurance have been submitted, the Local Government will provide the contractor with a work order (Notice to Proceed) identifying the effective Date of Construction. The effective date is typically 21 calendar days after the issuance of the work order. **The LG shall also provide a copy of the work order via email to the TDOT District Operations Engineer/Manager and the LPDO.**

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**WORK ORDER EXAMPLE**

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**CONSTRUCTION**

- All construction shall be completed in full compliance with the contract documents, including the Bid Book, TDOT Standard Specifications for Road and Bridge Construction, and TDOT Standard Drawings.
- The TDOT Regional Construction Manager and Materials & Tests Manager will each assign a TDOT representative to participate in the project pre-construction conference. The TDOT Construction Representative will conduct routine project reviews (at designated intervals as described in Circular Letter 105.11-01), attend progress meetings, and participate in the final inspection.
- For non-traditional projects, the LPDO may elect to utilize a consultant firm to conduct oversight reviews. The TDOT Regional office will need to verify with the LPDO if an oversight consultant firm will be used.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**CONSTRUCTION**

- The TDOT Operations' Circular Letter File contains general guidance and requirements for the proper administration of projects. The Circular Letters can be found at: [https://www.tn.gov/content/dam/tn/tdot/programdevelopment/localprograms/documents-and-forms/LP\\_Circular\\_Letters\\_Combined.pdf](https://www.tn.gov/content/dam/tn/tdot/programdevelopment/localprograms/documents-and-forms/LP_Circular_Letters_Combined.pdf).
- Reduced requirements for non-traditional projects can be found in Chapter 10: Non-Traditional Projects.

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**CONTRACT DOCUMENTS** 

- TDOT Local Government Guidelines (LGG)
- **TDOT Standard Specifications for Road and Bridge Construction (2021)** and Supplemental Specifications
- TDOT Standard Drawings
- Contract including Special Provisions
- Plans
- TDOT Circular Letters
- Other referenced guidance (AASHTO, ASTM, MUTCD, ETC.)

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**HIERARCHY OF CONTRACT DOCUMENTS(\$105.04)** 

- Special Provisions
- Plans
- Supplemental Specifications
- Standard Specifications

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PRE-CONSTRUCTION CONFERENCE**

- Before any work begins, a pre-construction conference shall be held (Standard Specifications, Section 105.06) by the Local Government's Project Supervisor to discuss the contractor's plan of operation, required contract provisions, environmental commitments if applicable, erosion control, traffic control/work zone safety, utility relocations, inspection, materials acceptance, independent assurance, quality control plans, certified payrolls, DBE/subcontractors (approximate mobilization dates), etc. Minutes (Pre-Construction Conference Minutes Form) shall be kept of this conference, including an attendance roster (Pre-Construction Conference Sign-in Sheet), and key decisions shall be fully documented. A copy of these minutes should be emailed to all attendees and to [Local.Programs@tn.gov](mailto:Local.Programs@tn.gov). **The preconstruction meeting may be held virtually if all requirements are met.**
- A meeting announcement (Pre-Construction Conference Notice) (Circular Letter 105.06-01) (Form 8-10a) shall be sent 14 days in advance, to all parties with a vested interest in the project including, but not limited to: prime and subcontractors, material suppliers, permitting agencies, utility owners, the TDOT District Operations Engineer/Manager, TDOT Regional Materials and Tests Supervisor and other affected LGs. **The preconstruction meeting shall not commence until the work order (notice to proceed) has been issued.**

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PRE-CONSTRUCTION CONFERENCE (CONT'D)**

- **TDOT Materials & Tests Office and TDOT District Operations Office representatives must be present at the Pre-Construction Conference.** If both of these offices are not represented at the Pre-Construction conference, the Pre-Construction conference must be postponed until TDOT representatives can be present.
- In the Pre-Construction Conference, the following documents will be required.
  - Pre-Construction Notice (Form 8-10a)
  - Pre-Construction Conference Meeting Minutes (Form 8-11a)
  - Pre-Construction Conference Sign-in Sheet (Form 8-12)
- In the case that Erosion Control and/or Utility Conferences are necessary, refer to Section 8.2.14 and/or Section 8.2.15.

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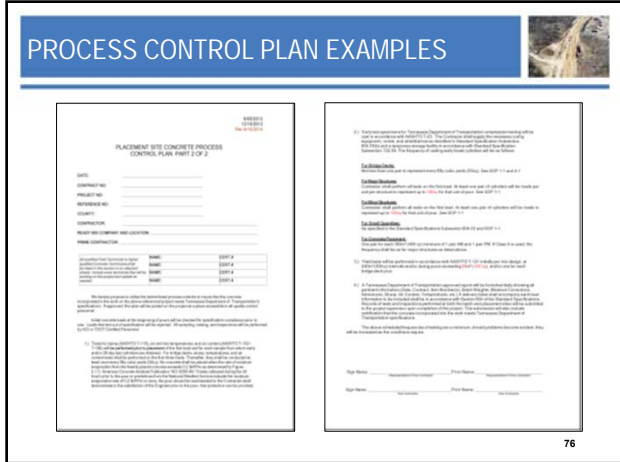
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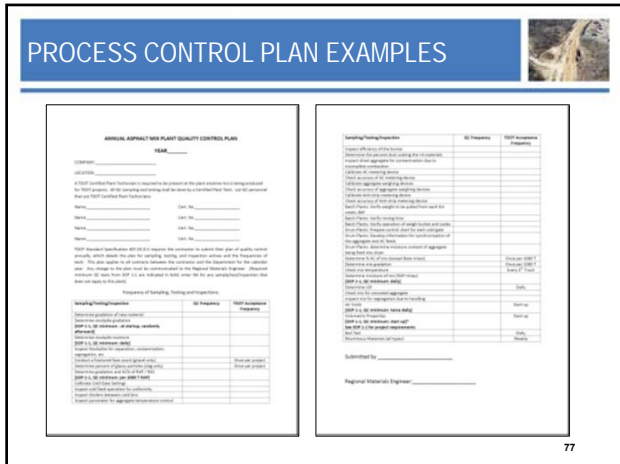
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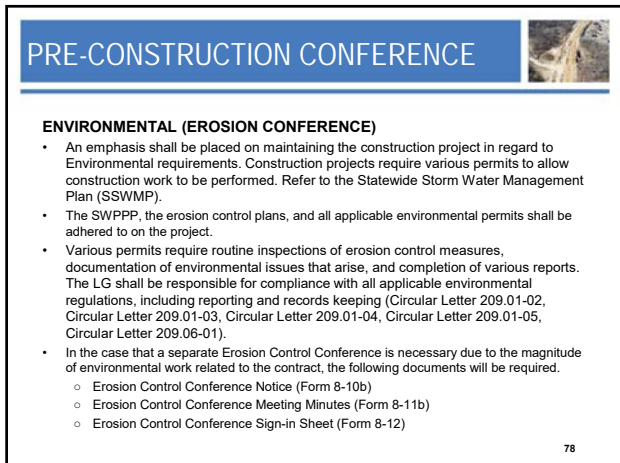
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**UTILITY CONFERENCE DOCUMENTS**



Local Government Guidelines, Form 8-10,  
March 9, 2018

**RE: UTILITY CONFERENCE NOTICE**

State Project No. \_\_\_\_\_  
Contract No. \_\_\_\_\_  
Reference No. \_\_\_\_\_

**To Whom It May Concern:**

is hereby notified and on this \_\_\_\_\_ day of \_\_\_\_\_, 2018, is authorized by the central office of the Department of Transportation to attend utility conferences on behalf of the State of Tennessee. It is the responsibility of your contractor to set dates in advance of any utility conference and to provide a minimum of 14 days notice to the State of Tennessee. If any change of schedule or additional information is needed, please contact the State of Tennessee at \_\_\_\_\_ or the local office of the State of Tennessee at \_\_\_\_\_.

By: \_\_\_\_\_  
Regional Construction Program Coordinator  
Local Program/Construction Office

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**CONSTRUCTION CONTRACT ADMINISTRATION**






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**CONSTRUCTION CONTRACT ADMINISTRATION**



**CONTRACT ADMINISTRATION (CONT'D)**

- Quality contract administration is a requirement to ensure that the construction project is built in accordance with the plans, specifications, and special provisions and is completed by the projected completion date. Refer to Form 8-16 for Local Government Construction Checklist.
- File Management - Project files shall be neatly organized to adequately document and record all project correspondence, and provide full support for all payments and decisions made including material certifications and test reports, calculations, invoices, etc. in accordance with 23 CFR 635.123.
- Project files shall consist of the contract applicable files as required by Form 8-6. Additional project files may be added as deemed necessary.

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**CONSTRUCTION CONTRACT ADMINISTRATION**

**CONTRACT ADMINISTRATION (CONT'D)**

- Project Meetings - Several project meetings are held throughout construction of the project.
- Partnering, scheduling, and progress meetings are held during construction. Detailed meeting minutes shall be documented and kept in the project records "Correspondence File". A meeting sign-in-sheet shall accompany the meeting minutes.
- Progress meetings shall be held, at a minimum, quarterly to discuss the status of the project and other project issues. The Local Government's Project Supervisor, Local Government Official and the TDOT representative shall be notified of the scheduled progress meetings.
- Attestation of Illegal Immigrants (Circular Letter 102.01-02) (Form 8-18) - The Prime Contractor shall certify they are not knowingly utilizing the services of illegal immigrants in the performance of each contract.

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**ILLEGAL IMMIGRANT ATTESTATION FORM**

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**CONSTRUCTION CONTRACT ADMINISTRATION**

**PROJECT INSPECTION AND DOCUMENTATION**

- The LG/CEI shall maintain an adequate, qualified staff to administer the inspection and material sampling and testing in accordance with all circular letters, specifications, standard drawings, and contract documents. As previously noted, the services of a qualified CEI firm, unless otherwise approved by TDOT, shall be used for the inspection of work, the sampling and testing for acceptance (TDOT SOP 1-1), and proper and sufficient documentation of acceptance. The inspection staff shall be qualified and knowledgeable about the type of work taking place, be familiar with the contract documents, and certified in accordance with TDOT Standard Operating Procedures (TDOT SOP 1-3) when conducting sampling and testing of materials for acceptance.
- The TDOT representative will conduct routine project reviews, attend progress meetings, and participate in the final inspection of the project. The Local Government Project Supervisor and the Local Government Official responsible for the project shall be present at project reviews and the final inspection. Refer to Circular Letter 105.11-01 for detailed information on the frequency of the project reviews. Any findings during the project reviews shall be responded to in writing by the Local Government Project Supervisor and the Local Government Official.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**Contract Terms** Page 1 of 2

Section: 0412 (Construction Work)  
 Revision: 0412.01 (04/12/2021)  
 Title: 0412.01 (04/12/2021)

In accordance with the 2004 and 2004A Intermodal Agreement for Local Agency Owners:

TDOT is responsible for issuing the list of Roadway projects authorized to local agency owners and the appropriate federal and state requirements. TDOT is not involved in the construction phase through the project until the local agency is awarded work. TDOT is responsible for issuing the list of Roadway projects authorized to local agency owners and the appropriate federal and state requirements.

In order to ensure adequate construction and safety inspection and testing, TDOT will have an active oversight responsibility in the pre-construction and construction phases of the project.

The Regional Operations Engineer will assign a TDOT representative to participate in the construction phase activities, including construction project activities to develop project plans, construct, test, and inspect. The TDOT representative will provide technical assistance, site visits, and monitoring of construction activities. The local agency owner will be responsible for providing the TDOT representative with the necessary information, including the location of the project, the location of the project, the location of the project, and the location of the project.

Request proposals and responses shall meet the minimum requirements and meet inspection and testing requirements.

Project Name	Location	Project Status	Request	Response
123456789	123456789	123456789	123456789	123456789
123456789	123456789	123456789	123456789	123456789

Page 2 of 2

To ensure TDOT's overall safety, the selected agencies must have the capability to inspect and test projects. All safety activities in all states for construction in the construction phase. The project owner must have the capability to inspect and test projects. It is required to submit inspection documentation when a project is under way. A detailed listing of the Local Government Requirements and TDOT specifications will be provided to the local agency.

An agreement from the TDOT Regional Manager and Team owner shall include all activities and inspection activities on the local project in accordance with TDOT 0412.01.

The project TDOT representative and Manager and Team representative shall work together and shall meet and discuss all the necessary information required to ensure that the project is completed in accordance with the federal requirements prior to being in a TDOT project with Roadway.

The local owner and team TDOT shall have the authority to inspect and test all construction and inspection activities on the local project in accordance with TDOT 0412.01.

The TDOT Local Program Office is responsible for project oversight on Subcontract documents through the completion of work and performance evaluation.

Additional requirements and guidelines:

- The local agency owner shall provide the necessary information to the local agency owner and the local agency owner shall provide the necessary information to the local agency owner.
- All safety activities shall be included in the project plan of the project.
- The local agency owner shall provide the necessary information to the local agency owner and the local agency owner shall provide the necessary information to the local agency owner.

The local government representative will be responsible for providing, in writing, the following information to the local agency owner. Construction activities shall be in accordance with the requirements.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PROJECT INSPECTION AND DOCUMENTATION (CONT'D)**

- CEI SCOPE OF SERVICES SUMMARY**
  - Erosion Control and pre-construction Conferences
  - Attend Weekly meetings
  - Project Administration
  - Provide Construction Inspection (Required Certifications)
    - OSHA 10 Hour Safety Training Construction (All field personnel)
    - Asphalt Roadway Paving Inspector - TDOT
    - Asphalt Plant Technician - TDOT
    - Class 1 Concrete Technician – TDOT or ACI
    - Soils and Aggregate Technician - TDOT
    - Nuclear Gauge Training
    - EPSC TDEC Level I – TDEC

Certification from another State Highway Department, nationally recognized institution, or other approved agency may be acceptable in lieu of the TDOT certification. Prior approval is required.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PROJECT INSPECTION AND DOCUMENTATION (CONT'D)**

- CEI SCOPE OF SERVICES SUMMARY**
  - Conduct Field Surveys
  - Supplemental Agreements/Construction Change, Force Account, VECP
  - Shop Drawings
  - Quality Assurance, Testing for Acceptance, and Training
  - Progress Payments
  - Revisions to the Contract Plans
  - Distribution of Correspondence

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PROJECT INSPECTION AND DOCUMENTATION (CONT'D)**

- **CEI SCOPE OF SERVICES SUMMARY**
- 12. Inspection of Work:**
  - Provide inspection services for conformance to Plans and
  - Observe, measure, and record all quantities for payment.
  - Record field measurements for review by the Department or auditors.
  - The records will be recorded on a standard form (fieldbook) supplied or defined by the Department and/or on field inspection forms to be submitted to the Department.
  - Check traffic control daily, and additionally as required or requested.
  - Notify the contractor of deficiencies or problems immediately.
  - The consultant is not charged with the role of safety inspector, but expected to have unsafe issues corrected by the Prime Contractor.
  - Document weekly (or as often as necessary) project traffic control and distribute reports as required.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PROJECT INSPECTION AND DOCUMENTATION (CONT'D)**

- **CEI SCOPE OF SERVICES SUMMARY**
- 12. Inspection of Work (cont):**
  - Inspect daily erosion control items for conformance to the plans as well as effectiveness in the field. Notify the contractor of deficiencies.
  - Prepare to justify any and all pay quantities.
  - Prepare an accurate daily diary signed by the inspector, consisting of:
    - A record of the contractors on the project
    - Their personnel (number and classification)
    - Equipment (number and type or size)
    - Location and work performed by each contractor or subcontractor
    - Orders given the contractor
    - Events of note on the project

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PROJECT INSPECTION AND DOCUMENTATION (CONT'D)**

- **CEI SCOPE OF SERVICES SUMMARY**
- 12. Inspection of Work (cont):**
  - Prepare an accurate daily diary signed by the inspector, consisting of (cont):
    - Accidents on the project w/(police report, fatalities, causes, time, etc.)
    - Weather conditions, precipitation, temperature (AM, noon, PM)
    - Days charged (if working day contract), with explanation if not charged
    - Equipment arriving or leaving the project, idle equipment
    - Any other details that may be important later in the project life

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**CONSTRUCTION CONTRACT ADMINISTRATION**



**PROJECT INSPECTION AND DOCUMENTATION (CONT'D)**

**CEI SCOPE OF SERVICES SUMMARY**

- Inspection will be needed full time while the contractor is working. Project inspection crews will vary. You will always need a certified concrete inspector when placing concrete. You will need a certified roadway asphalt inspector and a certified asphalt plant technician when placing asphalt paving. Below is typical inspection crews needed for construction projects:
  - Paving project: 1 field inspector, 1 plant inspector, 1 project engineer and records assistant
  - Road Widening project: 1 field inspector, 1 project engineer and records assistant (concrete inspector, asphalt inspectors and EPSC inspector as needed)
  - Bridge project: 1 field inspector, 1 project engineer and records assistant
  - Signal replacement project: 1 manager/inspector and records assistant

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**CONSTRUCTION CONTRACT ADMINISTRATION**



**PROJECT INSPECTION AND DOCUMENTATION (CONT'D)**

- The LG/CEI shall conduct all acceptance testing (TDOT SOP 1-1). A representative from TDOT Regional Materials and Tests shall conduct all verification and independent assurance testing for the local project in accordance with (TDOT SOP 1-2).
- Various methods shall be used to document project activity. Daily activities are documented in the project diary, work item quantities are documented in the field book, adjustments/additions/deductions are calculated using worksheets, and specific reports and checklists are used to establish the quality of work. A Project Diary template and loose-leaf field book templates are available on the LPDO website.
- The Local Government's Project Supervisor, project office personnel, and inspectors are required to maintain accurate and complete records of all construction work. All records shall be made available for review at TDOT's request.
- It is of prime importance in the administration of a contract that measurements and calculations of contract item quantities are accurate, that records of such quantities are complete and detailed enough to sustain audit, and that records of all other activities pertaining to the contract contain sufficient details and are clear enough to be read and understood by anyone unfamiliar with the project.

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**MATERIALS AND TEST STANDARD OPERATING PROCEDURES (SOP)**



Florida Department of Transportation  
Division of Materials and Tests

**Quality Assurance Program for the Sampling and Testing of Materials and Products (SOP 3-1)**

**Objectives:**

- The purpose of this document is to establish the minimum acceptable standards for the sampling, collection, and testing of materials and products used in the construction of transportation facilities.

**References:**

- Florida Statute 318.001 (1)(b) - Materials and Products
- Florida Statute 318.001 (1)(c) - Materials and Products
- Florida Statute 318.001 (1)(d) - Materials and Products
- Florida Statute 318.001 (1)(e) - Materials and Products
- Florida Statute 318.001 (1)(f) - Materials and Products
- Florida Statute 318.001 (1)(g) - Materials and Products
- Florida Statute 318.001 (1)(h) - Materials and Products
- Florida Statute 318.001 (1)(i) - Materials and Products
- Florida Statute 318.001 (1)(j) - Materials and Products
- Florida Statute 318.001 (1)(k) - Materials and Products
- Florida Statute 318.001 (1)(l) - Materials and Products
- Florida Statute 318.001 (1)(m) - Materials and Products
- Florida Statute 318.001 (1)(n) - Materials and Products
- Florida Statute 318.001 (1)(o) - Materials and Products
- Florida Statute 318.001 (1)(p) - Materials and Products
- Florida Statute 318.001 (1)(q) - Materials and Products
- Florida Statute 318.001 (1)(r) - Materials and Products
- Florida Statute 318.001 (1)(s) - Materials and Products
- Florida Statute 318.001 (1)(t) - Materials and Products
- Florida Statute 318.001 (1)(u) - Materials and Products
- Florida Statute 318.001 (1)(v) - Materials and Products
- Florida Statute 318.001 (1)(w) - Materials and Products
- Florida Statute 318.001 (1)(x) - Materials and Products
- Florida Statute 318.001 (1)(y) - Materials and Products
- Florida Statute 318.001 (1)(z) - Materials and Products

**Sampling and Testing Materials and Products**

1. Test Types

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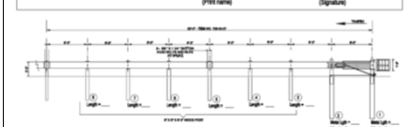
### GUARDRAIL INSPECTION FORM



INSPECTION FORM FOR TERMINAL UNITS

Date: \_\_\_\_\_ Roadway Name: \_\_\_\_\_ County: \_\_\_\_\_ Location: N S E W Road Side: Med. SHO

Time: \_\_\_\_\_ Mile marker: \_\_\_\_\_ Inspector: \_\_\_\_\_ (FVEE name) (Signature)



IN Type: 167200 872200 BEST OTHER (Circle One)      Tables Damaged (As Spaced or Truncated) YES NO  
 Quantity of Record: \_\_\_\_\_      (If YES, Please Comment below)  
 Circle new Roadway Post: 1 2 3 4 5 6 7 8      Lane Closure needed: \_\_\_\_\_  
 Post new Guardrail: \_\_\_\_\_      Any old Guardrail needed? \_\_\_\_\_  
 Cable Test: \_\_\_\_\_      Photographed by: \_\_\_\_\_

Comments: \_\_\_\_\_

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### CONSTRUCTION CONTRACT ADMINISTRATION



**CONSTRUCTION INSPECTION OF STRUCTURES**

- The requirements in Section 8.2.16 shall apply to construction inspection of structures in addition to the following requirements
- The Bridge Construction Inspector's Checklist (Form 8-22) **shall be completed for each bridge on the project and forwarded to the Division of Structures at completion of the work along with an electronic copy of the contract drawings.**
- A qualified construction inspector shall be on site to view foundation conditions and substructure construction including but not limited to: driving of piles, concrete pours, girder erection, steel spacing and elevations, deck pouring operations (TDOT SOP 4-1), and other structural appurtenances as necessary. **This inspector will be responsible for maintaining a daily diary.** A certification from the Engineer of Record confirming compliance with TDOT standard construction procedures shall be required.

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### CONSTRUCTION CONTRACT ADMINISTRATION



**CONSTRUCTION INSPECTION OF STRUCTURES (CONT'D)**

- The Structures (Construction) Checklist (Form 8-22) shall also be submitted with the as-built plans.
- A Pre-Pour Meeting shall be scheduled and conducted prior to any bridge deck pours (Circular Letter 604.17-01). The following forms are required when pouring a bridge deck.
  - 1. Bridge Deck Pre-Pour Checklist (Form 8-23)
  - 2. Bridge Deck During Pour Checklist (Form 8-24)
  - 3. Bridge Deck Post-Pour Checklist (Form 8-25)

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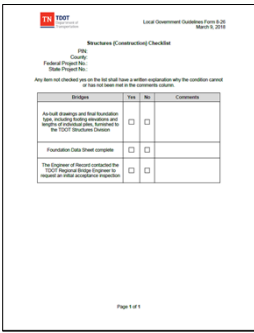
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**BRIDGE DECK DURING POUR AND POST-POUR CHECKLIST**





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**CONSTRUCTION CONTRACT ADMINISTRATION**



**CONSTRUCTION INSPECTION OF STRUCTURES (CONT'D)**

- Bridge Foundation Information
  - For the bridge foundation, the following information must be documented for abutments, piers, etc.
    - FOOTING ELEVATIONS
    - PILE CUT-OFF ELEVATION
    - PILE TIP ELEVATION
    - IN PLACE PILE LENGTH
  - This information shall be documented on the Field Book- Footing Table and the Field Book- Pile Data Table in the Field Book Sheets.
  - After the bridge is completed to the satisfaction of the Local Government's inspector, the Local Agency must contact the TDOT Regional Bridge Engineer to arrange an inspection prior to the contractor de-mobilizing. **A minimum four week notice should be provided for the TDOT Regional Bridge Engineer.**

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**CONSTRUCTION CONTRACT ADMINISTRATION**



**CONSTRUCTION INSPECTION OF STRUCTURES (CONT'D)**

- On new bridge construction as well as bridge repair projects, the Local Government Project Supervisor shall contact the TDOT Regional Bridge Engineer to request an initial acceptance inspection, that the bridge construction, not necessarily the whole project is complete. Even if the approach work is not already in place, the bridge inspectors can do their initial inspection of the structure and document any deficiencies they discover. Their inspection report, listing those deficiencies, can be copied to the Project Supervisor for the contractor to address before leaving the project.
- The final closeout of contracts between the Local Government and TDOT cannot occur without a copy of the TDOT Bridge Inspector's findings and resolution of any listed defects.
- As-built drawings and final foundation type, including footing elevations and lengths of individual piles, along with all approved shop drawings, shall be electronically furnished to the Structures Division and copy LPDO. The Structures (Construction) Checklist (Form 8-26) shall also be submitted with the as-built plans.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PLANS AND WORKING DRAWINGS (SHOP DRAWINGS)**

- The construction plans, generally, will show sufficient details and dimensions to define the work. When additional details and dimensions are needed, the contractor shall prepare working drawings and submit them to the Engineer of Record for approval. In any case, the fabricator shall be construed to be an agent of the contractor and any changes from the construction plans submitted by the fabricator shall be considered as made by the contractor. All costs for changes will be at the expense of the contractor. Shop drawings for all types of structures shall be submitted by, or on behalf of the contractor, directly to the Engineer of Record unless noted otherwise in plans or specifications, for handling with the checking agency and for distribution. Proof of appropriate fabricator certification (as required by these specifications) for type of structure to be fabricated shall be submitted along with the shop drawings.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PLANS AND WORKING DRAWINGS (SHOP DRAWINGS) (CONT'D)**

- The following items require submittal of shop drawings by the contractor:
  - Structural Steel, Metal Bridge Rails, Bearing Devices (shop drawings not required for plain elastomeric bearing pads), Bridge Deck Drains (shop drawings not required if fabricated according to applicable Standard Drawing), Navigation Lighting Support Brackets, Precast Prestressed Concrete Beams, Precast Prestressed Concrete Deck Panels, Precast Reinforced Concrete Beams, Precast Reinforced Concrete Box Culverts, Post-tensioned Concrete, Roadway Expansion Devices, Steel Stay-In-Place forms, Energy Attenuation Devices, Overhead and Cantilever Sign Structures, Strain Poles, Street Lighting Poles, High Mast Poles with Accompanying Lowering Devices, Photometrics, Cofferdams and any other items when indicated on plans. Also required are erection drawings for steel structures, drawings of falsework, bracing, cofferdams, sheeting, bending of reinforcing steel and other supplementary plans called for by the Engineer of Record.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PLANS AND WORKING DRAWINGS (SHOP DRAWINGS) (CONT'D)**

- Each shop drawing sheet shall contain in the title block the following:
  - Project number
  - County
  - Bridge name
  - Bridge number (or structure type and number)
  - Station
  - Contract number
  - The words "Locally Managed Project"
- Shop drawings shall be submitted in sets with the drawing numbers running consecutively in each set, and, if more than 5 sheets in a set, shall be appropriately bound. Shop drawings marked "APPROVED" or "APPROVED AS NOTED" need not be resubmitted unless specifically instructed.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PLANS AND WORKING DRAWINGS (SHOP DRAWINGS) (CONT'D)**

- Shop drawings shall be a minimum of 8-1/2 x 11 inches in size. Legible half-size copies (11 x 17 inches) of full size drawings are acceptable for submittal. The minimum number of sets of shop drawings shown below shall be submitted for approval. Only one (1) set will be returned to the fabricator unless specifically requested and the additional set(s) requested to be returned is submitted along with those shown below. For consultant designs, an additional set is required. For railroad structures, three (3) additional sets are required. Copies should be kept in LG's files.
  - Two Sets: Structural Steel (Half-size sets shall be submitted for approval. Four (4) additional sets, two (2) full-size and two (2) half-size, will be required after final approval.)
  - Four Sets: Energy Attenuation Devices, Overhead and Cantilever Sign Structures, Strain Poles, Street Lighting Poles, High Mast Poles with Accompanying Lowering Devices, Photometrics (Submit directly to Special Design Office, Structures Division), Cofferdams
  - Six Sets: Metal Bridge Rails, Bearing Devices (shop drawings not required for plain elastomeric bearing pads), Bridge Deck Drains (shop drawings not required if fabricated according to applicable Standard Drawing), Navigation Lighting Support Brackets, Precast Prestressed Concrete Beams, Precast Prestressed Concrete Deck Panels, Precast Reinforced Concrete Beams, Precast Reinforced Concrete Box Culverts, Post-tensioned Concrete, Roadway Expansion Devices, Steel Stay-In-Place forms, and any other type of structural shop drawing not specifically listed.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PLANS AND WORKING DRAWINGS (SHOP DRAWINGS) (CONT'D)**

All working drawings shall be approved by the Engineer of Record; such approval shall be general in nature and shall not operate to relieve the contractor of any of his responsibility under the contract for the successful completion of the work. In addition to such approval, working drawings involved in construction over or under railroad tracks will require approval of the railroad company before approval is granted by the Engineer of Record. The contractor shall submit four sets of plans for any cofferdams, sheeting and bracing details for bents or piers adjacent to a track, and falsework for erecting the spans over tracks, and the method of installation for the protection of the tracks, to the Engineer of Record. No work shall be started until these plans are approved by the LG and the Chief Engineer of the railroad. Approval of these plans will not relieve the contractor from liability. The above also applies in connection with the installation of pipes, culverts, etc. adjacent to or under railroad tracks. The cost of preparation of working drawings will not be paid for separately but shall be included in the prices of the respective contract items involved.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**EROSION PREVENTION / SEDIMENT CONTROL (EPSC) INSPECTION**

- It is essential that the SWPPP and erosion control plans be followed and revised as needed to fully comply with the environmental permits on each project. The LG and the CEI shall conduct routine project inspections and document the findings to ensure that the SWPPP is being followed and that non-compliance is unlikely.
- The Local Government is encouraged to acquire the services of an independent, certified professional in Erosion and Sediment Control (CPESC) certified erosion control consultant on projects with an NPDES or ARAP permit to conduct project inspections. The purpose of the inspections is to provide a "third party" independent review to ensure that the EPSC devices are installed and maintained as required, ensure the requirements of the permits are being documented and followed, and, if asked, provide recommendations. The inspections should be conducted monthly, or more frequent if violations or repeat non-conformances occur.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**EROSION PREVENTION / SEDIMENT CONTROL (EPSC) INSPECTION (CONT'D)**

- Erosion and Sediment Control Construction Inspection Report - This report shall be completed for the evaluation of erosion and sediment control measures on all projects that are subject to the requirements of the NPDES General Permit for Storm Water Discharges from Construction Activities. This report shall also be used to document Contractor compliance with erosion and sediment control requirements in conformance with ARAP, Corps of Engineers, and/or TVA permits. An Inspection Report template and sample, along with instructions, are noted in EPSC Inspection Manual. The fillable version of the report is available as Form 8-27 on the LPDO website. [Check to see if stream credits are available.](#)

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**EROSION PREVENTION / SEDIMENT CONTROL (EPSC) INSPECTION (CONT'D)**

- Class V Underground Injection Control (UIC) Permit – Circular Letter 209.06-01 establishes the procedures for applying for a UIC Permit on an active construction project in the event that depressions (sinkholes with open throats) are encountered on or bordering the project site during construction activities.
- Construction Related Sediment Removal – Circular Letter 209.01-03 establishes the procedures for removal and/or stabilization of sediment discharges caused by active construction projects to non-jurisdictional areas, as well as jurisdictional areas, within or beyond the project's construction limits.
- Waste/Borrow Site Weekly EPSC Inspection Review Report – This report shall be completed for the evaluation of approved project exclusive waste/borrow sites. The contractor is responsible for performing twice weekly EPSC inspections of the site and must have a certified EPSC inspector as required by the TDEC Construction General Permit. [See the TDOT Waste and Borrow Procedures for further information and the Waste and Borrow Procedure Contractor's Support Activities Certification form.](#)

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**EROSION PREVENTION / SEDIMENT CONTROL (EPSC) INSPECTION (CONT'D)**

- Notice of Termination (NOT) (TDEC CN-1175) – Storm Water Discharges Construction Activity (Circular Letter 107.08-01) (Form 8-28) - This form notifies the Tennessee Department of Environment and Conservation of the request to termination of coverage from the General NPDES Permit for Discharges of Storm Water Associated with Construction Activities. Instructions for completing the NOT form are noted in Circular Letter 107.08-01.
- Upon concurrence of final stabilization by all involved parties, the NOT form shall be completed by the Local Government and submitted to the local Water Pollution Control (WPC) Environmental Field Office address indicated on the form. The NOT shall be signed by an authorized official of the Local Government.

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## NOTICE OF TERMINATION





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## CONSTRUCTION CONTRACT ADMINISTRATION



### CERTIFIED PAYROLL AND LABOR COMPLIANCE INTERVIEWS

- As required in TDOT Special Provision 1273, Section V, (23 CFR 635.118) the contractor, and subcontractors, shall submit a weekly payroll of wages paid to each employee with a certification statement (refer to Sample Payroll). Circular Letter 1273-02 provides additional information.
- The CEI or LG shall conduct at least one (1) contractor employee interview monthly to verify that the payroll submitted is accurate and employees are being paid properly (hours and wages). Circular Letter 1273-03 provides additional guidance on the required employee interviews.

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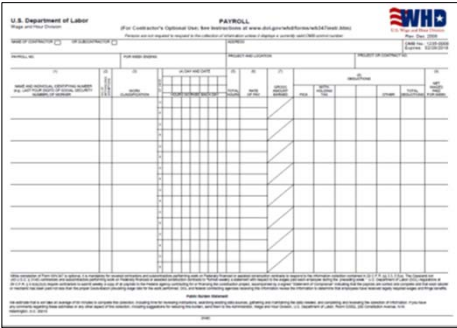
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## PAYROLL EXAMPLE





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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PROGRESS PAYMENTS**

- The Local Government shall make monthly partial progress payments to the contractor in general accordance with Section 109.06 of the TDOT specifications, 23 CFR 635.122, and Circular Letter 109.02-02.
- Progress payment reimbursement requests submitted to TDOT shall contain all the necessary documentation and certifications as required in Chapter 9 of these guidelines.
- Monthly Engineer's Estimate - Item quantities paid on engineer's estimates shall be supported by field documentation as directed in the Item Documentation instructions. Each item's current estimate quantity documented in the Field Book shall be referenced to the respective engineer's estimate number where payment was made. The reference shall be placed in the remarks field on the Field Book sheet.

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**CONSTRUCTION CONTRACT ADMINISTRATION** 

**PROGRESS PAYMENTS (CONT'D)**

- Material Certifications covering each item's current estimate quantity shall be on file before payment may be processed. (Circular Letter 109-02.02)
- Additional information documented on the progress estimate:
  - Documented reason as to why Liquidated Damages are not being assessed on the current progress estimate when the contract days charged has overrun the original contract days allowed.
  - Local Government Project Supervisor's signature approving estimate payment also certifies that the required labor interview has been conducted.
  - Local Government Project Supervisor's signature certifies that the required material certifications are on file for each item's current estimate quantity.
- Monthly Construction Report - At the end of each estimate period a Monthly Construction Report is sent to the Contractor and a copy is sent to the Surety. The Monthly Construction Report documents the status of the project in regard to % of time used vs. % of contract amount paid. A 15% variance of time over amount shall be explained.

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**PROGRESS PAYMENT EXAMPLE** 

Item	Quantity	Unit	Amount	Percentage	Remarks

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**PROGRESS PAYMENT EXAMPLE**

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**MONTHLY CONSTRUCTION REPORT**

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**CONSTRUCTION CONTRACT ADMINISTRATION**

**PROMPT PAYMENT AND RETAINAGE**

- The prime contractor shall pay each subcontractor no later than thirty (30) days after payment is received from the LG (T.C.A. 12-04-707). The Certification Regarding Prompt Payment to Subcontractors and Material Suppliers and DBE/SBE Payment Summary Form (Form 8-29) must be completed by the Prime Contractor to certify each month that payment has been made to the appropriate subcontractors and submitted monthly to the TDOT Civil Rights Office via their web address (DBE.runningtally@tn.gov). The prompt payment form will run two months in arrears (example: to pay the progress payment for March 2016 the prompt payment form for January 2016 must be on file). More information on certification of prompt payment can be found in Circular Letter 109.02-05 and Circular Letter 109.02-05.01 (for projects let prior to August 2018). Please refer to TDOT Special Provision SP1247LP and <https://www.tn.gov/tdot/civil-rights/small-business-development-program.html> for further guidance (NAICS Codes will be added to this form in upcoming revision). **Form 8-29 also needs to be kept in project file and payment to the prime contractor from the LG should not be made if the form is not received from the contractor.**
- In addition, the LG may not withhold retainage on progress payments from the prime contractor and the prime contractor may not withhold retainage from their subcontractors.

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## MATERIALS AND TESTS PROCEDURES



**ACCEPTANCE TESTS**

- Acceptance samples and tests are used for determining the quality and acceptability of the material and workmanship which have been or are being incorporated in the project. The results of these tests are to be used by the Local Government to determine conformance to contract documents.
- Local Government/CEI shall conduct Acceptance Sampling and Testing in accordance with TDOT SOP 1-1. Acceptance testing may be conducted by a 3rd party laboratory, accredited through the AASHTO Accreditation Program (AAP). The LG must have the 3rd party laboratory's **AASHTO Re:Source** and/or Cement and Concrete Reference Laboratory (CCRL) accreditation on file prior to testing. A list of accredited laboratories can be found at the **AASHTO Re:Source** website.
- All materials incorporated in the construction of the project shall be approved regarding material requirements. Materials used on the project must have test reports, material certifications, and/or field testing by certified personnel to document that the materials meet appropriate specifications.

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## MATERIALS AND TESTS PROCEDURES



**ACCEPTANCE TESTS (CONT'D)**

- Estimated item quantities shall not be paid without the proper material certification on file in the appropriate project file. Item payment shall be withheld until the proper approved material certification is in hand.
- Materials delivered to the project site used in work shall be in compliance with TDOT Specifications, Qualified Products List or other contract documents when TDOT specifications are utilized
- Materials accepted by certification require a T-2 form attached to the certification. Form 8-31 (DT-0044LP) is the Contractor Material Certification and/or Sampling & Testing Record. Material Certifications shall be date appropriate according to the date the material was used.
- **The Buy America requirements in Special Provision 106A regarding iron and steel products are applicable.**

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## SPECIAL PROVISION 106A



Page 1 of 2

**SPECIAL PROVISION**  
January 1, 2013

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The value of the work, the percentage of the contract amount, and the appropriate section shall be indicated as demonstrated.

The contractor shall be responsible for all cost associated with any steel that is permanently incorporated into the project that does not meet the requirements of the Special Provision unless prior written approval from the Department, up to and including removal and replacement.

**BUY AMERICA REQUIREMENTS**

All manufacturing processes for iron and steel products, and castings of iron and steel products, used in the project shall comply with the Buy America Act. The contractor shall ensure that the material for the manufacturing process and storage are made in the United States. The contractor shall ensure that the material for the manufacturing process and storage are made in the United States. The contractor shall ensure that the material for the manufacturing process and storage are made in the United States. The contractor shall ensure that the material for the manufacturing process and storage are made in the United States.

The contractor shall provide a certification to the Engineer with each shipment of iron and steel products that the products are manufactured in the United States and are not the product of a foreign country. The contractor shall provide a certification to the Engineer with each shipment of iron and steel products that the products are manufactured in the United States and are not the product of a foreign country. The contractor shall provide a certification to the Engineer with each shipment of iron and steel products that the products are manufactured in the United States and are not the product of a foreign country.

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**MATERIALS AND TESTS PROCEDURES**

**ACCEPTANCE TESTS (CONT'D)**

- Materials not accepted on certification shall have daily reports documenting the actual test results.
- The required forms for material certifications/test reports are located at <https://www.in.gov/tdot/materials-and-tests/field-operations/forms.html>. Each form has an example completed form.
- All Material Certifications/Test Reports shall be documented by the LG/CEI. There shall be a test report totals summary for every item that requires certification/test reports for materials used.

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**MATERIALS CERTIFICATION FORM (T-2)**

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**MATERIALS AND TESTS PROCEDURES**

**PROJECT MATERIALS ACCEPTANCE**

- Products delivered to the project site for use in the work shall be in compliance with TDOT Specifications, Qualified Products List, or other contract documents. Products accepted by certification shall have a materials certification attached to a completed Form 8-31, or similar, stating the TDOT test requirements and certified test results. Other products shall have daily reports showing actual test results. Progress payments should not be made on an item if there are insufficient certifications or test data for that item (Circular Letter 109.02-01).
- All materials shall be accepted in accordance with this manual and TDOT Standard Operating Procedures (SOP).

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**MATERIALS AND TESTS PROCEDURES** 

**VERIFICATION TESTS**

- Verification samples and tests are those used for validating the quality of a product which is being incorporated into the project. LG or CEI shall be responsible for obtaining verification samples in accordance with TDOT SOP 1-1 and submitting to TDOT Materials & Tests. TDOT Materials & Tests shall conduct Verification Testing in accordance with TDOT SOP 1-1.
- The CEI or the Local Government shall notify the TDOT Regional Materials Supervisor at least 72 hours prior to the start of work requiring verification testing.

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**MATERIALS AND TESTS PROCEDURES** 

**INDEPENDENT ASSURANCE TESTS**

- TDOT Materials & Tests shall conduct Independent Assurance Sampling and Testing in accordance with TDOT SOP 1-2. Independent Assurance testing is only required for projects on the National Highway System (NHS).
- The CEI or the Local Government shall notify the TDOT Regional Materials Supervisor at least 72 hours prior to the start of work requiring Independent Assurance testing.
- Independent assurance samples and tests are used for the purpose of making checks on the reliability of the results obtained in acceptance sampling and testing. An independent assurance technician will be responsible for observing the acceptance technician conduct the tests to ensure that the proper techniques and procedures are followed.
- Independent assurance sampling shall be conducted at the minimum frequency established in TDOT SOP 1-2. A prompt comparison of acceptance test results with independent assurance test results will be made by the TDOT representative. This comparison must be documented in the project records. If the comparison indicates a problem either with the materials or with the testing methods, action must be taken immediately to resolve the problem.

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**MATERIALS AND TESTS PROCEDURES** 

**PROJECT MATERIAL CERTIFICATION**

- A materials certification shall be issued by the Local Government or their CEI Representative to the Local Program Development Office at the completion of the project in accordance with 23 CFR 637.207.
- The intent of the material certification is to assure that the quality of all materials incorporated into the project is in conformance with the plans and specifications.
- The certification from the Local Government or their CEI Representative must be based on an audit of the project records according to a certification check list stating that:  
**“The results of the test on acceptance samples indicate that the materials incorporated in the construction work, and the construction operations controlled by sampling and testing, were in conformity with the plans and specifications; and such results compare favorably with the results of the independent assurance sampling and testing. Exceptions to the plans and specifications are explained in the attachment.”**

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**MATERIALS AND TESTS PROCEDURES**

**PROJECT MATERIAL CERTIFICATION (CONT'D)**

- At the completion of the project, the Local Programs Material and Tests Certification (DT-1696LP) with supplement form, including documentation for all failing material tests and the corrective action taken, shall be completed by the LG and submitted to the LPDO. This assures compliance with 23 CFR 637.207. The certification document shall be placed in the End of Job file. The intent of the material certification is to ensure that the quality of all materials incorporated into the project is in conformance with the plans and specifications.

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**MATERIALS AND TESTS CERTIFICATION FORM**

**Local Programs Materials & Tests Certification**

Date: \_\_\_\_\_  
 Project Name: \_\_\_\_\_  
 PIN: \_\_\_\_\_  
 County: \_\_\_\_\_  
 Right-of-Way: \_\_\_\_\_

Local Programs Development Office  
 500 University Blvd., Tallahassee, FL 32310  
 904.487.2222  
 904.487.2223

The results of the tests or acceptance samples indicate that the materials incorporated into the construction work and the construction operations complied with the plans and specifications and the appropriate plans and specifications.

Exemption of this design, verification and acceptance samples have been approved and conducted according to TDOT Standard Operating Procedures (SOPs).

Are there any other tests, specifications or items included in this including any testing results are reported in the attachment.

All Tests meet specifications and were conducted according to TDOT SOPs.  
 See attached Supplement to this certification for items below standard specifications.

Have all required test reports been submitted to the project?  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SUPPLEMENT TO LOCAL PROGRAMS MATERIALS AND TESTS CERTIFICATION (Items Below Standard Specifications)**

Date: \_\_\_\_\_  
 Project Name: \_\_\_\_\_  
 PIN: \_\_\_\_\_  
 County: \_\_\_\_\_  
 Right-of-Way: \_\_\_\_\_

Listed Below are all Items on the above project that are below TDOT Standard Specifications. This includes any exceptions to the plans, Standard Operating Procedures and any failing test results.

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Signature/Date: \_\_\_\_\_ Date: \_\_\_\_\_

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**CONSTRUCTION CONTRACT ADMINISTRATION**

**FINAL INSPECTION / ACCEPTANCE**

- When all work is complete, the Local Government's Project Supervisor and the Local Government Official responsible for the administration of the project shall conduct a final inspection of the project along with the CEI and with TDOT's participation, to determine the quality, completeness, acceptability, and ADA compliance of the work and to ensure that the authorized project was constructed in reasonable conformance with the contract requirements. Refer to Circular Letter 105.11-01 for additional information on resolving issues found during the inspection (Punch List items). Form 8-32 may be used as a template to document punch list items.
- All local projects with bridges greater than or equal to 20 feet long shall receive an initial inspection by TDOT bridge inspectors to develop a punch list prior to acceptance. TDOT Standard Specifications 105.15 and 108.06 provide the general guidance to determine the acceptance date of the project. Final as-built information for structures shall be submitted as outlined in Section 8.2.19.

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**FINAL INSPECTION/ACCEPTANCE**

**FINAL INSPECTION / ACCEPTANCE (CONT'D)**

- Any work that has not been completed in accordance with the contract after the established contract completion date (or working days) shall be assessed liquidated damages (23 CFR 635.127).
- Documents relating to the Final Inspection shall be included in the End of Job folder. The Final Inspection Date shall be documented in the project diary. Also, the attendees at the inspection shall be listed and if applicable, the work that must be performed to complete the project (Punch List).

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**PUNCH LIST FORM**

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**FINAL INSPECTION/ACCEPTANCE**

**COMPLETION NOTICE**

- The Local Government Project Supervisor shall send to the LPDO, TDOT Operations Representative, TDOT Regional Materials and Tests Supervisor, contractor, and surety a Completion Notice (Form 8-33) indicating that all items of work have been inspected and are complete. The notice shall be sent as soon as possible after all items are accepted as complete. The completion date is the date time charges are stopped. This notice shall be sent by email to [Local.Programs@tn.gov](mailto:Local.Programs@tn.gov).

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**FULL SETTLEMENT/CLAIMS EXAMPLE**

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**FINAL INSPECTION/ACCEPTANCE**



**FINAL ESTIMATE AND SUMMARY CHANGE ORDER (CONT'D)**

- Contract Finalization - Upon completion of the project, the quantities paid to date shall be compared to the documented final quantities. All differences shall be corrected on the Final Estimate (the presumed last progress estimate). A Summary Change Order must be prepared to adjust the contract amount to an amount that coincides with the final quantities. Provide a copy of this change order to the LPDO along with the End of Job Certificate.
- Explanations of Overruns/Underruns – All overruns/underruns shall be explained in accordance with Circular Letter 109.03-01. Explanations shall be attached to the Final Estimate and filed in the End of Job file.
- Determination of Time based on Quantity Increase – Circular Letter 108.07-01 provides additional detail on the applicability and process for increasing contract working time based on the increase in quantities of the project.

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**FINAL INSPECTION/ACCEPTANCE**



**FINAL ESTIMATE AND SUMMARY CHANGE ORDER (CONT'D)**

- After the records have been checked by the LG, a document should be sent to the contractor displaying a comparison of the Original Quantities to the Final Quantities. Now is the appropriate time to attach a request to the Contractor for CC-3s (if applicable) and any deficient material certifications required to pay the Final Estimate.
- Certification Regarding Money Paid to DBEs (CC-3) - As soon as possible after the project is completed; the contractor shall submit a CC-3 form (Form 8-35) for each DBE on the project to the Local Government. The CC-3 form certifies the amount of monies paid the DBE for this project. The Final Estimate shall not be processed until all the CC-3s have been received and are on file in the project records. Each original CC-3 shall be filed in the End of Job file. Once the contractor submits the CC-3's, send a copy to the TDOT Civil Rights Office and the Local Programs Development Office via their web addresses ([tdot.dbe.program@tn.gov](mailto:tdot.dbe.program@tn.gov) and [Local.Programs@tn.gov](mailto:Local.Programs@tn.gov)).

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**SUMMARY CHANGE ORDER EXAMPLE** 



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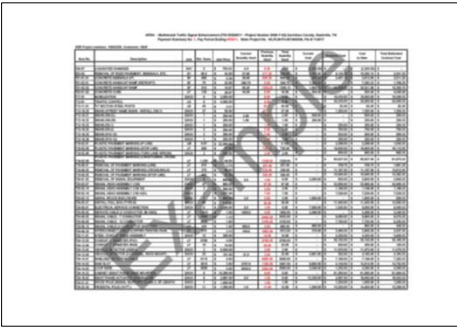
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**SUMMARY CHANGE ORDER EXAMPLE** 



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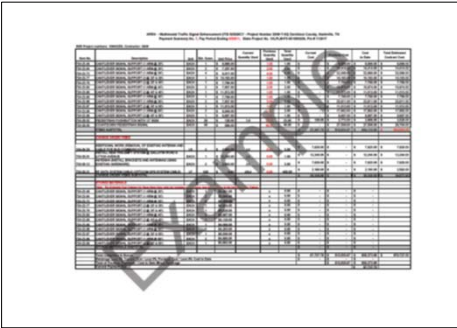
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**SUMMARY CHANGE ORDER EXAMPLE** 



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### CC-3 EXAMPLE





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### FINAL INSPECTION/ACCEPTANCE



**END OF JOB CERTIFICATE**

- The End of Job Certificate (Form 8-36) is completed and signed by the Local Government Project Supervisor upon the approval that the records have been checked and are a true representation of the work that was performed, the item final quantities are correct, and the final quantities are covered by the required material certifications. The Certificate shall be placed in the End of Job file of the Project Records. **The End of Job Certificate shall be submitted to the Local Programs Development Office.** This submission will close out the project at TDOT. No requests for reimbursement may be submitted after the End of Job Certificate is submitted. Ensure that all requests for reimbursement have been submitted and processed prior to submitting the certificate to TDOT.

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### FINAL INSPECTION/ACCEPTANCE



**END OF JOB CERTIFICATE (CONT'D)**

- An "End of Job" folder shall be created to retain documents that pertain to events that occur at the completion of the project. The documents listed in this section shall be kept in the "End of Job" file of the project records.
  - Final Inspection Documents
  - Final Progress Estimate with Overrun/Underrun Explanations
  - Form 8-33 Completion Notice
  - Advertisement for Claims Letter
  - Material Certification Letter
  - FHWA 1391 Reports
  - CC-3 Documentation
  - Prompt Payment Forms
  - End of Job Certificate

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## END OF JOB CERTIFICATE EXAMPLE

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## FINAL INSPECTION/ACCEPTANCE

### RETENTION OF RECORDS

- The Local Government shall maintain the project records as follows:
  - The Project Records shall be organized, indexed, and available for review on an as needed basis. An index shall be placed in the End of Job Folder. Boxes shall be numbered consecutively and labeled by Contract Number or Project Number, and County.
  - All documents shall be kept for a minimum of seven (7) years after everything is closed and finalized with FHWA. These documents include, but are not limited to copies of the contract, starting notice/work order, correspondence, field books, diaries, material tickets, test reports, progress estimates, final record books, as-built drawings and specifications, contractor payrolls and certifications, field notes, and inspection reports, notice to contractors, estimates, correspondence for advertising and receiving bids, letting advertisements, bid tabulations, bid books (proposal contracts) completed by the contractor, project specifications and provisions, job estimate, contract and bond certificates. The TDOT LP office will notify the Local Government by letter advising when the period would end.

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## FINAL INSPECTION/ACCEPTANCE

### MAINTENANCE OF FACILITY

- The Local Government shall be responsible for the future maintenance of all facilities constructed under the local programs agreement with TDOT that utilize federal or state funds (23 CFR 1.27).

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**Slide 184**

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**DD1** David Donoho, 6/7/2021



Questions?

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