

This chapter is used for NHS and non-NHS routes by Local Agencies operating under Certification Acceptance (CA) and choosing to administer construction contracts themselves. In the sequence of project development<sup>1</sup>.

Local Agencies whose construction contracts are administered by the Washington State Department of Transportation (WSDOT) should refer to [Chapter 51](#).

Title 23 USC and 23 CFR provisions apply to all NHS Federal aid projects regardless of federal funding source or approval authority. State standards may be used on non-NHS projects, except for federal requirements pertaining to contracts (bid proposal content including Davis Bacon and DBE) and procurement procedures (competitive bidding and Brooks Act).

## **52.1 General Discussion**

WSDOT is responsible for the proper expenditure of FHWA funds on Local Agency projects. Local Programs will consult and work with Local Agencies as needed and will perform systematic project management reviews to ensure that proper procedures are followed.

Except for specific items noted in this chapter, all construction activities shall be administered in accordance with the *Standard Specifications*, and materials shall be inspected and tested in accordance with the *WSDOT Construction Manual*. For a list of exceptions to the *Construction Manual*<sup>2</sup>, see Appendix 52.107. In case of conflicting requirements or guidelines, this chapter governs over the *WSDOT Construction Manual*. Agencies may choose to use their own forms provided the same information is included on the agency forms as is shown on the WSDOT forms used for the same purposes. For an understanding of WSDOT documentation requirements, use [Chapter 10](#) of the *WSDOT Construction Manual* as a guide.

All FHWA projects are subject to Disadvantaged Business Enterprise (DBE), on the Job Training (OJT) and Equal Employment Opportunity (EEO) compliance reviews by WSDOT.

The *Standard Specifications for Road, Bridge, and Municipal Construction M 41-10* and APWA GSPs define the major elements for construction contracts.

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<sup>1</sup> LAG [Chapter 46](#)

<sup>2</sup> [Appendix 52.107](#)

## 52.2 Preconstruction Conference

After a contract is awarded, the Local Agency shall arrange a conference with the contractor. The Local Agency Engineer shall notify the Region Local Programs Engineer of the time and place of the conference. The meeting shall be documented<sup>3</sup> and reviewed by the Project Manager (PM) and the agency engineer or authority.

On large, complex projects, a preconstruction conference should be held before each construction phase. It may be desirable to hold separate conferences for some specialized construction items such as paving, roadside planting, or electrical work. The preconstruction conference may include a partnering session, if appropriate.

The meeting should be documented and copies of the minutes transmitted to the Region Local Programs Engineer and each agency, organization, and firm that has involvement or interest in the project<sup>4</sup>.

## 52.3 Quality Control

The quality of materials and workmanship on a project must conform to the contract specifications so that the public funds expended will have purchased a safe, economical, and fully functional transportation facility.

- .31 **General** – The source for each type of material must be approved by the Local Agency prior to use. There are two submittal processes allowed by standard specifications for material approval in Washington State, the Qualified Product List, and the Request for Approval of Materials (RAM). Contractors are encouraged to use one of these tools to request material approval or, if an agency has their own process established, to follow that.

The Qualified Product List (QPL) is compiled by the WSDOT Materials Laboratory (Mats Lab) Documentation Section and can be accessed at [www.wsdot.wa.gov/Business/MaterialsLab/QPL.htm](http://www.wsdot.wa.gov/Business/MaterialsLab/QPL.htm).

The Request for Approval of Material (DOT Form 350-071) is a form distributed by WSDOT. Contractors may use this form to submit requests for approval for materials not found in the QPL. Some agencies have a similar form that is also acceptable.

Local Agencies requesting a Record of Materials (ROM) from WSDOT's Mats Lab should submit their request as soon as possible to avoid delaying the contractor. The average processing time is approximately four to eight weeks.

Reimbursement of FHWA funds may be denied for work done contrary to, or in disregard of, the contract documents.

Local Agencies making improvements to National Highway System (NHS) routes with federal funding must comply with the FHWA approved qualified tester program. If a Local Agency is not certified to perform the tests, they can contact a qualified testing laboratory or their Region Local Programs Engineer to make arrangements for WSDOT to perform the testing on the project.

<sup>3</sup> Appendix 52.101

<sup>4</sup> Appendix 52.102

.32 **Qualified Tester Requirements** – For local agencies, the guidelines below apply:

1. **Construction Projects on Non-NHS Highway System** – There is no requirement for qualified testers on the non-NHS highway system. Construction projects that have FHWA funds must follow the requirements contained in this manual.
2. **Construction Projects on the NHS Highway System with No FHWA Funds** – There is no requirement for qualified testers on the NHS highway system that do not have FHWA funds in the construction phase.
3. **Construction Projects on the NHS Highway System with FHWA Funds** – Qualified Testers are required for construction projects that on the NHS highway system that have FHWA funds in the construction phase.

Agencies have several options for meeting the qualified tester requirements:

- Agencies may use any AMRL R-18 laboratories qualified to test as defined by AASHTO test methods appropriate to the material. Employees of AMRL R-18 laboratories are considered qualified via the laboratory certification process. WAQTC testers may also work on NHS projects.
- Agencies may also use laboratories that are accredited by the Laboratory Accreditation Bureau, L-A-B for Construction Materials Testing or accredited by the Construction Materials Engineering Council's (CMEC's) ISO 17025 program. These laboratories are considered to meet the quality assurance requirements in 23 CFR 637.209(a) (2), (3), and (4).

.33 **Quality Assurance Program for Qualified Testers** – For work on an NHS Highway System local agency must develop a quality assurance program which will assure that the materials and workmanship incorporated into each federal-aid highway construction project is in conformity with the requirements of the approved plans and specifications, including approved changes. The program must meet the criteria in FHWA regulation for *Quality Assurance Procedures for Construction* (23 CFR 637).

The Quality Assurance Program includes the following:

- Qualified Tester Program
- Equipment Calibration/Standardization/Check and Maintenance Program
- Qualified Laboratory Program
- Independent Assurances (IA) Program

There are two ways an agency can meet the IA on-site evaluation requirements. They are as follows:

- Contract with a qualified local agency
- Contract with a qualified testing firm.

HMA Testing – Qualification is required for the following test methods:

- **AASHTO T 168** – Sampling Bituminous Paving Mixtures
- **AASHTO T 308/ASTM D 6307** – Asphalt Content of Hot Mix Asphalt (HMA) by the Ignition Method (may substitute other AASHTO or ASTM extraction methods). Use of Ignition Method must include furnace correction factor for each mix tested.
- **AASHTO T 209/ASTM D 2041** – Rice Density
- **AASTHO T 27/T 11** – Sieve Analysis of Fine and Coarse Aggregates
- **AASHTO T 255** – Total Evaporable Moisture Content of Aggregate by Drying
- **AASHTO T 329** – Moisture Content of Asphalt Mixtures by Oven Method

HMA Density Testing – Qualification is required in the following test method:

- **AASTHOA T355** – In place Density of Bituminous Mixes Using the Nuclear Moisture-Density Gauge

Concrete testing can be performed by testers qualified by AMRL R-18 qualification in the following test methods:

- **AASHTO T 23** – Making and Curing Concrete Test Specimens in the Field
- **AASHTO T 119** – Standard Test Method for Slump of Hydraulic-Cement Concrete
- **AASHTO T 152** – Air Content of Freshly Mixed Concrete by the Pressure Method
- **AASHTO T 141/ASTM C 172** – Sampling Freshly Mixed Concrete
- **AASHTO T 309** – Temperature of Freshly Mixed Portland Cement Concrete

Laboratories must meet the AASHTO Standards for Moist Cabinets, Moist Rooms, and Water Storage Tanks and be qualified to Cure, Cap, and perform compression testing of test specimens.

Testers with current ACI grade 1 Concrete Testing Certification can also perform concrete field testing on NHS projects with federal funding.

Aggregate testing can be performed by laboratories qualified by AMRL R-18 in the following test methods:

- **AASHTO T 2** – Sampling of Aggregates
- **AASHTO T 27/T 11** – Sieve Analysis of Fine and Coarse Aggregates
- **AASHTO T 176** – Determination of the Plastic Fines in Graded Aggregate by Use of the Sand Equivalent Test
- **AASHTO T 248** – Reducing Field Samples of Aggregates to Testing Size
- **AASHTO T 255** – Total Moisture Content of Aggregate by Drying
- **AASHTO TP 61** – Determining the Percentage of Fracture in Coarse Aggregate

Laboratories offering Embankment and Base Density field-testing must be qualified to perform the following test methods:

- **AASHTO T 272** – Family of Curves – One-Point Method
- **AASHTO T 310** – In-Place Density and Moisture Content of Soil and Soil Aggregate by Nuclear Method
- **AASHTO T 99** or other approved test method of determining – Moisture Density Relations of Soils

The following is a breakdown of materials and how they will be accepted.

#### List of Materials to Test

1. Structural Concrete
  - Slump
  - Air
  - Temp
  - Compression Testing
  - Aggregate
2. Asphalt in the roadway
  - Density
  - Hot Mix
  - Aggregate
3. Surfacing under roadway and bridge approaches
  - Density
  - Gradation and SE
4. Base material under roadway, embankments, bridge approaches
  - Density
  - Gradation and SE
5. Structural Grout
  - Compression Testing
6. High Strength Nuts Bolts and Washers\*
  - Manufacturer's Certificate of Compliance
  - Certificate of Material Origin

#### List of Materials to Certify

1. Steel
  - Manufacturer's Certificate of Compliance Certificate of Material Origin\*
2. Iron
  - Certificate of Material Origin\*
3. Liquid Asphalt Products
  - Manufacturer's Certificate of Compliance
4. Construction Geosynthetics
  - Manufacturer's Certificate of Compliance
5. Guardrail Items
  - Certificate of Material Origin for steel components\*
6. Bridge Bearing Assemblies that are not welded
  - Manufacturer's Certificate of Compliance
  - Certificate of Material Origin\*\*

**List of Material to Accept With Visual Inspection or Catalog Cut\*\***

(All items must meet FHWA Buy America Requirements)

1. Traffic marking – paints and thermoplastics
2. Signs
3. Landscaping or irrigation items
4. Non-Structural Drainage Items
5. Rebar Chairs and Dobie Blocks
6. Temporary Items
7. Compost
8. Street furniture (CMO required)
9. Monument Case and Cover (CMO required)

**List of Materials That Require Fabrication Inspection**

(All items must meet the FHWA Buy America Requirements)

1. Fabricated or Welded Structural Steel items
2. Structural Precast Concrete Items
3. Bridge Bearing Assemblies that are welded
4. Sign Bridges
5. Cantilever Sign Structures

\*See Standard Specifications Section 9-06.5.

\*\*Agencies must document the sources of steel and iron by having a "Certification of Materials Origin" on file including mounting hardware.

## 52.4 Progress Payments

Progress payments must be based on measurements of work performed (recorded on WSDOT 422-635, 422-636, 422-637, or similar agency form) so that the contractor can be fairly compensated and so that public funds will not be expended on work that has not yet been done. (Inspector daily reports should not be used in place of a Field Note Records)

- .41 **General** – Progress estimates should be prepared on a pre-selected date each month and payment made to the contractor. Measurement and payment for all acceptably completed bid items of work will be in accordance with Standard Specifications. Source documents used to support payments must be complete, standalone documents that fully support the payment being made. Documentation to support payment shall be in accordance with *Construction Manual*. Agencies that have integrated computer programs for Inspector Daily Reports and payment source documents shall include all the information shown on the WSDOT forms used for those purposes. Progress estimates should be prepared promptly and may be forwarded to the contractor for review and signature.
- .42 **Statement of Intent to Pay Prevailing Wages** – The agency must advise the Contractor and subcontractors that it is their responsibility to work directly with Washington State Department of Labor and Industries (LNI) for approval of the Statement of Intent to Pay Prevailing Wages (SOI) and Affidavit of Wages Paid (AWP) and that:
  - The SOI and AWP will be on forms provided by LNI.
  - The forms will be filed electronically using LNIs online system – Prevailing Wage, Intents and Affidavits (PWIA) and a copy kept in the agency's project file.
  - The contractors, subcontractors, lower-tier subcontractors, suppliers, manufacturers, and fabricators that are required to submit SOIs and AWPs, will need to pay the approval fee directly to LNI.
  - The Contractor will submit a copy of the approved forms (SOI, before any payment can be made for work performed and all AWPs before the contract can be accepted) to the Project Engineer through PWIA.
  - If payrolls are required, establish submittal deadlines in accordance with APWA Specifications Section 1-07.9(5) and describe the wage rate interview process. The agency shall keep a copy of the weekly certified payroll in the project file to comply with FHWA requirements.
  - Describe the required and/or recommended job site posters and provide them to the Contractor (see Section SS 1-07.9(2)).
  - On all Federal-Aid contracts, the Agency must remind the Contractor that the work falls under the guidance of Davis-Bacon and Related Acts and the Contract Work Hours and Safety Standards Acts. As indicated in Section SS 1-07.9(1), the U.S. Department of Labor may conduct investigations to ensure compliance with these Acts.

Form LI 700-29 shall be on file with the Local Agency before any payment is made to the contractor. Subcontractors of every tier shall have an approved copy of this form on file with the Local Agency before any payment can be made for their work.

## 52.5 Changes and Extra Work

Prior to beginning work on a contract, a Local Agency should have a written policy for the approval of change orders to ensure that appropriate procedures are followed.

Without a written change order policy delegating approval authority, the designated CA Agreement approval authority must approve all change orders. See item #2, of the Certification Agreement.

It is important to distinguish between actual changes to the contract work and normal overruns and under-runs that may occur. No change order work shall be done prior to approval being given by the appropriate authority, verbal or written. Verbal approval requires written documentation including a description of work that adequately describes the extent of the change. Verbal approval must be followed by a written change order. No contract payment shall be made prior to having the written change order approved by the appropriate authority.

Changes to a Condition of Award amounts shall be handled in accordance with the GSP (Changes in the Quantity of Work). Changes affecting DBE firms (COA or Non-COA) must be handled through a formal change order process, minor change orders cannot be applied to DBE firms. Any changes to reduce the COA DBEs scope or commitment amount is considered a partial DBE termination and must follow the appropriate Change procedures. Change Orders shall include the affected DBE contractors in the negotiation and approval of the change order. All change orders affecting the work of DBEs shall be submitted to the Region Local Programs Engineer for the Assistant State Local Programs Engineer approval on the DBE changes prior to executing the change order. If the request for termination is approved, the Contractor is required to substitute with another DBE to perform at least the same amount of work as the DBE that was terminated (or provide Good Faith Effort (GFE) documentation.) Notification and processing should begin promptly to allow enough time to find a substitute DBE.

When changes in the work will alter the termini, character, and scope of an approved project, approval of Local Programs is required prior to the commencement of the physical work<sup>5</sup>. All change orders must be numbered in sequence.

Change order documentation is composed of two parts:

1. The approved change order signed by the agency, the contractor, and the DBE subcontractor (when applicable).
2. The backup documentation. The backup documentation shall include an explanation in sufficient detail so that everyone involved will understand the need for the change, and how the change will affect the overall contract. The explanation shall include a detailed justification of the cost and/or any adjustment to working days associated with the change. The detailed cost justification shall be documented independent of the contractor's proposal to substantiate the change.

<sup>5</sup> LAG Chapter 21

- .51 **Administrative Settlement Costs** – Administrative settlement costs are costs related to the defense and settlement of contract claims. These will include but are not limited to salaries of contracting officers or their authorized representatives, attorneys, or members of arbitration boards, appeal boards, etc., that are allowable to the findings and determination of contract claims, but not including administrative or overhead costs.

FHWA funds may participate in administrative settlement costs, which are:

- Incurred after notice of claim.
- Properly supported.
- Directly allocable to a specific FHWA project.
- For employment of special counsel for review and defense of contract claims when recommended by the agency's legal counsel and approved in advance by WSDOT.

When a claim is submitted, the Region Local Programs Engineer should be contacted for advice on how to proceed.

## 52.6 Termination of Contract

Standard Specifications Section 1-08.10 contains procedures and criteria for termination of a contract. Prior to termination action against a contractor or reassignment of the performance to the surety, the Local Agency must obtain Local Programs concurrence.

## 52.7 Compliance With Federal Contract Provisions

FHWA requires that all subcontracts at any tier be in writing, per 23 CFR, Section 635.116(b). This includes both contracts between the prime contractor and their subcontractors, and contracts between subcontractors and their agents.

Each of these subcontracts must also physically contain the following documents. None of these documents can be included by reference only.

- The general special provision (GSP) entitled "Required Federal Aid Provisions."
- Form FHWA 1273 "Required Contract Provisions, Federal Aid Construction Contracts."
- The minimum wage rates for the contract as required by RCW 39.12 and Title 29 of the Code of Federal Regulations (CFR).

It is the responsibility of the Local Agency to ensure full compliance with the provisions above.

Implementation of the DBE and EEO programs are also federal contract requirements<sup>6</sup> <sup>7</sup>.

<sup>6</sup> LAG Chapter 26

<sup>7</sup> LAG Chapter 27

## 52.8 Physical Completion of Construction

The Local Agency will carry out the following requirements to terminate the construction contract and ready the project for acceptance by WSDOT and FHWA:

- .81 **Final Inspection** – The Local Agency Project Engineer shall send a request for WSDOT inspection and acceptance to the Region Local Programs Engineer no later than within 15 days of substantial completion of work by the contractor. A copy of the completion letter that is sent to the contractor should accompany the request.
- .82 **Notice of Physical Completion** – Within ten calendar days after physical completion of the work by the contractor, the Local Agency Project Engineer shall notify the contractor by letter that the construction is physically complete, and that the project is subject to audit and acceptance by WSDOT. The agency shall diligently pursue closure of the contract.
- .83 **Final Reports** – A construction project is considered complete when the items listed below have been completed. All certifications and reports shall be retained for at least three years after final acceptance of the project.
  1. **Final Estimate (Approving Authority File)** – When the contractor has a claim pending against the Local Agency and wants to receive a final estimate, a claim must be submitted in writing, detailing the specific items and amounts. When a claim is submitted, immediately contact the Region Local Programs Engineer so that FHWA can be informed of the claim's details at an early stage<sup>8</sup>.
  2. **Comparison of Preliminary and Final Quantities (Approving Authority File)** – This is a listing of items that show the preliminary and final quantities.
  3. **Certified Final Bill for Utility Agreement, if applicable, to Region Local Programs Engineer.**
  4. **Final Records (Approving Authority File)** – The Local Agency Project Engineer must document the work performed on the contract. Documentation consists of field books, inspector's record of field tests, Project Engineer's and inspector's diaries, all invoices, weigh bills, truck measurements, quantity tickets, receiving reports, field office ledgers, mass diagrams, cross-sections, computer listings, and work profiles. Photographs or video tapes before, during, and after construction could be useful, especially if care is taken to show any unusual conditions, equipment, or procedures.  
Final records shall be retained by the Local Agency for at least three years following acceptance of the project by Local Programs. The Local Agency will receive the administrative review letter showing the starting and ending date of the three-year retention period from the Director, Local Programs Division (OMB Circular A-133).
  5. **Record of Material Samples and Tests**

<sup>8</sup> Standard Specification 1-09.12(2)

6. **Materials Certification<sup>9</sup>** – The intent of the materials certification is to assure that the quality of all materials incorporated into the project are in conformance with the plans and specifications, and thus ensure a service life equivalent to the design life.
    - a. This materials certification shall be completed in accordance with *Construction Manual* Section 9-1.5 or Section 52.3 of this manual.
  7. **Affidavit of Wages Paid** – Upon Contract Completion, the Prime Contractor, all Subcontractors, agents and lower-tier subcontractors must submit an Affidavit of Wages Paid to the Project Engineer using PWIA. The form may be submitted earlier by a Subcontractor or lower-tier subcontractor if that firm's work is completed prior to Completion of the Contract. All Affidavits must be approved by LNI prior to Contract Completion.

In the event a Subcontractor or lower-tier subcontractor cannot or will not provide a completed Affidavit, the Contractor should consult with LNI to seek assistance in filing an Affidavit "On Behalf Of" these Subcontractors. Failure to provide all required Affidavits for all Contractors who worked on the project will result in the withholding of Contract Completion, the Notice of Completion and the release of retainage or bond. PWIA will display those Contractors who have not submitted their Affidavit. If an Affidavit has not been submitted after Physical Completion, the Local Agency Project Engineer shall send an email to the Contractor through PWIA requesting the missing Affidavits.

Affidavits are required for each fabricator or supplier who was also covered by State prevailing wages and are required for every firm that submitted an Intent.
8. Release for the Protection of Property Owner and General Contractor. The new process requires the agency to use the Labor and Industries website to verify that the prime contractor and all subs on the project have paid the required industrial insurance and medical-aid premiums. The UBI number for each contractor and sub is required to access the verification. The printed verification statements must be on file with the Local Agency before the project bond or the retained percentage can be released.
  9. For all federal aid projects and select state funded projects, the prime contractor shall enter the amounts paid to all firms involved with the contract (Zero payments shall be marked accordingly). The prime contractor shall enter the payments amount received from the agency each month into the WSDOT Diversity Management and Compliance System – DMCS<sup>10</sup>. The local agency shall each month confirm the entries in the WSDOT Diversity Compliance System. Payment information shall be entered monthly and include the actual date of the payment<sup>11</sup>.
- .84 **Project Acceptance** – The approving authority's approval of the final estimate will be considered as the Local Agency's acceptance of the project.

<sup>9</sup> Form 140-574

<sup>10</sup> [wsdot.diversitycompliance.com](http://wsdot.diversitycompliance.com)

<sup>11</sup> LAG Chapter 26

## 52.9 Projects within Interstate Rights of Way

All construction, materials, and quality control requirements contained in the current editions of the Standard Specifications and *Construction Manual* must be incorporated into the contract. (See Section 14.3 for complete guidance on work within the Interstate Rights of Way.)

## 52.10 Appendices

- 52.101 Preconstruction Conference Agenda – Example
- 52.102 Preconstruction Conference Minutes – Example
- 52.103 Letter Requesting WSDOT Project, Inspection, and Acceptance – Example
- 52.104 Vacant
- 52.105 Weekly Statement of Working Days
- 52.106 Change Order Checklist
- 52.107 Exceptions to the WSDOT *Construction Manual* M 41-01

## 52.11 Forms

- [www.wsdot.wa.gov/forms/pdfForms](http://www.wsdot.wa.gov/forms/pdfForms)
- 140-005 Change Order - Local Agency
- 140-574 Materials Certification
- FHWA Form WH-347

## **Appendix 52.101 Preconstruction Conference Agenda – Example**

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1. Order of work (Progress Schedule)
2. Utilities and Railroads
  - a. Project Engineer prepare list of affected services and representatives to be contacted.
  - b. Underground services should be located.
  - c. Notification time required by organizations.
  - d. Insurance required, if any.
3. Subcontractors and Agents
  - a. Request for approval must be submitted along with a Statement of Intent to Pay Prevailing Wage and Subcontractor or Agent Certification.
  - b. Nature of work to be performed by each.
  - c. Subcontractor's route correspondence via prime contractor.
  - d. Prime contractor must have a representative with authority on the job at all times (designated by letter).
  - e. DBE subcontract work – indepth discussion including conditions of award if any.
4. Records and Reports
  - a. Description of required forms and initial supply should be handed out or mailed to prime contractor.
  - b. All reports must be handled through prime contractor's office.
  - c. Record of Materials should be provided and Requests for Approval of Materials Sources (RAM) should be submitted as soon as possible.
  - d. Falsework plans, if required.
  - e. Certified payrolls must be submitted on time and wage rate interviews will be conducted. Per the FHWA 1273, employee full social security numbers and home addresses shall not be included on weekly payrolls.
  - f. EEO and trainee requirements – indepth discussion.
  - g. DBE requirements when the contract contains UDBE goals – indepth discussion.
    - DBE – Onsite reviews must be conducted on all DBE and UDBE firms that works on the project.

- h. Required job site posters (provided to Prime Contractor).
  - i. Davis-Bacon statement regarding the USDOL, WSDOT and local agency's role in investigations for labor compliance.
  - j. ADA requirements.
5. Traffic Control And Safety
- a. *Manual on Uniform Traffic Control Devices* will control signing.
  - b. Review and discussion of Traffic Control Plan (TCP) including pedestrian and bicycle accommodations.
  - c. Safety control on structures.
  - d. Flagman should use standard paddle and vest and must be certified with flagman card.
  - e. Speed regulation of construction equipment.
  - f. Contractor and project engineer designate by name the individual responsible for construction traffic control.
  - g. Safety and health requirements.
  - h. Request police to report all construction zone accidents to the contracting authority.
  - i. Gross legal load limits shall be adhered to.
  - j. The local agency will monitor the requirements of [RCW 46.61.655](#) as amended by Substitute House Bill No. 2455 and cooperate with law enforcement agencies in the enforcement as provided in *Standard Specifications* Section 1-07.1. Substitute House Bill No. 2455 deals with covered loads or 6 inches of freeboard.
6. Environmental Considerations
- a. Commitment files.
  - b. Standard Specifications/Special Provisions.
  - c. Contractor responsibility to obtain permits.
  - d. Department of Ecology requires registration of rock crushers in accordance with [WAC 173-400](#).
  - e. Temporary Erosion and Sediment Control Plan (TESCP).
  - f. Spill Prevention, Control, and Containment Plan (SPCCP).
7. Dismiss Disinterested Parties (list those leaving)
8. Reopen with General Construction Discussion
- a. Contractor explains how he plans to pursue the work.
  - b. Review of anticipated construction problems.
  - c. Conflict resolution – need for partnering.

## **Appendix 52.102    Preconstruction Conference Minutes – Example**

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To: (Contractor)

Agency:  
Project Title:  
F.A.:  
Contract Number:

Date:

Attention: (Contractor's Representative)

1. Time:  
Location of meeting:
2. Persons attending and organizations represented:
3. Description of work:
4. Discussion items:

Prepared by:

cc: Region Local Programs Engineer

Each agency, organization, and firm who has involvement or interest in the project.

## **Appendix 52.103    Letter Requesting WSDOT Project Inspection and Acceptance – Example**

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Date

Region Local Programs Engineer  
Department of Transportation

Contract Number  
Contract Name  
Federal Aid Number

Dear Sir:

For your information, I am sending you a copy of the contract completion letter that was sent to the -contractor. I request inspection and acceptance of the project by WSDOT.

Sincerely,

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(Director of Public Works)  
(County Engineer)  
(City Engineer)  
(Local Agency Engineer)

## ***Appendix 52.104    Vacant***

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# Appendix 52.105 Weekly Statement of Working Days

## WASHINGTON STATE DEPARTMENT OF TRANSPORTATION WEEKLY STATEMENT OF WORKING DAYS

Page 1 of 1

CONTRACT NO:  
CONTRACTOR:

FEDERAL AID NO:

CONTRACT TITLE:  
STATEMENT NO:

STATEMENT DATE:

This statement shows the number of working days charged to your contract for the week ending:

| DATE                      | WEATHER | PHASE 00 |        | PHASE |        | REASON |
|---------------------------|---------|----------|--------|-------|--------|--------|
|                           |         | WORK     | UNWORK | WORK  | UNWORK |        |
| Sun                       |         | 0.00     | 0.00   | 0.00  | 0.00   |        |
| Mon                       |         | 0.00     | 0.00   | 0.00  | 0.00   |        |
| Tues                      |         | 0.00     | 0.00   | 0.00  | 0.00   |        |
| Wed                       |         | 0.00     | 0.00   | 0.00  | 0.00   |        |
| Thurs                     |         | 0.00     | 0.00   | 0.00  | 0.00   |        |
| Fri                       |         | 0.00     | 0.00   | 0.00  | 0.00   |        |
| Sat                       |         | 0.00     | 0.00   | 0.00  | 0.00   |        |
| <br>Days This Week:       |         | 0.00     | 0.00   | 0.00  | 0.00   |        |
| Days Work Suspended:      |         |          | 0.00   |       | 0.00   |        |
| Days Previously Reported: |         | .00      | 0.00   | 0.00  | 0.00   |        |
| Total Days To Date:       |         | .00      | 0.00   | 0.00  | 0.00   |        |

### CURRENT STATUS:

|                                    |     |      |
|------------------------------------|-----|------|
| Days Specified In Contract:        | .00 | 0.00 |
| Approved Extension of Time:        | .00 | 0.00 |
| Total Authorized Time of Contract: | .00 | 0.00 |
| Less Workable Days Charged:        | .00 | 0.00 |
| Working Days Remaining:            | .00 | 0.00 |

### SUMMARY OF WEEKS ACTIVITIES:

PROJECT ENGINEER: \_\_\_\_\_

NOTE: The contractor will be allowed 10 days from the date of this report in which to protest in writing the correctness of this statement, otherwise it shall be deemed to have been accepted as correct.

DOT FORM 422-022 (Revised 12/81)

# **Appendix 52.106    Change Order Checklist**

## **Change Order**

| <b>Question</b>   | <b>Yes</b>               | <b>No</b>                | <b>N/A</b>               |
|---|--------------------------|--------------------------|--------------------------|
| 1. Does the change order alter the termini, character, or scope of the work?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, you must have H & LP approval to be eligible for federal funds.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, you must submit a revised Page 1 of the prospectus.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the Change Order over \$7,500.00 and outside the scope of work?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, the change cannot be a change order and must be an independent work.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Does the Change Order detail all items involved with the change?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Does the Change Order include an adjustment in working days?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, the time extension must be stated in the Change Order.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, an independent engineer's estimate of time must be included to document the extension.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If no, that must be stated in the Change Order.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Does the Change Order alter the DBE Condition of Award?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, you must obtain concurrence from Local Programs.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, you must obtain the DBE's signature on the Change Order.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Does the Change Order involve a material substitution?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, you must determine if a material credit is appropriate.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. If Change Order work started prior to its execution, prior verbal approval by the Approving Authority must be granted and documented.                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Has the Change Order been signed by the contractor?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Has the Change Order been executed by the Approving Authority?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If you are a "non CA Agency", you must have the acting CA Authority's approval.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Has an independent engineer's estimate justifying the costs and time extensions been completed and documented?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Has a detailed memo outlining the chronology of events, basis of need, costs and working days been prepared and placed in the file accompanying the Change Order? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

## **Appendix 52.107    Exceptions to the WSDOT Construction Manual M 41-01**

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The following exceptions to the *Construction Manual M 41-01* may be used by the local agency.

- The local agency may develop their own Record of Materials (ROM), and approve manufacturers not listed on the approved WSDOT manufacturers list. The ROM is a listing of the construction items, generated by either the State Materials Laboratory or the Local Agency that has been identified from the plans and specifications for each project. The ROM identifies the types and quantities of materials, the standard acceptance methods and the number of acceptance and verification samples required for all material that will be used on the project. The ROM should always be maintained. If material quantities are increased or decreased during the construction of the project the ROM must reflect these changes. This may either increase or decrease the amount of acceptance tests needed. The ROM needs to reference the standard specification or contract provision where the material requirement is defined. The ROM also lists the acceptance requirements for materials requiring other actions, such as fabrication inspection, manufacturer's certificate of compliance, shop drawing or catalog cuts.
- Asphalt plant inspectors and scalepersons are not required at established commercial sources. This exception does not allow the agency to eliminate acceptance sampling of the materials.
- The following items may be accepted with an approved catalogue cut and documented by visual inspection and a manufacturer's material certification (provided manufacturer's certification is based on actual testing and meet the FHWA Buy America and the Build America/Buy America (BABA) Requirements):
  - Emulsified Asphalt for HMA Tack Coat and BST (Suppliers Bill of Lading acts as Manufacturer's Certificate of Compliance)
  - Temporary Items
  - Sandbags, Rope, and Wood Stakes
  - Compost, topsoil
  - PG Binder (Suppliers Bill of Lading acts as Manufacturer's Certificate of Compliance)
  - Pigmented Sealer
- A Certificate of Material Origin is required for all steel and iron items on federally funded projects.
- Local agencies are not required to have Scaleman's Daily Reports as long as:
  - The electronic ticket contains **all** of the same information that is on the Scaleman's Daily Report Form 422-027.
  - You must have an AM and PM tare weight for each truck. The tare weights must be shown on the printed ticket.
  - **Local agencies are still required to collect scale certifications at 6-month intervals per Standard Specification 1-09.2(2).**

- Local agencies may test their own signal cabinets.
- Local agencies may lower the density testing requirements to 90 percent of the rice density for non structural overlay pavement designs with a thickness of 1.25 to 2 inches (30 to 50 mm). This should be limited to areas or projects with documented foundation problems and on overlay of existing pavements.
- Local agencies are not required to follow the qualified testing program outlined in the *Construction Manual M 41-01* if the agencies projects are not on the NHS, or are on the NHS and the project does not contain federal funding AND the acceptance sampling frequencies and test methods are done in accordance with [Chapter 9](#) of the *Construction Manual M 41-01* and the exceptions listed above.

In addition to mandatory acceptance sampling, a local agency may choose to do independent assurance sampling. If a local agency elects to do independent assurance sampling, the procedures listed shall be followed.

- Assurance sampling and testing will be done independent of acceptance testing, not utilizing the same testing equipment or performed by the same personnel. Assurance samples of aggregate may be taken by the field inspector and split two ways. One split will be tested by the inspector in the field as an acceptance sample and the other split will be an assurance sample for immediate testing and comparison with field results.
- Assurance sample testing does not reflect on the acceptability of the material involved. Acceptance under the contract is determined by the acceptance testing process. Assurance testing is performed to obtain an independent verification of proper testing procedure and equipment.

**Comparison of Assurance and Acceptance Test Results** – Assurance sample results will be compared with the acceptance test results of the companion samples.

Reports of the comparison of results will be placed in the project file. The degree of conformance will be determined according to the deviation ranges noted below. Gradation test results will be compared only on specification screens.

| Test   | Normal Range of Deviation | Maximum Range of Deviation |
|--|---------------------------|----------------------------|
| Sand Equivalent                                  | ±8 points                 | ±15 points                 |
| Fracture   | ±5 percent                | ±10 percent                |
| Asphalt Content (HMA and ATB)                    | ±0.3 percent              | ±0.6 percent               |
| Sieve Analysis – All Items:                      |                           |                            |
| No. 4 (4.75 mm) sieve and larger                 | ±5 percent                | ±8 percent                 |
| No. 6 (3.35 mm) sieve to No. 80 (0.180 mm) sieve | ±3 percent                | ±6 percent                 |
| No 100 (0.150 mm) and No. 200 (0.075 mm) sieve   | ±2 percent                | ±4 percent                 |

In the table above, “Normal Range” indicates an acceptable range of variation between test results and no action is required. Test results which fall in this category will be so indicated by the wording “normal deviation” on the assurance test reports. Test results falling outside of the “Normal Range” but within the “Maximum Range,” will be indicated by the wording “questionable deviation” on the assurance test reports. For deviations falling into this category, the Project Engineer or a representative shall review the original test report form, advise the responsible test operator of the deviation, and review the test procedure at the next opportunity.

Test results exceeding the maximum range will be indicated by the wording “excessive deviation.” For deviations falling in the excessive category, the Project Engineer or a representative will notify the appropriate personnel for corrective action.

Corrective action will include review of sampling procedures, sample splitting procedures, testing procedures, and testing equipment. Actions and results of these investigations will be documented to the project file by a notation. These may include comments or findings by the Lab and testing personnel.

### Independent Assurance Sampling Frequency Guide

| Item                               | Test   | Assurance Sample           |
|------------------------------------|--|----------------------------|
| Gravel Borrow                      | Grading & SE   | 1 – 20,000 Ton             |
| Select Borrow                      | Grading & SE   | 1 – 20,000 Ton             |
| Sand Drainage Blanket              | Grading  | 1 – 20,000 Ton             |
| Gravel Base                        | Grading, SE & Dust Ratio                                     | 1 – 20,000 Ton             |
| CSTC                               | Grading, SE & Fracture                                       | 1 – 10,000 Ton             |
| CSBC Grading                       | SE & Fracture  | 1 – 10,000 Ton             |
| Maintenance Rock                   | Grading, SE & Fracture                                       | 1 – 10,000 Ton             |
| Ballast Grading                    | SE & Dust Ratio  | 1 – 10,000 Ton             |
| Shoulder Ballast                   | Grading & Fracture   | 1 – 10,000 Ton             |
| Backfill for Sand Drains           | Grading  | 1 – 10,000 Ton             |
| Crushed Coverstone                 | Grading, SE & Fracture                                       | 1 – 5,000 Ton              |
| Crushed Screening                  |  |                            |
| 5/8 – 1/4                          | Grading & Fracture   | 1 – 5,000 Ton              |
| 1/2 – 1/4                          | Grading & Fracture   | 1 – 5,000 Ton              |
| 1/4 – 0                            | Grading & Fracture   | 1 – 5,000 Ton              |
| Gravel Backfill for Foundations    | Grading, SE & Dust Ratio                                     | 1 – 5,000 Ton              |
| Walls                              | Grading, SE & Dust Ratio                                     | 1 – 5,000 Ton              |
| Pipe Bedding                       | Grading, SE & Dust Ratio                                     | 1 – 5,000 Ton              |
| Drains                             | Grading  | 1 – 5,000 Ton              |
| PCC Paving                         |  |                            |
| Coarse Aggregate                   | Grading  | 1 – 10,000 Ton             |
| Fine Aggregate                     | Grading  | 1 – 5,000 Ton              |
| Completed Mix                      |  |                            |
| Consistency                        | Slump  | 1 – 25,000 SY              |
| Air Content                        | Air  | 1 – 25,000 SY              |
| Yield                              | Cement Factor  | 1 – 25,000 SY              |
| Test Beam                          | Flexural Strength  | 1 – 25,000 SY              |
| PCC Structures                     |  |                            |
| Coarse Aggregate                   | Grading  | 1 – 5,000 Ton              |
| Fine Aggregate                     | Grading  | 1 – 2,500 Ton              |
| Consistency                        | Slump  | 1 – 1,000 CY               |
| Air Content                        | Air  | 1 – 1,000 CY               |
| Cylinders (28-day)                 | Compressive Strength   | 1 – 1,000 CY               |
| Yield                              | Cement Factor  | 1 – 1,000 CY               |
| Cement                             | Chemical and Physical Certification<br>(Verification Sample) | 1 – 1,000 Ton              |
| Asphalt Materials                  |  | Verification               |
| Paving Asphalt (AR, AC, PBA)       |  | 1 qt. every 3rd shipment   |
| Liquid Asphalt (Cutback, Emulsion) |  | 1 qt. every other shipment |
| Emulsion for ACP Tack Coat         |  | None required              |

