

# Enhancement Office

*Enhancement Coordinator*

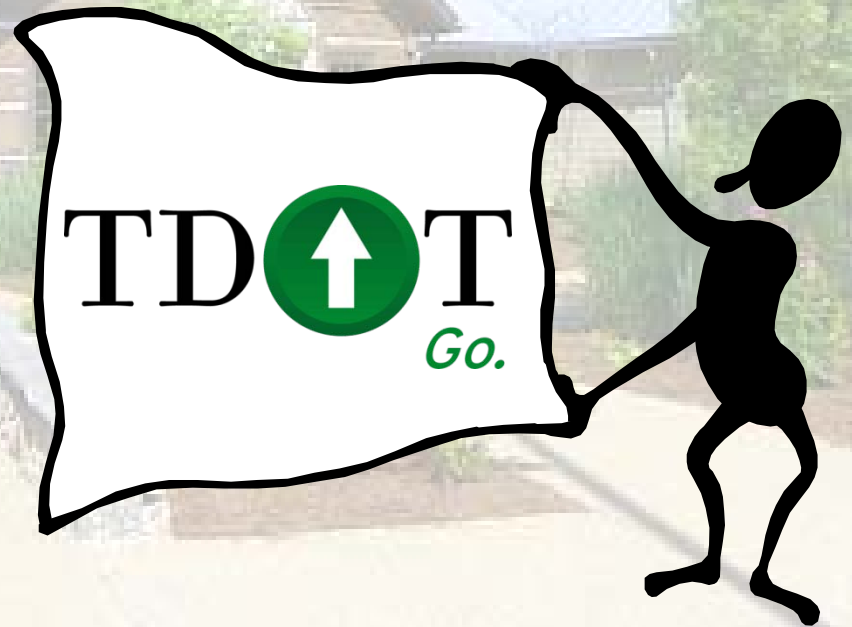
Neil Hansen

*Transportation Planners*

Lisa Dunn

Stephanie Ward

[www.tdot.state.tn.us/local/grants.htm](http://www.tdot.state.tn.us/local/grants.htm)





# Now What Do I Do?



# Information Received After Award Announcement

- *Notice to Proceed (Environmental Phase)* for hiring design consultant and NEPA preparation
- Received Packet #1: *Getting Started*
  - Notification of award and Enhancement Workshop attendance letter
  - Request for **Local Government Guidelines Manual** Chapter 3 information
  - Link to TTAP's next **Local Government Guidelines Manual** training



Battle of Nashville Monument

# Documents Distributed Today

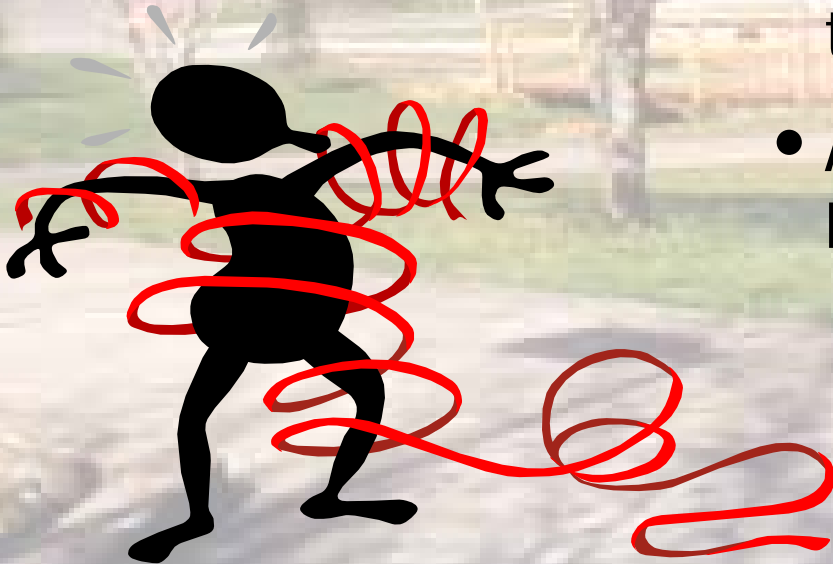
- Checklist Packet #2: *Environmental Clearance and Hiring Design Consultant*
  - Contract
  - Implementation Schedule
  - Copy of *Notice to Proceed (Environmental Phase)*
- List of Chapter 3 documents not yet submitted to TDOT

# Contract

- Two (2) distinct termination dates identified in the FY 2011 award cycle contracts
  - Construction authorization must be received by November 1, 2014 for Haslam administration awards, and three (3) years from date of award for those projects awarded by the Bredeesen administration
  - Project must be completed by November 1, 2016 for the Haslam administration awards and five (5) years from date of award for those projects awarded by the Bredeesen administration

# Project Administration

- Each project will be divided into 10 checklist packets
- Each subsequent checklist will be forwarded upon completion of the prior one
- Do not perform any work until the proper *Notice to Proceed* has been issued
  - All projects are to be competitively bid and awarded to the lowest responsive bidder
  - All State/Federal Rules and Regulations must be followed -



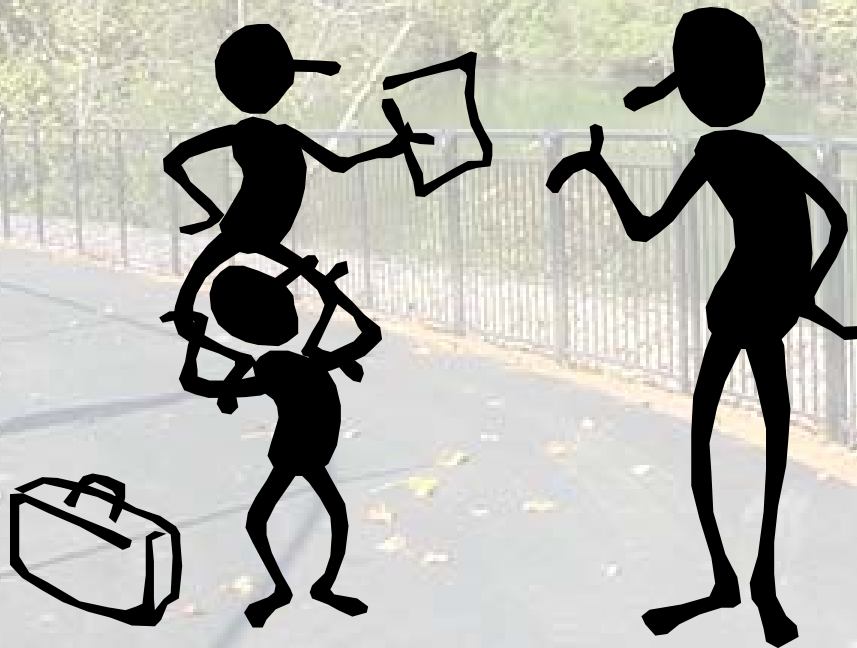
**Failure to do so will  
jeopardize all current and  
future federal funding**

# In-Kind (Soft) Match

- In-Kind (Soft) Match is no longer available as of May 2011
- Only hard cash can now be used toward the local 20% construction match
- The local agency is responsible for 100% of all preliminary engineering (NEPA, Design) and right-of-way expenses

# Hiring a Design Consultant/Engineer

- If design consultant will also serve as the Construction Engineering Inspector (CEI), you must advertise with a request for qualifications (RFQ)
- Evaluate and short list firms
- Select TDOT pre-qualified consultant from short list



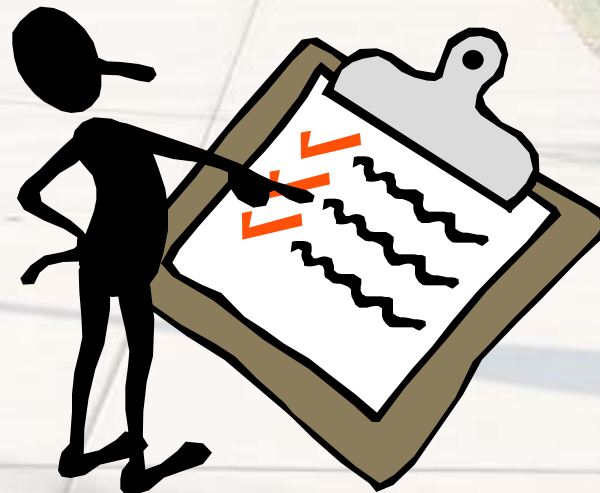
# Environmental Clearance

- All projects require an approved environmental clearance
- Reference the **Local Government Guidelines Manual** for more information
- Please contact TDOT's Environmental Division for additional guidance at 615-741-3655 or via e-mail at [tdot.environmentaldivision@tn.gov](mailto:tdot.environmentaldivision@tn.gov)



# What Happens After Environmental Clearance Approval?

- Receive Checklist Packet #3: *Design*
  - *Notice to Proceed (Design Phase)*
- Receive Checklist Packet #4: *Right-of Way and Utility Certification*
  - *Notice to Proceed (Right-of-Way Phase)* sent to TDOT Regional Right-of-Way Office

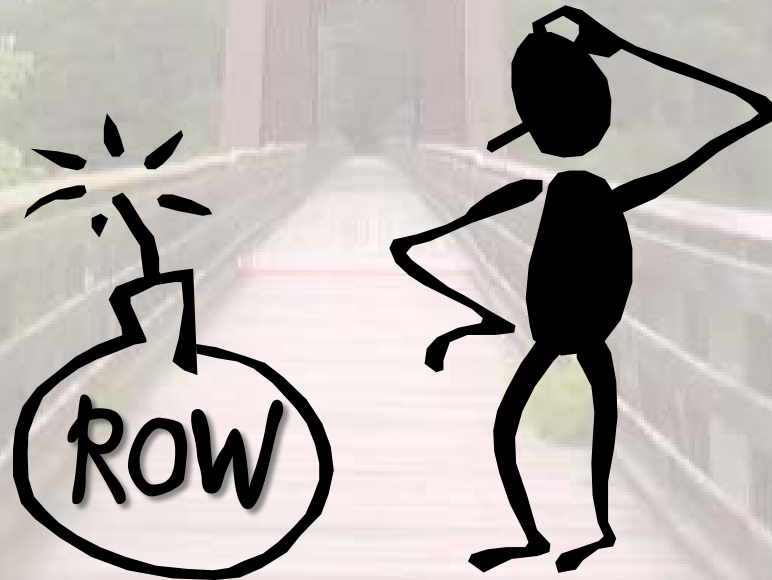


# Final Design Plans

- Must show present and proposed Right-of-Way
- Must have TDOT Regional Traffic Engineer approval if on or adjacent to a State Route
- Must have approval of final design plans from the TDOT Design and/or Structures Divisions
- Must include both Form 5-2 *Alternative Transportation Facility Design Checklist* and TDOT's Design Certification approval

# Right-of-Way Certification

- Must adhere to *The Uniform Relocation and Assistance Act* regulations
- Construction on State Highway Right-of-Way requires a license agreement from TDOT's Excess Land Committee
  - This process may take up to 18 months



# Utility and Railroad Certification

- Plans and impact letters must be sent to all utility companies for review and comments
- Utilities have 120 days to respond
- All rail highway grade crossings must be reviewed by TDOT
  - The 200-ft. limit is a guideline – the basis of the decision is “will the project have an effect on the RR?”
  - Inadequate crossings will need to be updated in accordance with current MUTCD standards
  - If no railroad involvement, the design consultant must provide a signed statement to that effect on company letterhead

# Construction Documents

- Receive Checklist Packet #5: *Construction Documents*
  - Detailed Engineer's Cost Estimate
  - Bid Specs
  - Bid Advertisement
  - Permit Approval



# Detailed Estimate Of Cost

- All projects, including architectural/structural projects, must use TDOT Line Item Numbers found at [www.tdot.state.tn.us/RoadItemLists/roaditemlist.htm](http://www.tdot.state.tn.us/RoadItemLists/roaditemlist.htm)
  - No lump sum bids allowed
- If a specific item is not referenced, all line items must correspond as closely as possible to an existing TDOT item number
  - If no item number exists, you must use the following sequence 999-99.01, 999-99.02, etc.

# Bid Specifications

- Must use TDOT template
- Cannot withhold retainage
- No additive or deductive alternates are permissible
- Do not issue a bid package to non-TDOT pre-qualified contractors unless you mark the book and bid form "**VOID**"
- *Construction Authorization Checklist* must be fully completed (including page numbers) and returned with the bid book

# Bid Specifications (cont'd)

- Bid book cannot be taken apart; it must be submitted to the local agency intact
- Only forms in the approved bid book can be used - no substitutions allowed
- All special provisions listed in Checklist Packet #5 must be included
- The most current special provisions and supplemental specifications must be used
  - *Special Provisions* and *Supplemental Specifications* can be found at [www.tdot.state.tn.us/construction/Specs\\_&\\_Procedures.htm](http://www.tdot.state.tn.us/construction/Specs_&_Procedures.htm)

# Permit Approval

- Review TDOT Permit Memo dated February 25, 2009 to determine if any permits are needed
- Obtain all applicable permits
- Send documents and design plans to John Hewitt electronically for concurrence and copy the TDOT Enhancement Office
- If your project includes any State or Federal Permits, you must include them behind SP107FP in the bid book

# Civil Rights Requirements

- Receive Checklist Packet #6: *Civil Rights Requirements*
  - Disadvantaged Business Enterprise (DBE) goal assessment
  - Title VI Compliance

Title VI Compliance will come from TDOT's Civil Rights Office on TDOT letterhead

# DBE Goal Assessment

- All projects must be assessed for DBE participation
- All projects over \$500,000 in federal funding must set, meet and/or exceed assessed DBE participation goal
- TDOT will concur on the DBE amount set by the local agency.
- The DBE amount must be met or exceeded by the prime contractor
- All DBEs must be Tennessee Uniform Certification Program (TNUCP) certified

# Construction Bidding

- Receive Checklist Packet #7: *Construction Bidding*
  - *Notice to Proceed (Construction Phase)*
  - Advertisement for Bids
  - Bid Opening



# Advertising for Bids

- Project must be advertised in a Grand Division (Chattanooga, Clarksville, Jackson, Knoxville, Memphis, and Nashville), local and minority paper
- Must use TDOT approved advertisement
- Must advertise one (1) time in each paper leaving the bidding period open for three (3) weeks from the date of the last insertion

# Bid Opening

- Bid envelopes must be reviewed prior to being opened to ensure the contractors are TDOT pre-qualified
- Non-qualified bids are to remain sealed with explanation provided to the bidder
- Bids must be opened in a public place
- Bids must be read aloud, item-by-item or by the total amount



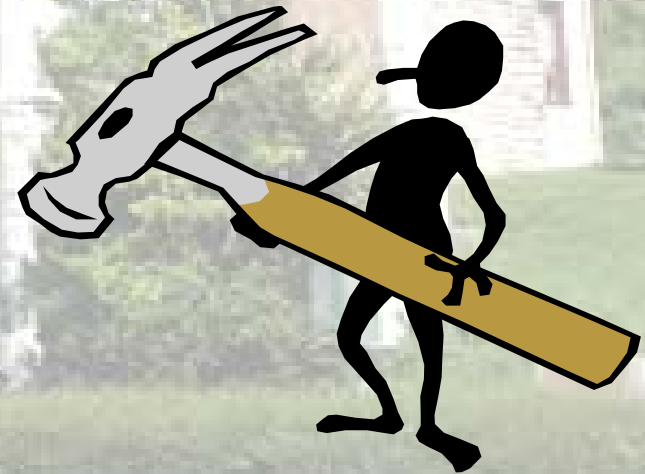
# Bidding Irregularities

Reasons for not awarding a bid may include:

- Failure to sign the bid
- Failure to furnish the required bid bond and Power of Attorney (POA)
- Failure to include a unit bid price for each item (must be an amount greater than zero)
- Failure to include a total amount
- Failure to prepare the bid in ink
- Failure to submit a non-collusion affidavit
- Failure to commit to the achievement of the DBE goal
- Failure to utilize the required forms approved by TDOT
- Failure to submit a bid within the original bound bid book

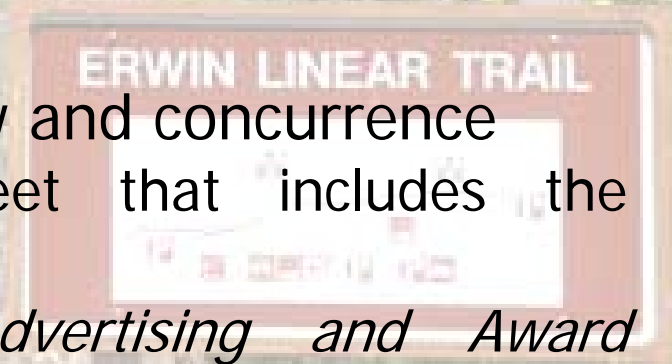
# Award of Bid, Pre-Construction Meeting and Project Inspection (CEI)

- Receive Checklist Packet #8: *Award of Bid, Pre-Con. Meeting and Project Inspection (CEI)*
  - Award of Bid
  - Pre-Construction Meeting
  - Project Inspection and Documentation



# Award of Bid

- Requirements for TDOT review and concurrence
  - Bid tabs on a spreadsheet that includes the engineer's cost estimate
  - Completed *Construction Advertising and Award Checklist*
  - Proposal Certification
  - Copies of all completed bid book forms from the lowest responsive bidder
  - Letter requesting TDOT concurrence on local agency letterhead specifying name of bidder and bid amount
- SP1247A, if DBE goal has been established
- Name and contact information of Construction Engineering Inspection (CEI) firm



# Pre-Construction Meeting

- Provide date, time and location of mandatory pre-construction meeting (Form 8-9a) to all applicable parties
- Send copy of Notice of Award to both the contractor and TDOT Enhancement Office
- Send an electronic copy of fully-executed contract with contractor to TDOT Enhancement Office
- Provide TDOT with a copy of the *Start Notice* (Form 8-16) detailing when construction is to begin and the estimated completion date
- Provide TDOT with a copy of sign-in sheet (Form 8-11) and minutes (Form 8-10a)

# Project Inspection (CEI)

- The Local Government Project Supervisor and hired Construction Engineering Inspector (CEI) shall administer the inspection and material sampling and testing in accordance with all circular letters, specifications, standard drawings, and contract documents
- CEI must be on TDOT's pre-qualified consultant list [www.tdot.state.tn.us/consultantinfo.htm](http://www.tdot.state.tn.us/consultantinfo.htm)



# Project Inspection (cont'd)

- The services of the CEI firm must 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 must 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

# CEI Duties

- In coordination with the Local Project Supervisor, full-time CEI duties shall include but are not limited to:
  - Routine project reviews
  - Attend progress meetings
  - Participate in the final inspection of the project
  - Conduct all acceptance testing
  - Attend all verification and assurance testing
  - Documentation of daily activities (daily diary)
  - Documentation of work item quantities in field book
  - Calculation and documentation of change orders
  - Coordinate all activities with TDOT inspector
  - Conduct monthly employee interviews
  - Review of weekly payroll

# Reimbursement

- Receive Checklist Packet #9: *Reimbursement*
- The local agency is required to pay all invoices up front and seek 80% reimbursement of eligible construction expenditures through TDOT
- Copies of canceled checks and invoices along with the TDOT invoice cover sheet are required for all reimbursements
- Invoices must be submitted monthly to ensure that the project is moving forward to completion
- Monthly invoices are the only way FHWA verifies and monitors that the project is actively under construction

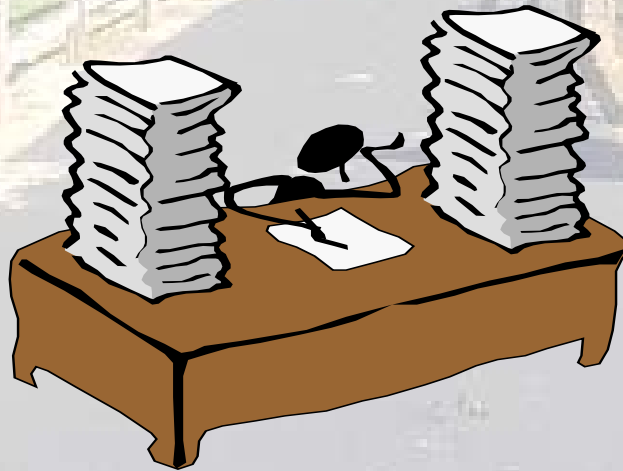


# Reimbursement Process

- Must utilize TDOT Construction Invoice Form 9-8 found at [www.tdot.state.tn.us/local/forms.htm](http://www.tdot.state.tn.us/local/forms.htm)
- Must include all applicable signatures
- Include scanned copies of canceled checks and invoices with the TDOT Construction Invoice Form
- Submit electronically to [LPD.Invoices@tn.gov](mailto:LPD.Invoices@tn.gov)
- Invoices should be received monthly until close-out
- If reimbursement has not been received after three weeks please contact [TDOT.Enhancements@tn.gov](mailto:TDOT.Enhancements@tn.gov)

# Status Reports

- If no monthly progress payment can be made the local agency must still submit a monthly progress report to the TDOT Enhancement Office at [TDOT.Enhancements@tn.gov](mailto:TDOT.Enhancements@tn.gov)



# Project Close-Out

- Receive Checklist Packet #10: *Project Close-Out*
  - When all work is complete, the Local Project Supervisor, the highest elected local official, the CEI and the TDOT Inspector shall conduct a final project inspection to determine the quality, completeness and acceptability of the work and to assure that the project was constructed in conformance with the contract



# Project Close-Out Process

- Complete the project materials certification
- Conduct a final inspection of the project
  - Use Form 8-31 to document Punch List items
- Assess liquidated damages if applicable
- Prepare and submit Completion Notice (Form 8-32) to all applicable TDOT parties
- Advertise the project for full settlement of claims
- Prepare a final estimate
- Prepare a summary change order
- Provide explanation of overruns and underruns
- Request Certification Regarding Money Paid to DBEs (CC-3 form 8-33), if applicable, from the contractor

# Close-Out Process (cont'd)

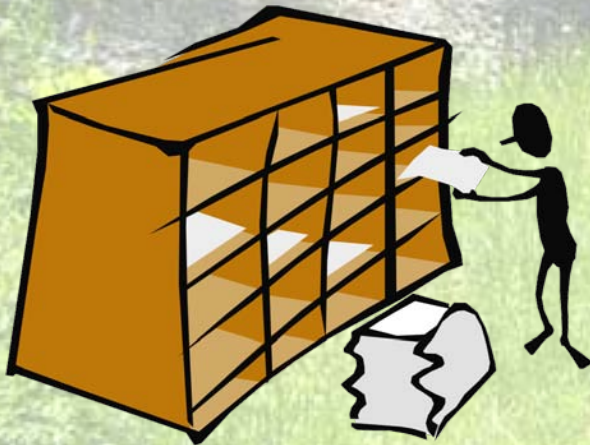
- Submit final pay request to TDOT
- Complete and submit an *End of Job Certificate* (Form 8-34)
- Submit photos of the completed project
- Create an End of Job folder to retain the following documents:
  - Final Inspection Documents
  - Final Progress Estimate with Overrun/Underrun Explanations
  - *Completion Notice*
  - Advertisement for Claims letter
  - *Material Certification* form
  - FHWA 1391 reports
  - *CC-3 documentation*
  - *Prompt Payment to Sub-contractors* forms
  - *End of Job Certificate*

# Maintenance

The Local Agency will have the sole responsibility - at its own expense - of maintaining and keeping all aspects of the project in good repair and in a safe and clean condition, including picking up litter that may accrue at the site

# Record Retention

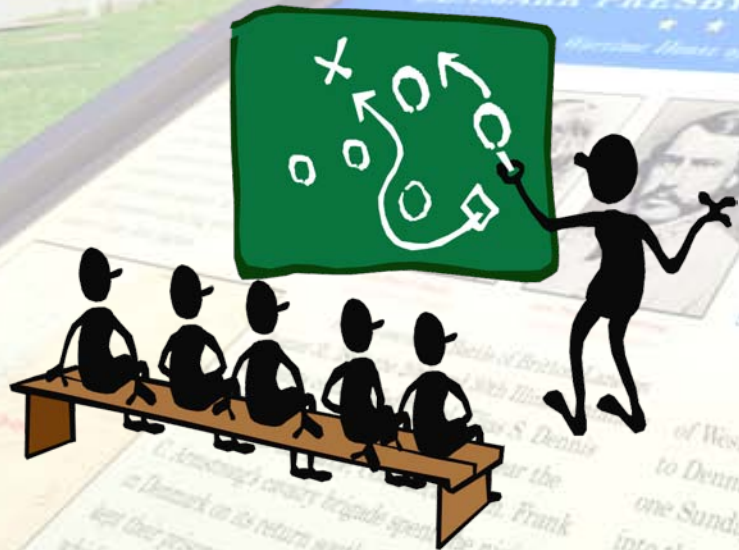
All projects records must be kept for a minimum of ten (10) years after the federal project close-out by the Federal Highway Administration



# Training Workshops

TDOT sponsored training opportunities for locally managed federal-aid projects can be found at [www.tdot.state.tn.us/local/training.htm](http://www.tdot.state.tn.us/local/training.htm)

- Local Government Guidelines Manual
- Right-of-Way
- Materials and Tests
- Title VI
- CEI (coming soon)



# Web Sites

American Association of State Highway and Transportation Officials  
(AASHTO)

[www.aashto.org](http://www.aashto.org)

Americans with Disabilities Act (ADA)

[www.ada.gov](http://www.ada.gov)

Code of Federal Regulations

[www.access.gpo.gov/nara/cfr/waisidx\\_03/49cfr18\\_03.html](http://www.access.gpo.gov/nara/cfr/waisidx_03/49cfr18_03.html)

Davis-Bacon Wage Determinations

[www.wdol.gov/dba.aspx](http://www.wdol.gov/dba.aspx)

Federal-Aid Policy Guide Part 635 Construction and Maintenance

[www.access.gpo.gov/nara/cfr/waisidx\\_03/23cfr635\\_03.htm](http://www.access.gpo.gov/nara/cfr/waisidx_03/23cfr635_03.htm)

Federal Highway Administration

[www.fhwa.dot.gov/environment/te/index.htm](http://www.fhwa.dot.gov/environment/te/index.htm)

Local Government Guidelines Manual

[www.tdot.state.tn.us/local/docs/LGG\\_Manual.pdf](http://www.tdot.state.tn.us/local/docs/LGG_Manual.pdf)

# Web Sites (cont'd)

Manual on Uniform Traffic Control Devices [www.mutcd.fhwa.dot.gov](http://www.mutcd.fhwa.dot.gov)

Standard Specifications for Construction of Roads and  
Bridges on Federal Highway Projects (FPR-96)

[www.elf.fhwa.dot.gov/design/manual/Fp96\\_Eng.pdf](http://www.elf.fhwa.dot.gov/design/manual/Fp96_Eng.pdf)

TDOT Civil Rights, Small Business Development, Title VI, AA

[www.tdot.state.tn.us/civil-rights/index.htm](http://www.tdot.state.tn.us/civil-rights/index.htm)

TDOT Construction Division

[www.tdot.state.tn.us/construction](http://www.tdot.state.tn.us/construction)

TDOT Consultant Selection Information

[www.tdot.state.tn.us/consultantinfo.htm](http://www.tdot.state.tn.us/consultantinfo.htm)

TN Historical Commission/State Historic  
Preservation Office (SHPO)

[www.state.tn.us/environment/hist](http://www.state.tn.us/environment/hist)

TN Prevailing Wage Rates

[www.tn.gov/labor-wfd/prevail.html](http://www.tn.gov/labor-wfd/prevail.html)

# Key Points of Emphasis

- In-Kind (Soft) match is no longer an option
- Local Agency is responsible for all preliminary engineering (design) and right-of-way expenses
- Do not proceed ahead of each phased *Notice to Proceed*
- All consultants and contractors must be TDOT pre-qualified
- All projects must be competitively bid and awarded to the lowest responsive bidder
- No retainage can be withheld
- Projects cannot be bid lump sum
- No additive or deductive alternates are permissible
- Bid what you intend to build



# Key Points of Emphasis (cont'd)

- Bid books cannot be separated
- All projects must conform to current ADA standards
- Only forms approved in the bid books can be used
- Prime contractors do not have to have be licensed in TN in order to bid
- This is a construction reimbursable program
- Only work performed after the *Notice to Proceed: Construction Phase* is reimbursable
- All reimbursements must utilize the current TDOT invoice coversheet
- Reference the PIN on all project correspondence
- Refer to the project by the awarded title

# Contact Information

Unless otherwise noted, all documents must be sent to [TDOT.Enhancements@tn.gov](mailto:TDOT.Enhancements@tn.gov)

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# Questions?

