2020 CONTRACT MANAGEMENT CONFERENCE

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CONSTRUCTION FIELD SERVICES DIVISION
2019 CAP Review – 63 Projects Reviewed
- “focused primarily on the contract administration aspects of projects”

Form 1273: Required Contract Provisions Federal-Aid Construction Contracts
- For 12 of the projects, the supporting documentation did not show conclusively the subcontractor was provided form 1273.
- There were also some projects where the 1273 provided was not the most current version.

MDOT Form 1302 FED
MDOT Form 1302 STATE
Were Quantities Determined Accurately?
- 2018: 5 of the 62 (8%) projects
- 2019: 8 of the 63 (13%) projects
  - “documentation issues”
  - “lack of supporting documentation”
  - “could result in an improper payment”

Calculation Reporting
- Lead to Improper Payment – Audit Concerns
- Involved Highest Levels of the Department

2019 CAP Report – FHWA Michigan Division
CALCULATION ERRORS MITIGATION

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

Moving Forward:

Use of GPS Rovers – Working on procedures, guidance, FHWA concurrence
- Area Calcs (Flat - not more than 7%) – 2D
- Area Calcs (Steeper Slopes) – 3D
- Volume Calculations – 3D

Phase III UAS Research – Future Applications
- Traffic Operations
- Bridge Inspection Assessment
- Construction QA Inspection
- Design Surveys Using Lidar

M-20 Over the Tittabawassee River
Horizontal Distance

Slope Distance
PAYMENT FOR CONTRACT REVISIONS

• Existing Contract Unit Prices (109.05.B)
• Negotiated Prices (109.05.C)
  • Engineer may request estimate of labor, equipment, and materials.
• Force Account (109.05.D)
  • Use if Contractor’s price cannot be justified
  • Use if scope cannot be reasonably determined
• Time and Materials, “Force Account-Like Records,” and Modified Force Account are not supported.
• Region Construction Engineer approval.
• Work plan must be developed.
• The Engineer and Contractor must compare records at the end of each work day.
• The Engineer will analyze Contractor statement against work plan, daily records, IDR’s, certified payrolls, Bluebook, invoices, etc.
SIGNIFICANT CHANGES IN CHARACTER OF WORK

• Specifically when there is a decrease of a major pay item below 75 percent of the original quantity.
• Contractor is entitled to an adjustment.
• The adjustment is to be determined using 109.05.
SIGNIFICANT CHANGES IN CHARACTER OF WORK

• Engineer has authority to request breakdown of costs as required by 109.05.C.
• Past unit prices for similar quantities is good justification.
• Amount of adjustment plus payment for work is capped at 75%.
• Boilerplate Preconstruction Meeting Minutes updated in the Construction Manual.
  http://mdotwiki.state.mi.us/construction/index.php/Preconstruction_Meeting
• 2020 Version will include safety information from the Work Zone Safety Task Force.
Boilerplate Progress Clause recently updated in the Construction Manual.

http://mdotwiki.state.mi.us/construction/index.php/102.02_Contents_of_Proposal_-__Progress_Clause#Boilerplate_Progress_Clause

- Local Agency Boilerplate found on LAP Website
E-TICKETING PROGRESS

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

Paving on I-75 in Bay Region
Hand Digging Sign Post (12RC810-A690-02)
- Temporary and Permanent Sign Applications
- Risk Based Approach
- Limited Use for Limited Locations

Vertical Exploratory Investigation for Relocation (12SP-204B-04)
- Under Review
- Wider Application
2020 REMINDERS

- AASHTOWare Pilots to Resume 2020
- LCPtracker for Local Agencies 2020
  - Tested Stock Program Discontinued
  - Materials Source List (MSL) Form 501 Streamline
    - Discussing Qualified Products List (QPL) Materials
    - Still under review, forthcoming 2020
- Contractor Performance Evaluation (CPE)
  - 2019 Focus Group Discussion
  - 2020 Facilitated Process Improvement
  - Reduce Subjectivity
  - Increase Performance Based Measures
“Rebuilding Michigan” adds $3.5 Billion in state funds to the MDOT Five Year Program. This almost doubles the existing Five Year Program with an increase from the current $3.8 Billion to a new total of $7.3 Billion.

- Public MDOT Webpage:
  https://www.michigan.gov/mdot/0,4616,7-151-9621_14807_14810_59639---,00.html

- Internal MDOT Sharepoint:
  https://stateofmichigan.sharepoint.com/sites/mdot/groups-projects/rebuildmi
LETTING OF TRUNKLINE PROJECTS

- Past practice was to let the majority of projects from October through March – 6 months
- Recent direction is now to change that to August through December – 5 months
- Change will affect other timetables- FUSPs, Spec Changes, Design Schedules, etc
Final Review through March 2020
Electronic publication April 2020
Printed Release Mid-2020
Effective October 2020 Letting for 2021 construction season
2020 NATIONAL WORK ZONE AWARENESS WEEK

April 20-24

Safe Work Zones for All
QUESTIONS?